Mr. LOTT. Mr. President, I object to further proceedings on this bill at this time.

The ACTING PRESIDENT pro tempore. The bill will be placed on the calendar.

MR. LOTT. Mr. President, I object to further proceedings on this bill at this time.

The ACTING PRESIDENT pro tempore. The bill will be placed on the calendar.

CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEARS 2001–2011

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now resume consideration of H. Con. Res. 83, which the clerk will report.

The legislative clerk read as follows:


Pending:

Domenici amendment No. 170, in the nature of a substitute.

Motion to reconsider the vote by which Harkin amendment No. 185 (to amendment No. 170), listed above, was agreed to.

Collins amendment No. 190 (to amendment No. 170), to establish a reserve fund to eliminate further cuts in Medicare payments to home health agencies.

Stabenow/Johnson amendment No. 191 (to amendment No. 170), to eliminate further cuts in Medicare payments to home health agencies.

AMENDMENTS NOS. 190 AND 191

The ACTING PRESIDENT pro tempore. The Senate will now resume concurrent debate on the Collins amendment No. 190 and the Stabenow amendment No. 191 with the time to be equally divided. There will now be 10 minutes for explanation prior to votes on or in relation to the Collins amendment No. 190 and the Stabenow amendment No. 191.

Ms. COLLINS. Mr. President, I have offered an amendment that we will soon vote on that is intended to eliminate a further cut in Medicare reimbursements for home health agencies. The statistics tell the story. The combinations of cutbacks in Medicare payments and the generous regulations imposed by the Clinton administration have cost some 900,000 Medicare patients—often our most frail and vulnerable senior citizens, as well as those citizens with considerable disabilities—to lose access to their home health care.

In Maine, more than 11,000 seniors and disabled citizens have lost their home health care services. Nationwide, 3,300 home health agencies have closed their doors or have stopped serving Medicare patients. And looming on the horizon is yet another 15-percent cutback in Medicare payments to home health agencies.

It is scheduled to go into effect on October 1 of next year. If it does go into effect, it will have a devastating impact that will further jeopardize access to home health services for our senior citizens.

The cutbacks have already caused tragedies. I discussed last night an elderly woman with advanced Alzheimer’s disease in the State of Maine who had a number of other problems, who lost access to her home health care services, and as a result died from an untreated infection in her foot.

Surely, one of the dedicated home health nurses would have been able to treat that infection before it got out of control. That is just typical of the problems being created by the cutbacks in home health care.

My amendment establishes a $13.7 billion reserve fund that can be used only to restore Medicare payments to home health agencies. And it protects every dime of the Medicare HI trust fund.

By contrast, my colleague from Michigan has also offered an amendment that would take the money set aside for tax relief and place it in the Medicare budget account. Once there, the funds could be used for any purpose under the Medicare program. Under the amendment of my colleague, there is absolutely no guarantee whatsoever that the funds would be used for home health care. Indeed, there is no mention at all of home health care in the text of the amendment of my friend from Michigan.

In contrast, my amendment would bring us significantly closer to restoring Medicare home health payments. It sets aside $13.7 billion for home health—and home health alone. It also provides a mechanism to move subsequent legislation to eliminate the scheduled 15-percent reduction without being subject to a budget point of order.

I want to make a point clear. Under either approach, subsequent legislation will be needed to repeal the 15-percent reduction. That is precisely the situation that the reserve fund is designed to address.

We have used this approach before. We set aside funds in a reserve account just last year for the cervical and breast cancer program, and subsequently passed authorizing legislation that, because of the reserve account, was passed last year.

Mr. President, I see that my colleague from Missouri, who has been a tremendous leader on this issue, is on the floor as well. I want to make sure I leave some time for him. Could the President offer me some notion of how much time I have remaining?

The ACTING PRESIDENT pro tempore. The Senator has 1 minute remaining.

Ms. COLLINS. With that, let me yield my 1 minute. But let me make one point.

My amendment is endorsed by the National Association for Home Care and the Visiting Nurses Association of America. Those are the two organizations representing home health care providers.

I yield the remainder of my time to the Senator from Missouri.

The ACTING PRESIDENT pro tempore. The Senator from Missouri is recognized for 1 minute.

Mr. BOND. Mr. President, a very brief comment, necessarily, on the two amendments.

The Democrats claim the difference is that their amendment will guarantee that the money will go to home health care. Unfortunately, that is not the way the amendment is drawn. That is not what will happen. Basically, the Democratic amendment simply says: You may spend more on Medicare, not necessarily on home health. The only thing it tells you is there’s money available for tax cuts. That leaves more money for spending in any area.

The Collins-Bond amendment sets aside a reserve fund specifically for home health. It cannot be used for anything else.

I urge my colleagues to support the Collins amendment and to oppose the Democratic amendment.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Ms. STABENOW addressed the Chair. The ACTING PRESIDENT pro tempore. The Senator from Michigan.

Ms. STABENOW. Thank you, Mr. President. Good morning.

We have in front of us two approaches to addressing home health care needs and stopping the 15-percent cut that is scheduled to go into effect in October of 2002. I applaud my colleague from Maine for her commitment to this issue. I share her commitment, having worked very closely for 4 years in the House of Representatives with the agencies and associations involved in home health care.

I know we share a deep concern about the fact that there has been a 24-percent cut in patient care in home health care settings as a result of the Balanced Budget Act. I consider that an unintended consequence. I do not believe that it was intended that we see a 30-percent reduction in the number of agencies that serve Medicare patients. And as a result of that, we have seen this 15-percent cut delayed on three different occasions.

Today is the opportunity for us to send a strong message to the patients and families who rely on home health care, and the home health care agencies that do such a wonderful job, and say that, in fact, this cut will not take effect and they can proceed in providing quality care for our families.

The difference in the approach is that my colleague provides for a proposal that says “if.” And I will read this: “subject to the condition that such legislation will not, when taken together..."
with all other previously-enacted legislation, reduce the on-budget surplus below the "Medicare "... Trust Fund:" Then, and only then, would we have $33.7 billion available for home health care. Then, and only then, would we stop this incredibly devastating 15-percent cut that is scheduled to take effect.

It offers a different approach. It is very simple. We will protect home health care, period. We take the $33.7 billion off the top, as they say. We take a very minute amount of money away from what is, in effect, a $2.5 trillion tax cut that has been proposed by the President, to say that we are going to make sure the families of America have access to home health care; that seniors can live in dignity in their homes; that families who care for moms and dads and grandparents can be sure that home health care services are available so they are not forced to choose a nursing home or another institution when it is not appropriate.

It is very clear; we have two approaches and the same amount of dollars. One says: Maybe, if all other things happen, we will stop the 15-percent cut in home health care.

My amendment very simply says: We take it off the top. We guarantee that we will place home health care as a priority.

It certainly is a priority for our families. It needs to be a priority for this Congress. My amendment will simply make sure that that is the case.

I urge colleagues on both sides of the aisle who care deeply about home health care to join with me in guaranteeing that home health care is a priority of this Congress and to make sure this devastating 15-percent cut will not, in fact, take place.

I urge you to support the amendment and yield to my colleague and friend from North Dakota.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

Mr. CONRAD. Mr. President, the difference between these two amendments is very clear. The Senator from Michigan has an amendment that is paid for. The Senator from Maine has an amendment for which there will be no money if Medicare is being raided for other purposes, which we have seen time after time after time on the floor of the Senate over the last 2 days. The choice is very clear. If Senators want to support home health care, they had better support the Senator from Michigan. It is the only proposal that is paid for.

I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. LOTT. Mr. President, I yield myself such leader time as I might need, although I thought brief.

On the issue before us, the amendment by the Senator from Michigan, once again, this is a continuation of what I referred to yesterday: Fiddling while Rome is burning. Once again we are going to increase spending, albeit in a good cause, and we are going to take it away from tax relief for working Americans.

The Senator from Maine has a better alternative. I say again to all who are watching, the pattern is clear—spend more and tax more. That is what the Congress has been committed to for so many years, and we are trying to change that culture.

With that, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I will take off the leader time.

We always welcome the majority leader to the floor, even when he makes statements that don't quite fit the facts. I say to my colleague this morning, I think he knows, as we all do, that the choice is not the choice between spending and a tax cut. It is really more complicated than that. It is the question of what is the appropriate mix of tax cut, debt paydown, and preserving resources for these high priority domestic needs such as improving education and a prescription drug benefit.

The most stark differences are that we have reserved much more of the projected surplus for the paydown of national debt. They have a tax cut that is about twice as big as ours. We have about twice as much reserved for the paydown of our national debt, both short-term and long-term. We think that is a better set of priorities. We have also reserved additional resources for improving education and for a prescription drug benefit and for strengthening our national defense. We think those are priorities of the American people.

The President has said very clearly this is the people's money. We agree with that. Absolutely, this is the people's money. Some of it should be returned to them in a tax cut. Some of it should be used to pay down our collective national debt. After all, that is the people's debt. We also ought to strengthen Social Security because that is the people's Social Security program. We ought to improve education for our kids because, after all, they are our kids. We also ought to do something about a priority that is as important as home health care. The Senator from Michigan has an amendment that is paid for, that would provide an assurance that the resources would be available to improve home health care. It deserves our support.

I reserve the remainder of leader time and yield the floor.

The PRESIDING OFFICER. The PRESIDING OFFICER. The question is on agreeing to the Stabenow amendment No. 191.

Ms. STABENOW. Mr. President, I ask for the yeas and nays.

The amendment (No. 191) was rejected.

The PRESIDING OFFICER. Vote on Amendment No. 190.

The PRESIDING OFFICER. The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second. The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 99, nays 53, as follows:

[Rollcall Vote No. 73 Leg.]

YEAS—99

Akaka
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Bayh
Biden
Bingaman
Baucus
Byrd
Baucus
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Collins
Carnahan
Carper
Clinton
Conrad
Corzine
Daschle
Dayton
Dodd
Dorgan
Durbin
Edwards
Feingold
Feinstein
Graham
Harkin
Hollings
Inouye
Johnson
Kennedy
Stabenow
Kohl
Landrieu
Wellstone
Levy
NAYS—53

Allard
Allen
Bennett
Bond
Brownback
Bunning
Burns
Campbell
Chafee
Cleland
Coehn
Collins
Craig
Crafo
DeWine
Domenici
McCollin
McConnell
Emm
Enzi
Frist
Gannam
Grassley
Gregg
Hatch
Helm
Hutchinson
Inhofe
Jennings
Kyl
Lott
Lugar
McCollin
McConnell
Miller
Murkowski
Nelson (ND)
Nicholas
Robertson
Santorum
Sebastian
Shelby
Smith (NH)
Smith (OK)
Specter
Stevens
Thomas
Thompson
Thurmond
Voinovich
Warner

The amendment (No. 191) was rejected.

The PRESIDING OFFICER. The question is now on agreeing to the Collins amendment.

Ms. COLLINS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second. The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 99, nays 1, as follows:

[Rollcall Vote No. 74 Leg.]

YEAS—99

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Baucus
Bayh
Biden
Bingaman
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Brownback
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Cantwell
Collins
Carnahan
Carper
Clinton
Conrad
Corzine
Daschle
Dayton
Dodd
Dorgan
Durbin
Edwards
Feingold
Feinstein
Graham
Harkin
Hollings
Inouye
Johnson
Kennedy
Stabenow
Kohl
Landrieu
Wellstone
Levy

The amendment to the Collins amendment was rejected.

The amendment No. 191 was rejected.

The PRESIDING OFFICER. The question is now on agreeing to the Collins amendment.

Ms. COLLINS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second. The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 99, nays 1, as follows:

[Rollcall Vote No. 74 Leg.]

YEAS—99

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Baucus
Bayh
Biden
Bingaman
Bond
Boucher
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Brownback
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Cantwell
Collins
Carnahan
Carper
Clinton
Conrad
Corzine
Daschle
Dayton
Dodd
Dorgan
Durbin
Edwards
Feingold
Feinstein
Graham
Harkin
Hollings
Inouye
Johnson
Kennedy
Stabenow
Kohl
Landrieu
Wellstone
Levy

The amendment to the Collins amendment was rejected.
The amendment (No. 190) was agreed to.

Mr. DOMENICI. I move to reconsider the vote.

Mr. CONRAD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI: I understand we have an order entered as to how we proceed. I want to take 5 minutes off the resolution just to talk with the Senate a little bit about where we are. I understand my friend wants to do the same. He is not limited, of course, to 5 minutes. But I want to start that way.

Mr. President, I want Senators to know that both of us, as managers of this bill, find ourselves in a position where there are some very big conflicting desires. One desire is that we finish by noon tomorrow. It seems to be a rather pervasive one going around. Whenever you say: Would you like to finish at 12 tomorrow, the roof goes down with shouts of, “Allelujah. Let’s do it.”

We are trying to figure out how we can do that. The problem, fellow Senators—I speak to all Senators; and then my friend can speak to all, and he can include ours in his comments—it is not possible to do that. Some Senators have five, some Senators have six, some requested three amendments. I don’t know if there is anybody with any higher than six that we are aware of, but we all have these requests for amendments, and we want everybody to know we are aware of that. But we also want everybody to know that we are going to have to soon find a way to limit our time. When that happens, it is not going to be possible that all of these amendments are going to be considered. We have a time agreement now that says Senators who have amendments and want them considered have to get them turned in by 2 o’clock today. That is in just a few hours.

I hope my recalling that to Senators does not bring another rash of amendments. If you have them ready, I am hoping you will get them down here. I hope I did not remind you to come up with more because essentially there is not going to be time for more.

We are going to have to get our heads together—that is, the two leaders and the two managers—to talk about how we are going to attempt to assure Senators that we will be finished tomorrow at 12 o’clock. In that process, we have no way of setting a list of 40, 50 amendments that are all going to be considered. I think you understand that would not be the case. If we used all the time we have, many Senators would not get their amendments up other than a vote-a-thon. We are trying very hard to limit the vote-a-thon so it is credible, rational, and so people have a couple minutes and we don’t just start voting.

With that, I urge anybody on our side who has amendments that they absolutely feel must be considered to talk with us. If they can get by with one amendment, if they have three pending and will put two of them in the vote-a-thon, and then get them one after another, and very quickly, we will very much appreciate that.

We are trying our best. All Senators should know we are trying to get a consent agreement so that we will be out of here by 12 tomorrow. That means people will get pushed back in terms of the number that can be considered and the time that can be used on amendments. We are going to do our very best on our side. We think we know the Senators who have insisted and worked very hard to make sure they get an opportunity. We are going to try to protect that.

Beyond that, I don’t think we can guarantee very much. If indeed Senators want us to lead them to the promised land, the promised land, we thought, was to have a unanimous consent agreement sooner rather than later, saying we will be finished at 12 tomorrow.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I ask for 3 minutes off the resolution.

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

Mr. CONRAD. Mr. President, I repeat the theme of the chairman of the Budget Committee on this question of what we have before us. We have had Members from North Dakota and New Mexico, I have an amendment that I will offer with Senators BIDEN, NELSON, and DASCHLE. I ask unanimous consent that our 30 minutes on this amendment be divided so that Senator BIDEN of Delaware will be first to speak for 10 minutes, Senator NELSON of Florida for 5 minutes, and that I will speak for the last 15 minutes.

Mr. REID. Mr. President, if I may just say, the Senator from North Dakota has asked to use all the time on the resolution. It is my understanding that the Senator from North Dakota would like to save some time on the amendment. I am sure the Senator from North Dakota would yield time on the resolution if the Senator from Delaware indicated and reserve the time on the amendment.

Mr. DURBIN. I thank the Senator. If it is permissible at this point to go ahead with this amendment?

Mr. REID. The arrangement would be fine, but the time would be off the resolution, not off the amendment.

Mr. DURBIN. I ask unanimous consent that the next 30 minutes of debate on the amendment I am sending to the desk be allocated as I have suggested.

Mr. DOMENICI. Mr. President, reserving the right to object—I must apologize to the Senator—would he please repeat the request.

Mr. DURBIN. I am asking that 30 minutes of the debate that will follow on the amendment be allocated 10 minutes to my colleagues, 5 minutes to Senator BIDEN, and 5 minutes to the Senator from Florida, Mr. Nelson, and that I have the last 15 minutes of that 30 minutes.

Mr. REID. The time will be yielded off the resolution.

Mr. DOMENICI. I understand that the time would not come off the amendment but off the resolution.
Mr. DURBIN. That is my understanding.

Mr. DOMENICI. I have no objection.

The PRESIDING OFFICER. The amendment is so ordered.

AMENDMENT NO. 202

Mr. DURBIN. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant bill clerk read as follows:

The Senator from Illinois [Mr. DURBIN], for himself, Mr. BIDEN, Mr. NELSON of Florida, Senator Lieberman, and Mr. DASCHLE, proposes an amendment numbered 202.

Mr. DURBIN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To call for immediate action by the United States Senate on passage of an Economic Stimulus Package in FY01 and to provide for further tax cuts in Fiscal Years 2002-11 as part of a fiscally responsible budget that ensures maximum feasible debt reduction)

On page 2, line 17, decrease the amount by $31,140,000,000.

On page 2, line 18, decrease the amount by $10,606,000,000.

On page 3, line 1, increase the amount by $12,100,000,000.

On page 3, line 2, increase the amount by $33,077,000,000.

On page 3, line 3, increase the amount by $64,625,000,000.

On page 3, line 4, increase the amount by $80,281,000,000.

On page 3, line 5, increase the amount by $71,119,000,000.

On page 3, line 6, increase the amount by $33,077,000,000.

On page 3, line 7, increase the amount by $31,140,000,000.

On page 3, line 8, increase the amount by $64,625,000,000.

On page 3, line 13, increase the amount by $10,606,000,000.

On page 3, line 14, increase the amount by $12,100,000,000.

On page 3, line 15, increase the amount by $35,077,000,000.

On page 3, line 16, increase the amount by $37,444,000,000.

On page 3, line 17, increase the amount by $37,444,000,000.

On page 3, line 18, increase the amount by $37,444,000,000.

On page 3, line 19, decrease the amount by $71,119,000,000.

On page 3, line 20, decrease the amount by $80,281,000,000.

On page 3, line 21, decrease the amount by $64,625,000,000, and add the following:

(a). FINDINGS.—The Senate finds:

(1) That the economy of the United States has consistently grown since 1993, providing increasing prosperity for millions of hard-working Americans;

(2) That the pace of growth of the economy of the United States was measured at only one percent in the fourth quarter of 2000;

(3) That debt reduction is effective in stimulating capital investment that promotes long-term growth;

(4) That the President and Vice President of the United States have noted that the economy of the United States is in need of a stimulus;

(5) That the Democratic Leader of the United States Senate and other Members of the Democratic Caucus have called for immediate passage of a $60 billion Economic Stimulus Package;

(6) That the Chairman of the Senate Committee on the Budget has included in his FY02 budget substitute a $60 billion Economic Stimulus Package;

(7) That the Ranking Member of the Senate Committee on the Budget has also called for a $60 billion Economic Stimulus Package;

(b). SENSE OF SENATE.—It is the Sense of the Senate that the levels in this resolution assume that the Senate should discharge H.R. 3 from the Senate Committee on Finance, begin floor consideration of H.R. 3 immediately after passage of H. Con. Res. 85, strike all after enacting clause and insert the text of the agreed upon $60 billion Bipartisan Economic Stimulus Package, including an immediate economic stimulus check for all payroll and income taxpayers and a permanent reduction of the fifteen percent income tax bracket to a ten percent tax bracket, and proceed to a vote on final passage prior to April recess.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. Mr. President, I thank the Senator from Illinois.

This is a simple amendment. It is an amendment that everyone here, on both sides of the aisle, should be able to support.

When President Bush was campaigning during the Republican primaries, he announced a 10-year across-the-board income tax cut plan. He said that increasing the budget surplus meant the Government was taking much too much money.

Steve Forbes had his flat tax, and Mr. Bush had his tax cut plan. He offered that plan at a time—to repeat what has been said on the floor before—when our economy was booming, when the stock market was still climbing. In fact, when the campaign was beginning and this plan was offered, the economy was growing at 8.5 percent. That is a very different circumstance than we have today. We just found out that the economy was still growing in the first quarter of this year, but not at 8.5 percent, at 1 percent.

The President has told us the plan he came up with in the campaign when the economy was expanding was exactly the right size for the economy at that time. Now he is trying to tell us it is exactly the size for the economy at this time.

President Bush has admitted that his plan fails to get enough money out to people at the start of his plan, right now, while the economy is at a low point, while consumer confidence is bumbling around down there, and while people are slowing up on their purchases, slowing up on buying durable goods, slowing up on the economy. In fact, the President himself acknowledges this. In fact, so does the Republican budget resolution before us today. My friend, the chairman of the Budget Committee, has included $60 billion for a stimulus proposal in this resolution. Senator DURBIN, Senator NELSON of Florida, Senator LIEBERMAN, and I suggest that we act on that. We are offering an amendment, with the same $60 billion cost this year as in the Republican plan, that will put money in the pockets of everyone who works for a living and pays payroll taxes.

If this were to become law, as soon as 2 or 3 months from now, we will be able to send a $600 check to eligible couples, $300 to single taxpayers. We also permanently drop—and the President proposes as well—the income tax rate from 15 to 10 percent. This is a permanent cut that affects everyone who pays income tax at the highest and lowest brackets.

The President has a similar proposal, but ours would go into effect immediately. That would mean an additional $300, on average, per person per year on top of the payroll tax rebate check for a married couple through lowering withholding from their paychecks, having lowered the lowest rate from 15 to 10, as the President proposes. That extra $900 bucks per family this year is real money. It is real money for working families, and it has real consequences.

As strange as it may sound, it means a couple that is withholding the purchase of a new toaster or refrigerator or microwave or a durable product that folks like us don’t withhold buying now—we are not the reason for the economy is slowing down. Everybody always talks about how the Senate is made up of millionaires, I wish I were one of them. But there is no millionaire in this place who is not spending their money. They are not the reason the economy is slowing down.

Average folks, the folks I grew up with, they are the ones who are causing the economy to slow because they are not spending their money. They have lost confidence in the economy. So if we are going to have any hope of an impact beyond what I believe is needed—the monetary stimulus that Mr. Greenspan, hopefully, will continue to
provide, this is the only fiscal stimulus that is available to us.

That extra income for a family, as I said, is real money. It exceeds what they would get under the whole plan, in some cases, of the President. This will mean a lot of people and businesses that depend on them will be able to purchase and sell, keep people employed. Keep the economy going. This money would get out this year, and to give a $60 billion jump start to the economy is something, if I read the budget resolution correctly, if I listened to the rhetoric I have heard from Democrats as well as Republicans, as we all acknowledge is needed—maybe the argument will be it is not enough of a stimulus. Some argue it is too much. I don't know anybody arguing that we don't need a stimulus.

This $60 billion you can all agree on: the need for a tax cut that actually does something to lift the sagging economy here and now. By the way, as our friend from Arkansas stood up, Senator BLANCHE LINCOLN, a couple weeks ago, I was surprised when she listed how many people in her State would not benefit from any aspect of the President's tax cut because all they do is pay payroll taxes. Nothing. This will see to it that everybody—those folks, real live folks we all say we care about, will get a tax cut, and they will get it now. So the two benefits it has for that cadre of people is, one, they get it now and, two, they get it.

Under the existing proposal of the President, they don't get it, period. I hope we get it and figure it out.

The amendment I am speaking to today, along with my friend from Illinois and my friend from Florida, who will speak next, simply says we should put off this tax cut until the end of the decade. Both parties in the Senate agree on a $60 billion stimulus plan, and we should act as soon as possible. This amendment calls on us to take the first tax bill that comes over from the House, substitute our $60 billion economic stimulus plan with this bipartisan support, pass it right away, and within weeks get money into people's hands.

I say to my friends on both sides of the aisle, if you believe in doing something right now to pump some life into the economy, this is your chance. Whatever you make of this $2 trillion-plus tax cut cost by the President, whatever you make of its size or its distribution, this amendment does what tax cuts alone do not do—it puts money now, real money, into the hands of every taxpayer in the country in time to respond to the real needs of the economic stimulus. It is not based upon some pie-in-the-sky expectation of what is going to happen over 10 years based upon the growth of the economy and stimulating spending.

I thank my colleague for listening. Whatever time I have left, I yield to my friend from the State of Florida.

The PRESIDING OFFICER. The Senator from Florida is recognized. The remaining time is 1 minute 2 seconds.

Mr. BIDEN. I yield to Senator from Florida. Mr. President, I had requested 5 minutes, so would you prefer that I go ahead and take it, or let the Senator from Oregon go ahead, and I will be happy to speak after him? What is the pleasure of the Senator from Oregon?

Mr. SMITH of Oregon. I say to my friend, I am awaiting the arrival of the senior Senator from Oregon, Mr. WYDEN, who will be here momentarily. If the Senator won't be long, why don't we go right on?

The PRESIDING OFFICER. The Senator from Florida is recognized for 5 minutes.

Mr. NELSON of Florida. Mr. President, I thank Senator BIDEN for his comments on the introduction of this particular amendment. He has spoken to the stimulus of the tax package and why we need in a declining economy, which, of course, we hope rebounds, but because there is an indication that the economy is on the decline, we don't need a tax cut to take effect only in the last 5 years of the next decade; we need it to take effect now, to inject some financial, some fiscal stimulus into the economy so we can come out of the slump. That is what Senator BIDEN has addressed.

I wish to address another part of this particular amendment, and that is the part of debt reduction, because this amendment takes a portion from the President's proposed tax cut, lowers that tax cut, changes the nature of that tax cut to an immediate fiscal stimulus, and has further a reduction of the national debt down to a level of approximately $500 billion after the decade, after the 10-year period for which we are planning.

Now, why is this important? First of all, it is very important because that is what the people of America want. For decades we have been living in an economy that has been driven by annual deficits; that is, when the Federal Government is paying more out than it is coming in in tax revenues. And the difference—since we spend more than we have in tax revenues—is what we have to borrow each year, called the annual deficit. That deficit then, is added each year, and cumulatively the national debt becomes greater and greater. That figure today on the publicly held national debt is about $3.4 trillion.

Well, not until a year ago did we ever seriously think that we could confront the fact of paying down the national debt, until suddenly we realized that we were in this surplus condition. Now we don't know what the surplus is. We say, in the last estimate, that it is $5.6 trillion over the next 10 years. New estimates are saying it is much lower than that, and that it is really about $4.2 trillion. Why keep going into a declining economy, the surplus could dwindle to significantly less than we are projecting. But we do know there is a surplus there, at least for the foreseeable future.

So all of this is to say that is why the people out there in America—and I can tell you in my State of Florida—clearly are giving us the message that in this time of beneficence, as a result of the prosperity that we have experienced in the last decade, they want us to use that prosperity to start paying down the national debt, as well as giving a substantial tax cut. That is just good economic common sense. That is what we all do in our individual budgets. We want to pay down debt, get ourselves debt-free so we have a much more stable financial condition. So, too, with our country.

In our country there is a little bit of difference. In the $3.4 trillion of publicly held debt, there is some of that debt as Mr. Greenspan testified in front of our Budget Committee, which you would not necessarily be able to pay off right away because it is long-term bonds and the Federal Government would have to pay a premium to pay those off. That overall publicly held debt is estimated to be about half a trillion dollars, $500 billion, which would be difficult to pay off without paying a premium.

This amendment brings down, over a 10-year projection, that publicly held debt to a level at which we would not have to pay a penalty or a premium to pay off, and that is estimated at $500 billion at the end of the decade.

That is common sense. That is good fiscal discipline. That is good fiscal and economic policy, and it is what the people of our country want.

If we have an opportunity to pay down our national debt, we ought to do it. That is being good stewards of our national economy.

That is the message I wanted to bring as this amendment being offered by Senator DURBIN is considered by the Senate.

I thank the Chair.

Mr. CONRAD. Mr. President, I yield myself 3 minutes off the resolution.

The PRESIDING OFFICER. The Senator is recognized.

Mr. CONRAD. Mr. President, I commend the Senator from Florida, who is a very distinguished member of the Budget Committee, for his remarks and for the contribution he has made to the fiscal discipline. That is good fiscal and economic policy, and it is what the people of our country want.

I yield the floor.

Mr. CONRAD. Mr. President, I commend the Senator from Florida, who is a very distinguished member of the Budget Committee, for his remarks and for the contribution he has made to the fiscal discipline. That is good fiscal and economic policy, and it is what the people of our country want.
1980s and saw firsthand what happened when very serious fiscal mistakes were made.

The Senator from Florida has been one of the strongest voices in the Senate Budget Committee saying: Let's not repeat those mistakes; let's be serious and sober; let's take a look at the fact that these surpluses are projected, they are forecasted; they are not in the bank; and let's dedicate most of that projected surplus to debt reduction.

Yes, we can spend some money. Yes, we can have a significant tax cut. Yes, we can provide additional resources for improving education, as we did yesterday, and provide a prescription drug benefit, as we did the day before yesterday.

Yes, we can strengthen our national defense, as we did last night, over what is in the President's budget.

Those are investments. That is prudent spending.

The primary emphasis ought to be: Keep our eye on the ball; keep paying down this national debt. That is what is going to be a time bomb for this economy so we can continue to focus on creating good-paying jobs for people so they cannot care for their families and have the resources they need.

It puts dollars this year, directly into people's pockets, and it puts dollars in their pockets by allowing them to refinance their mortgage, as we continue to pay down the debt so interest rates come down.

It is incredibly important we act immediately. We heard over and over in the Budget Committee that if we were going to have any impact through a tax cut, it needs to be immediate. We can do that immediately and at the same time address debt reduction and critical investments that we know will help keep the economy going for the future.

I support these efforts. It is very important we act immediately. We can do that right now. We can make a difference for families right now and stimulate this economy immediately so we can continue to make sure that families benefit from the economy we have had of the last 8 years.

My distinguished colleague from Illinois, who is the chief sponsor and leader in this effort, is in the Chamber. I yield back my time and give the Senator from Illinois an opportunity to address his amendment.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan. Who yields time to the Senator?

Mr. CONRAD. How much time would the Senator from Michigan like?

Ms. STABENOW. I request 5 minutes.

Mr. CONRAD. I yield 5 minutes off the resolution to the Senator from Michigan.

Ms. STABENOW. I thank my esteemed leader from North Dakota.

Mr. President, I rise today to congratulate my colleagues, my friends from Florida and Delaware and the Senator from Illinois, the author of the amendment, on this approach of putting dollars directly into people's pockets as a part of this budget process.

We do that in three ways: First, through an immediate tax cut. The President has proposed a tax cut, most of which will not take effect for at least 6 years. We know that is not what is needed in this economy. We need to be putting dollars directly into people's pockets immediately as a stimulus.

This would do that.

Secondly, we put money into people's pockets by lower interest rates. We must keep the economy going. One of the reasons the economy has done as well as it has in the last 8 years is because we began to systematically pay down the debt so our mortgage payments could go down, our car payments could go down. That is a second way we put money back in people's pockets.

The third way is to guarantee we keep this economy going so people have a job. This package does all three of those things. It stimulates the economy so we can continue to focus on creating good-paying jobs for people so they can care for their families and have the resources they need.

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amendments—both of them—and be limited to 60 minutes equally divided in the usual form and, following that time, the amendments be laid aside.

I further ask consent that no amendments to those amendments be in order prior to votes just described and the votes occur in a stacked sequence, first in relation to the Durbin amendment and then in relation to the Bennett amendment, beginning at a time determined by the two leaders. Further, I ask consent that following that debate, Senator Smith of Oregon be recognized to offer an amendment and there be 15 minutes of debate equally divided between Senator Smith and Senator Wyden and, following that debate, the amendment be temporarily set aside.

The PRESIDING OFFICER. Is there objection?

Mr. DURBİN. Mr. President, reserving the right to object, the only point I would like to add is that after Senator Bennett's second-degree or substitute amendment is laid down, I would like to have right of recognition first.

The PRESIDING OFFICER. Is there objection?

Mr. CONRAD. Let me be clear. What the Senator from Illinois is asking, as I understand it, is after Senator Bennett's amendment has been laid down, that he receive the first right of recognition.

Mr. DURBİN. That is correct.

Mr. CONRAD. Is that acceptable?

Mr. BYRD addressed the Chair.

Mr. DURBIN. Mr. President, this may be one of the most important debates we will have about this budget resolution because at issue in this debate, with the Durbin amendment and the Bennett amendment, is a very simple proposition. It is this: America's economy needs a shot in the arm. It needs help immediately—not a year from now, not 5 years from now, not 6, 7, 8, 9, or 10 years from now, but immediately.

What I am proposing with the Durbin amendment is to take from the surplus of some $97 billion, which we know we will have this year on the budget we are debating, $60 billion of that surplus and return it to the American people as quickly as we can prudently return it so we will give that spending power back to families in America immediately. That is what I am proposing.

The amendment by the Senator from Utah proposes to stay with President Bush's approach. They believe in it on their side of the aisle. I understand that. But they will have to concede this point. If they prevail, there will be no immediate relief for taxpayers—none, zero, no help. I can tell you for families across Illinois and across the Nation there is an immediate need for a helping hand.

Let me tell you about this amendment.

Mr. NICKLES. Mr. President, will the Senator yield for a second?

On page 2, line 18, decrease the amount by $10,606,000,000.

On page 3, line 1, increase the amount by $0.

On page 3, line 2, increase the amount by $0.

On page 3, line 3, increase the amount by $0.

On page 3, line 4, increase the amount by $0.

On page 3, line 5, increase the amount by $0.

On page 3, line 6, increase the amount by $0.

On page 3, line 7, increase the amount by $0.

On page 3, line 8, increase the amount by $0.

On page 3, line 13, increase the amount by $31,140,000,000.

On page 3, line 14, increase the amount by $0.

On page 3, line 15, decrease the amount by $0.

On page 3, line 16, decrease the amount by $0.

On page 3, line 17, decrease the amount by $0.

On page 3, line 18, decrease the amount by $0.

On page 3, line 19, decrease the amount by $0.

On page 3, line 20, decrease the amount by $0.

On page 3, line 21, decrease the amount by $0.

On page 3, line 22, decrease the amount by $0.

On page 2, line 18, decrease the amount by $10,606,000,000.
that they aren’t facing a tax burden. They are. Quite honestly, they are the people who are facing a tougher burden than not because they are in lower income categories.

The President right now is holding the economy hostage. He is holding it hostage to his $1.6 trillion proposal. What Senator BENNETT and others have said is, if you want to talk about an immediate stimulus, you can only have it if you buy the whole program. You have to buy the whole package. You have to accept $1.6 trillion over 10 years or we are not going to be signing up for any kind of stimulus right now.

I think that is very shortsighted. I don’t think it is fair to families across America. I don’t think it is responsible to the real serious economic problem that we face. Our plan is fiscally responsible.

The Senator from Oklahoma makes an important point. We believe the overall tax cut, the long-term tax cut, should be a responsible, prudent, manageable figure, and something that won’t drive us back into deficits.

The Republicans think that the President’s projections of what will happen to America 5 or 10 years from now are as reliable as they can be.

We know that 6 months ago when Chairman Greenspan, our economic guru in America, was looking at the economy he got it all wrong. Six months ago he said we had to raise interest rates; that the economy was heating up too fast. He was wrong. This man with all the information and all of the wisdom didn’t get it right. But the White House is telling us that the President can get it right—not just 6 months from now but 6 years from now; he can tell you what the American economy is going to produce. If you were him or an advisor you could get rich if you had that kind of confidence in the end results. Ordinary people don’t. Economists are often wrong.

Let me tell you about this tax cut and what it means.

The American income tax system is a system built on stair steps. Everybody pays the bottom rate of 15 percent. Then, of course, as your income increases, the incremental dollars are taxed at different levels—28 percent, 31 percent, 36 percent, and beyond.

We are proposing a permanent tax cut for all Americans across the board who pay income taxes from 15 percent to 20 percent so that the richest in America as well as those in the lowest income categories paying income taxes will benefit.

The President’s proposal, on the other hand, says, let’s provide the lion’s share of the benefits to those right here at the highest income categories. The President’s tax cut gives 43 percent of all the tax benefits to people making over $319,000 a year—43 percent. That is not fair.

The Democratic approach says every one benefits across the board. The richest down to the lowest in income pay an incremental dollars are taxed at different levels—28 percent, 31 percent, 36 percent, and beyond.

The purpose of the tax cut for all Americans across the board is to put more money in the hands of consumers in the short term and restore consumer confidence. We may have to put off a bit of the stimulus section and look at the Dow Jones average. The President can get it right—not just 6 months from now but 6 years from now; we have the oars. We are providing a rebate directly to the families, and we are cutting the tax rate permanently, so families know their tax burden is going to be reduced.

We have more comments from President Bush. And they just keep getting better about the Durbin amendment. Here is one from the Detroit News on March 12.

I’m listening to what different members have to say. The key thing is, we have to have meaningful, real tax relief . . . to get money in people’s pockets to serve as a stimulus for the economy.

I want to thank the President for those kind words of encouragement. Then on March 28, in the Orlando Sentinel, the President said, again:

We must put more money in the hands of consumers in the short term and restore consumer confidence. We may have to put off a bit of the stimulus section and look at the Dow Jones average. The President can get it right—not just 6 months from now but 6 years from now; we have the oars. We are providing a rebate directly to the families, and we are cutting the tax rate permanently, so families know their tax burden is going to be reduced.

He goes on to make that point.

My friends, the sad reality is, unless and until we pass a tax rebate that has teeth in it—that means that a check will be coming to families across America, not in a matter of a year or two or beyond but right now—that we are not going to see this economy turn around as quickly as it might. The benefits, of course, of a tax cut around are pretty obvious.

The President said this morning, and you go to the Business section and look at the Dow Jones or go to the New York Times—the same story; it is an up-and-down roller
coaster but mainly down. People across this country who have 401(k)s and IRAs understand that that little nest egg they put side for security and safety in their retirement has been battered pretty badly over the last 6 months or a year. We believe we can get this economy back on track.

During the Clinton-Gore administration, we had unparalleled prosperity in this country. We can return to those days, but we have to return to them with the vision of what makes the economy move forward. What helps it move forward is when consumers have some confidence, confidence that they can pay their bills, confidence that this economy is going to be there, so they can turn around and buy a car, a washer and dryer, maybe remodel the kitchen—whatever is important to their family. They pay off some tuition bills for their kids.

We want to put money in their pocket to make it happen. The Durbin amendment really addresses that directly.

I say to those on the other side who believe you cannot really offer a stimulus and this kind of tax cut to families unless you talk about what is going to happen in America over the next 10 years, that is an important debate. Let’s stick with that debate. Let’s have it, but let’s not let that debate hold hostage the idea of a stimulus right now, a stimulus that can help the American economy turn around.

I do not believe the support for this idea comes exclusively from Senator Domenici or President Bush. I think it comes from the people I represent in Illinois, and I will bet most of the other States that are represented in this Senate.

I ask my colleagues, let’s pass this budget and immediately take up H.R. 3 package and get checks out to every taxpaying American. Let’s do this before we leave for any kind of a break. Let’s get our side of the argument on the table, marry off some Senate bills for their kids.

Mr. BENNETT. Mr. President, I ask unanimous consent that the order for the amendment to the desk.

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

The amendment, as modified, is as follows:

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Mr. BENNETT. Mr. President, I have listened with interest to the statements of the Senator from Illinois, who says we need to kick-start the economy. He went on at great length quoting Senator Domenici and President Bush about how we absolutely need to do this, perhaps ignoring the statement by the Senator from Oklahoma that my amendment includes the amounts he says will kick-start the economy.

The issue is not, Do we both agree that there must be something to kick-start the economy? The issue is whether or not, having kick-started it, we then try to kill it at the back end.

Let’s make no mistake about what this amendment is about. This amendment is not about stimulating the economy in the short run, because Republicans and Democrats agree, and my amendment has exactly the same numbers in it as the amendment on the other side. The disagreement is on what happens on the back end.

In the name of stimulating the economy in the short term, they want to kill the tax cut in the long term. That is what this is about. It may be couched in other kinds of rhetoric, but basically this is a further attempt on the part of the Democrats in the Senate to see to it that President Bush will not get his tax cut, so that the
headline in the Washington Post will be “Bush Suffers A Defeat.” That is what they are saying. This is not what the Senate wants. This is not about paying heating bills for poor people in Illinois. This is about the political victory of the Senate Democrats to get the headline that says “Bush Suffers A Defeat.”

Look at the numbers. The total effect of the underlying amendment, to which my amendment is a second degree, would be to cut, over a 10-year period, the total size of the tax cut by $418 billion. Right now, if the Harkin amendment is not overturned on reconsideration, the tax cut has been scaled down from the $1.6 trillion President Bush asked for to $1.1 trillion. If this amendment passes, that will be scaled down further to $746 billion, which is below the number the Democratic leader offered in the first place as the logical size of the tax cut.

This is a stealth attempt to make sure, in the name of stimulating the economy, that the tax cut gets cut, and cut, and cut.

I suspect that there are other amendments lying in the weeds which, added to this one, will bring it down even lower than the 746. That is a prophecy; prophecies can be wrong. One thing is not wrong is the 746 number. If the underlying amendment passes, the total size of the tax cut is cut to 746. That is what this is all about.

We talk about stimulating the economy, and we need to do it now. Once again, my amendment has exactly the same numbers the underlying amendment has. Make no mistake: We are not debating stimulating the economy. We are debating eviscerating the Bush tax cut.

I wish I had this better than second-hand. It was reported to a group of us yesterday. The source given was Mr. Blinder. I am prepared to be corrected if it is wrong. It makes sense. It is right, and I will share it with the Senate with those caveats around it.

Alan Blinder said, if you want to stimulate the economy and you pass a long-term rate structure reduction, the net benefit is 1, whatever 1 is. We are on a scale now. If you do a quick fix, fix all kind of stimulus, the net benefit to the economy is, compared to 1, .5. If you do a complex mix of sending out checks, the net effect on the economy is .3.

We are willing to talk about something that, on the scale I have just described, would be a .5, but we are not willing to sacrifice the 1 in order to do it. We are not willing to kill the most fundamental and beneficial stimulus for the economy, long term as well as short term, in the name of a short-term stimulus that makes for good speeches and slogans.

We hear a lot of class warfare rhetoric. We heard it again from the Senator from Illinois: We must take care of the little people; we must do something, not for the rich, we must do something for the people at the bottom.

Every time we have had testimony before the Banking Committee, on which I sit, or the Joint Economic Committee, on which I am now vice chairman, from Chairman Greenspan or other distinguished economists, the question comes up: Who benefits the most when the economy is sound and doing well? The answer is always: The people at the bottom.

The best thing we can do for the people at the bottom is to see to it that the economy is structurally sound and growing. The best stimulus is to see that the people who control capital have confidence in the future. They will start making capital investments that create the jobs. They will start putting in place the structural pattern that they have interrupted because they have lost confidence. And that can come by the passage of the Bush tax cut, which may or may not have any immediate stimulation in the short term, but when the President says to the Senate, that the Senator refers to, but will have the kind of impact that will produce both short-term stimulus and long-term stability.

That is what this debate is all about. Are we going to get excited about the short-term stimulus being the only thing to do and kill the long-term stability on the basis that we don’t know what the numbers are going to be? Or are we going to do both in a prudent fashion?

I hear a lot of talk about the heating bills. I suggest to the Senator from Illinois and other Senators that if what they want to deal with heating bills, they ought to deal with the energy crisis and not try to fiddle round with taxes. But that is another debate for another time.

Let me address one other point that keeps coming up. We must pay down the national debt. Both sides want to pay down the national debt. Let us not pretend that is an exclusively Democratic position or an exclusively Republican position. Let’s go through the motions of saying we are the ones who want to pay down the national debt. Let’s ask the question: How much national debt can we prudently pay down?

Once again, the numbers make it clear that the Bush tax proposal is a prudent and intelligent attack on the national debt that will bring us to the place where we want to be in an intelligent fashion.

I spent some time with officials from the Treasury Department. I don’t have time in this debate to go into it in detail; I will at some future point. These officials, quite frankly, if we want to put a political cast on it, are holdovers from the Clinton administration. I got the numbers directly from the Treasury. I didn’t get them from a columnist. I didn’t get them filtered through staff. I got them directly from Clinton-appointed officials at the Treasury Department. I am extremely satisfied that the level of debt being paid down by the Bush tax cut is prudent and fits perfectly with the numbers they have given us.

These numbers are reality. These numbers are not projections. These numbers are very clear. We don’t have time now, in the restricted agreement we have, for me to go into these numbers in any great length.

Fundamentally, we must understand that if we pay down the debt too rapidly, we will have to go to holders of the debt that are not yet maturing and say: Will you give us the opportunity to pay you in advance? For that, we need to pay them a premium.

Right now, 42 percent of the debt is held by foreign sources. The largest chunk of that is held in Japan. This has been going up dramatically. People say: Does that mean foreigners are buying more of our debt? No. It means the debt is being paid down among American holders, and foreign holders are hanging onto it. That is why the percentage of foreign holders of the debt is going up. The total debt is going down, but their total numbers are staying about the same.

I don’t want to be in the position of going to foreign holders of the debt and saying to them we want to pay them a premium to buy their debt back early, just to satisfy some political rhetoric and political points.

I conclude as I began. This is not a debate about whether we will have a short-term stimulus because the numbers in my amendment are identical to the numbers in the Democratic amendment. This is a debate about whether or not we kill the Bush tax cut long term. As long as we understand that, as long as we understand that the effect of the underlying amendment would be to bring the size of the tax cut down below the level the Democratic leader has endorsed, we will understand what we are talking about. Otherwise, we will waste our time in rhetoric about short-term stimulus, when there is, in fact, no difference.

I yield the floor.

The PRESIDING OFFICER (Mr. Roberts). The distinguished Senator from North Dakota.

Mr. CONRAD. Mr. President, will the Chair inform us of the time remaining on both sides?

The PRESIDING OFFICER. The Senator from North Dakota has 13 minutes 15 seconds. The distinguished Senator from Oklahoma has 17 minutes 35 seconds.

Mr. CONRAD. Does the Senator from Oklahoma desire going now? The Senator from Connecticut has requested 5 minutes 6 seconds. I would be prepared to yield 6 minutes to the Senator from Connecticut.

The PRESIDING OFFICER. The distinguished Senator from Connecticut
recognized for 6 minutes and 15 seconds.

Mr. LIEBERMAN. I thank the Chair. I thank my friend and colleague from North Dakota.

It seems to me as we deal with this budget resolution and we think about the condition of our economy and of the Federal Government, we have a short-term need and a long-term opportunity. The long-term opportunity is to constructively use the surplus that the American people have built up over the 1990s, to continue our prosperity, to continue to act with fiscal responsibility, and to invest in the seeds of growth in our economy so that the private sector, which is where jobs and growth are created, can in fact continue the growth in this decade that we had in the last decade.

We have a reasonable amount of money, a short-term need. It has affected our longer-term discussions because the obvious fact is that the economy, after a period of unprecedented growth, has now slowed. My friend from Utah used the word "prophesy"—I would like to achieve some degree of it. I think it is fair to say that none of us has clear prophecy when it comes to our economy.

Now a $9 trillion economy is affected every day by the decision of now 280 million people. We can’t predict what they are going to do next week, let alone 10 years from now.

The economy is slowing. We don’t know how long this slowdown will last or how deep it will go. That is why people on both sides of the aisle and folks in the administration are now talking about trying to use part of the surplus that we know will be there on October 1 of this year, when the books close for the Federal Government on September 30, to use that to get some money out into the economy—not with any confidence that it is going to make everything better in our economy but with the confidence that it will help.

I spoke to a number of economists before I worked on the proposal that underlies the amendment that my friend and colleague from Illinois and the Democratic leader offered, of which I am proud to be a cosponsor. I said to these business leaders and economists: What is a reasonable amount of money for us to try to get into people’s pockets right away, in the next couple of months, to have an effect on the economy? Interestingly, the consensus was $60 billion. That is a number that has come up on both sides of the aisle in the Senate and from the administration.

One business leader said economists told him we could expect a multiplier effect of 1½ times so that we might actually, by putting $60 billion back into the public’s pockets right away—have a 1½ times multiplier, or a $90 billion effect on the economy. That is 1 percent of the gross domestic product.

That would be a tremendous result and a great lift out of the slowdown.

Other economists have done studies that, interestingly, have focused on what taxpayers do with a refund check. I am sure the Chair will not be surprised to hear that 70 percent of those checks are spent within 3 months. It is different than having a reduction in your withholding. It is a check in hand. You may buy something you have needed. Maybe you pay down a bill. Maybe, if you are a young worker, you buy a CD or a new suit.

That is one short-term stimulus package, and the most important part of the amendment that is before the Senate now is the last paragraph sent to the Senate that “the levels in this resolution assume that the Senate should discharge H.R. 3 from the Committee on Finance”—that is the tax bill they sent over—"strike all after the enacting clause and insert the text of the agreed upon $60 billion bipartisan economic stimulus package," including an immediate economic stimulus check for everyone in America who pays payroll taxes or income taxes.

That means everybody. If you don’t make enough to pay income tax, but you are working and you have a lot of money taken out of your paycheck every week, every couple of weeks, you get $300. How did we come to $300? Take 200 million taxpayers and put that into the $60 billion we want to get into the economy. It comes out to $300 per taxpayer.

If you are older and you pay income tax, but you don’t have payroll withdrawals or deductions, you still get the $300.

So the point of this amendment is let’s do it now and help the economy now. Let’s not have it said a year from now that the Senate and the Congress and the United States fiddled while the American economy was slowing down. One positive step we can take is to adopt this amendment, substitute for the House tax bill sent over here, get a $300 check from the Federal Government into the hands and wallets and pocketbooks of the 200 million Americans who pay payroll or income tax, and let them go out and move this economy out of the dip it is in now.

That is the vote we are casting. Don’t hold short-term economic relief hostage to the much more complicated, long-term, controversial partisan debate going on about how to spend the surplus for the next 10 years. America needs help now. Let’s do it. I yield the floor.

Mr. BENNETT. Mr. President, on my time, may I ask the Senator from Connecticut a quick question? I ask unanimous consent that that be allowed.

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

Mr. BENNETT. I ask the Senator from Connecticut why he did not address at all the impact of his amendment on the President’s tax cut long term. As I said in my remarks, the amendment my and the Democratic amendment for a short-term stimulus is exactly the same. But the effect of the Democratic amendment would be to cut the total amount of the Bush tax cut down to $746 billion. I ask the Senator from Connecticut why he did not comment on that effect, and if he has a comment now.

Mr. LIEBERMAN. I thank the Senator from Utah. I did not comment because, for me, the distinguishing factor in this amendment is the short-term economic stimulus and the particular method to achieve it, which is spelled out here, which is the substitute for the House tax bill. Those who framed the amendment want to go further and link it with the long-term tax cut that, as you know, most Democrats propose because we think it is more fiscally responsible.

Mr. President, if I may return the question, is the Senator from Utah prepared to separate the short-term fiscal stimulus? Again, I think across the aisle we agree that $60 billion is the number. We may disagree about how to distribute it—to separate that from the longer term, 10-year discussion about how to divide the surplus.

Mr. NICKLES. Regular order, Mr. President.

Mr. BENNETT. Mr. President, I would be happy to discuss that with the Senator, but the Senator from Oklahoma is asking for the regular order.

The PRESIDING OFFICER. Under the regular order, the Senator from Oklahoma controls the time.

Mr. NICKLES. Mr. President, I urge my colleagues, Democrats and Republicans, to reject the Durbin amendment. The Durbin amendment reduces the overall size of the tax bill. It stands at $1.6 trillion. An amendment they offered last night reduced it by $448 billion. This amendment reduces it by another $148 billion. In other words, eliminating over half of President Bush’s tax cut. If you want to make news, go ahead. You got a nice headline: “Senate Democrats Cut Bush Tax Bill By A Third.” My compliments. Now they want to go further and reduce the tax bill even below what the leaders recommend and adopt the Durbin amendment. If we adopt the Durbin amendment we will have a stimulus—I love my friend and colleague from Connecticut who says we want a stimulus. There is a little stimulus in the front, but there are a whole lot of tax increases in the back.

There is tax cut, in the Durbin amendment, in the first 2 years. My friend and colleague from Utah wants to match those figures and give at least that much of a tax cut in the first 2 years. What you don’t read in the rest of the amendment is that Democrats
increase taxes all the way through for every other year. The net impact of it is to increase from the under-lying resolution by $418 billion. Senate Democrats, and one or two of our colleagues voted yesterday to cut the President's tax bill by $448 billion. This amendment cuts it by another $418 billion, so net tax reduction that is less than what many people on the Democrat side said they would support. But they want to do it under the guise of moving it up a little bit more in a few years without hardly any tax cuts later. Maybe that is the size of the tax reduction some people want.

They act as if they are writing a tax bill, which you cannot do on the floor of the Senate in the budget resolution. And their argument is that this is going to stimulate the economy. Why don't you just fly over a stadium and drop money out of an airplane? That will stimulate the economy as well. They want to turn a tax bill into a spending program, without regard to who pays the taxes or a tax cut for taxpayers. We want to gut the President's tax bill. That is what this is really all about.

The tax bill they are proposing is fatally flawed and should not pass, but that will be discussed and dealt with in a bipartisan manner in the Finance Committee. I am absolutely certain the proposal they have made would never, should never, and will never pass Congress. Giving everybody $300—and never, should never, and will never pass Congress. Giving everybody $300—and now that has been raised to $450—is not going to happen.

The real purpose of the amendment is to reduce President Bush's tax cut. It was already reduced yesterday to $1.15 trillion over 10 years. Now they want to take another $418 billion out.

The net result would be a tax reduction over 10 years of $746 billion at a time when we have surpluses estimated to be in the neighborhood of $2 trillion. That is basically 45 percent of what he asked for. That is what this amendment does.

The net impact of this amendment is to have a net tax cut over the 10 years of President Bush's proposal of $746 billion. That is basically 45 percent of what President Bush originally requested. We cannot and will not let this happen.

In the last couple of days, my friends on the Democratic side have offered five amendments to have higher taxes and higher spending. They won on one of them yesterday. I consider that a setback, and I hope to repair that damage before we are done by tomorrow night.

This amendment doubly complicates it. Yesterday we adopted the Harkin amendment and we increased taxes from the underlying budget resolution of $448 billion. This increases taxes an additional $418 billion on top of the Harkin amendment.

I urge my colleagues not to go down this road. This would be a serious mis-take. The tax proposal that was outlined would be a very serious mistake. Let us work together and see if we cannot have tax cut and do some positive things to stimulate the economy.

My friend from Utah, Senator BENNETT, has articulately stated that we will come up with more money in the upfront years. We want to do it. We have been trying to do it. Our budget resolution has $60 billion in 2001. We only have a few months left in 2001. We can increase year 2002 by $31 billion. That is what the amendment of my colleague from Utah says. We will match that and also increase the level in 2003 by $11 billion. We will have that amount of additional tax relief in the upfront years.

What I disagree with in the Conrad amendment is, other than the first two lines which cut taxes, there are dozens of lines that increase taxes. Two lines cut taxes up front, but all the rest of the lines increase taxes to a net total of $418 billion.

They adopted an amendment yesterday to reduce the tax cut by $448 billion. If we adopt the Durbin amendment, we will also reduce the tax cut by another $418 billion. That is a total reduction of President Bush's underlying budget of $866 billion, and total tax increases they have adopted in the last 2 days. That would be a serious mistake, and I urge my colleagues, Democrats and Republicans, to say that is not enough. Taxpayers are paying enormous surpluses, and President Bush gives one-fourth of that back to taxpayers. The taxpayers are paying in the entire surplus, and we are saying taxpayers: We are going to let you keep a fifth. The Democrats are saying: No, no, maybe one-eighth; not quite an eighth; maybe the taxpayers get to keep one-eighth. Then they want to give it to people who filed a return, whether they paid taxes or not. I disagree with that totally and completely and urge my colleagues to vote no on the Durbin amendment and vote yes on Senator BENNETT's amendment. They will be voted on at some point later today.

Mr. President, I reserve the remainder of our time.

The PRESIDING OFFICER. The distinguished Senator from Michigan is recognized.

Mr. STABENOW. Mr. President, I yield myself 3 minutes off the amendment.

The PRESIDING OFFICER. The Senator is recognized.

Ms. STABENOW. Mr. President, I will speak first about the broader perspective of what we have been doing on this resolution. The President of the United States put forth a budget and tax cut that basically said if you take Medicare and Social Security and then let us do a balanced approach. Let us use a third of what is projected—hopefully it will happen—for a tax cut, and that is what this amendment does. It reserves a third for a tax cut, putting a stimulus on the front end so we can help the economy with money in people's pockets right now. Let us use a third for critical investments in our people—education, lowering the cost of prescription drugs.

My concern with the comments of my friend from Utah, as a member of the Committee, and when talking about paying down the debt, is have I heard over and over, as the President has said, we cannot put more than $2 trillion into paying down the debt. We have to leave $1.2 trillion. It cannot be any lower than that.

In the Budget Committee, we heard from more than one speaker that $2.6 trillion will naturally, between now and 2011, become available. We will be able to redeem $2.6 trillion just by allowing it to come to maturity over the next 11 years.

That is a very different than what we are hearing today. Chairman Greenspan came to the Budget Committee and indicated a difference of opinion with the President saying that we could, in fact, pay down more debt than what is in the President's budget. We support what Chairman Greenspan is talking about, with the President managing the money for the past administration. We support the position of allowing the $2.6 trillion to mature over the next 11 years. We can do a better job of paying down the debt.

We put money in people's pockets in three ways: We give them a tax cut, which I strongly support—not only an immediate stimulus, but a long-term tax cut—we pay down the debt, which puts money in people's pockets by lowering their mortgage payment, car payment, and college loan, and other costs people have, and finally, we stimulate the economy so people have a job, which is the most important way we put money in people's pockets.

We urge we support the Durbin amendment and oppose the amendment of my good friend from Utah.

The PRESIDING OFFICER. The time of the distinguished Senator from Michigan has expired.

Mr. BENNETT. How much time is available on our side?
The PRESIDING OFFICER. The Senator from Utah has 7 minutes 56 seconds.

Mr. BENNETT. I yield myself 3½ minutes and reserve the remainder of the time for the Senator from New Mexico.

Mr. President, the senior Senator from Texas has a great line. He says: Don’t argue about facts; look them up. You can argue about opinions, but do not argue about facts.

The former senior Senator from New York, Mr. Moynihan, used to say: Everybody is entitled to his own opinions but not to his own facts. That is why I went to the Treasury Department to try to get the facts on the debt. I have heard people quote this, quote that. I went to the people who manage the debt. They said to me, as they began the conversation: We have been managing debt for over 200 years. We know how to do it.

I have the numbers. I will be glad to discuss them with any Senator. Fundamentally, this is what it comes down to: The amount in the next 10 years of national debt that cannot be paid off without paying a premium, factually, is roughly $800 billion. Alan Greenspan, before the Budget Committee, talked about 70-something. I round up to $800 billion. The Treasury agrees with that number. However, they say we cannot go to that absolute number because we have to have some debt to help cash management.

If I can put it in the context of a family, you may have paid off all your mortgages and paid off all your debt, but the paycheck and the bills don’t always correspond exactly in time, so you put bills with a credit card, which is debt. You may pay the credit card completely off every 30 days, but you have some debt to manage your cash situation, and the Treasury does.

I said: How much money are we talking about? And these Treasury officials who have no political ax to grind said: We have to have about another $300 billion for cash management purposes on top of the amount of debt Alan Greenspan was talking about. If you add $800 to $300 you get $1.1 trillion, which is the number President Bush has been talking about.

Those are the facts. We can look them up. We can have differences of opinion on everything else, but let’s not keep fudging those facts.

The President’s proposal with respect to debt paydown is the responsible, proper proposal. It should not be factually challenged.

I yield the floor.

The PRESIDING OFFICER. The distinguished Senator from New Mexico is recognized.

Mr. DOMENICI. Mr. President, I think this has been an excellent discussion and debate this afternoon. I will summarize it my way.

If this amendment is adopted, the so-called stimulus package from the other side, then the tax cut proposed by our President would be reduced to $746 billion. Understand, just doing the arithmetic alone would save $454 billion of the President’s tax cut and wipe it out. Imagine, in the name of an economic stimulus package, we reduce that which stimulates the economy by $454 billion.

I say to Senators on both sides, if you have been worrying about taking more and more away from the President’s tax cut, you have a real humdinger on your platter. This, combined with others, will make the President’s tax package $746 billion, which is $854 billion less than he asked for—and he thinks he is giving us a stimulus package. We are saying $60 billion up front and $1.6 trillion over time, with marginal rate deductions, marriage tax penalties, credits, and the other things. We say that is exactly what the American economy needs as a stimulus, short and long term. In the name of an economic stimulus package, the tax cuts to the American people are reduced by more than one-half, more than 50 percent.

Once again, Americans, if you have been sitting around thinking maybe Congress will do something right, maybe they will give us back some of our money, over half of it disappears. Between this amendment and the previous Democrat amendment they have taken more than half of what you might have expected. It is out the window. It is gone, gone at the altar of an alleged stimulus package. This is just following suit of almost every amendment offered: Baucus Medicare, higher taxes, $156 billion; Johnson agriculture, higher taxes, $38 billion; Harkin education, $48 billion; higher taxes; Landrieu, $93 billion more; Stabenow, $11 billion more. Adding them up, $706 billion. How much they have tried thus far to reduce the tax cuts for the American people.

Only one passed, Harkin, but it is still under consideration, so I don’t count it yet. Maybe it won’t pass.

Having said that, if I have any remaining time, I yield it to Senator NICKLES.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I compliment my friend and leader. I say to the American public, Senator Domenici has done outstanding work.

The amendment Senator DURBIN offered would also increase taxes from the existing resolution, $418 billion. If you add the two together, it is $866 billion, well over half of the President’s proposed tax reduction. I thank my friend and colleague.

The amendment Senator BENNETT’s tax proposal just went out the door.

That is not the way to stimulate the economy. That is the point my colleague and friend from New Mexico and Utah were making. I thank them for that. I urge my colleagues to vote no on the Durbin amendment and vote in favor of Senator BENNETT’s amendment.

I yield the floor.

The PRESIDING OFFICER. The distinguished Senator from Michigan is recognized.

Ms. STABENOW. On behalf of Senator CONRAD, I yield myself the remaining time on the amendment.

The PRESIDING OFFICER. The Senator is recognized for 3 minutes.

Ms. STABENOW. First, no one is talking about raising taxes. No one on either side is talking about raising taxes. We are talking about a budget for next year and conceivably for 10 years. What are the values and the priorities of the American people? That is what we are talking about in this discussion.

I suggest when we look at the President’s proposal, if we lock up Social Security and Medicare, we have $2.5 trillion to make decisions about values and priorities of the American people.

The President’s tax cut, when added up, takes every penny. There is zero for education increases, zero for prescription coverage, and we all have heard why we need to be doing this.

Unfortunately, in the President’s budget, in order to pay for spending, Medicare is used because there is nothing left after his tax cut. He takes Medicare out of the lockbox and spends it.

We are suggesting and addressing the need for long-term stimulus. It addresses the need to protect Social Security and Medicare, provide a tax cut, short-term stimulus. We all support a long-term tax cut. Pay down the debt to the maximum amount and make sure we have critical investments to allow the economy to proceed. That is the debate.

Yes, we have a fundamental difference. We are not willing to touch Medicare and Social Security. We say hands off Medicare, hands off Social Security completely. Let’s make sure we are paying down the debt. Let’s make sure we give tax cuts. Let’s make sure we invest in the priorities of the American people.

We can do all of it if we do it the right way. As I said before, there is
more than one way to put money in people's pockets. We can put it in their pockets through a tax cut, and the stimulus Senator Durbin is talking about is exactly what is needed in order to stimulate this economy. Then we can focus on longer term tax cuts. It allows us to pay down maximum debt. That puts money in people's pockets because they can refinance that mortgage and that car payment. And it allows us to invest in critical needs without touching the Medicare trust fund.

That is what we are arguing. I strongly encourage my colleagues on both sides of the aisle to support the short-term economic stimulus that will allow us to protect the Medicare trust fund and that will allow us to pay down the maximum amount of debt. Then we will work together, no question about it, to continue to provide tax relief that is focused particularly on middle-class taxpayers, small businesses, family farmers. We want to work together to be able to do that and make sure we are reflecting the true values and priorities of the American people.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I ask unanimous consent to have printed in the RECORD a table that shows the tax reduction Senator Durbin offers in the first 2 years and the tax increases he has in the years 2004 through 2011, which net a total tax increase, compared to the underlying resolution, of $418 billion for a net tax of $746, assuming the budget resolution was amended by Senator Harkin. I want this to be in the RECORD so everyone can see the total erosion of the Bush tax cut should this amendment be agreed to. I ask unanimous consent to have that printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

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<thead>
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<th>Year</th>
<th>Conrad tax increase</th>
<th>Tax cuts (current status)</th>
<th>After Durbin</th>
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</thead>
<tbody>
<tr>
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<td>0</td>
<td>0</td>
</tr>
<tr>
<td>2002</td>
<td>31</td>
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<td>60</td>
</tr>
<tr>
<td>2003</td>
<td>11</td>
<td>50.5</td>
<td>61</td>
</tr>
<tr>
<td>2004</td>
<td>4 (2)</td>
<td>74.2</td>
<td>62</td>
</tr>
<tr>
<td>2005</td>
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</tr>
<tr>
<td>Total</td>
<td>(418)</td>
<td>1,164</td>
<td>746</td>
</tr>
</tbody>
</table>

Mr. REID. Mr. President, on behalf of Senator Conrad, I yield to Senator Stabenow 1 minute off the resolution.

The PRESIDING OFFICER. The Senator is recognized.

Ms. STABENOW. Mr. President, I reiterate, we are in the process of determining the priorities for the country. No one is talking about a tax cut. This amendment would provide an immediate stimulus this year. President Bush's tax cut for the most part does not take effect for 6 years. We then want to take the next step and work together on a long-term tax package.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I ask for 3 minutes off the resolution.

The PRESIDING OFFICER. Without objection, the Senator is recognized.

Mr. CONRAD. Mr. President, I understand once again today there has been talk that somebody here is for a tax increase. Nobody is for a tax increase. All the proposals on both sides of the aisle are for significant tax cuts. The fundamental difference here is on the question of how much debt reduction we do.

On our side we think ought to be more debt reduction than is being proposed on the other side. We have a total of $3.65 trillion of the $5.6 trillion projected surplus set aside for short-term and long-term debt reduction. President Bush is setting aside $2 trillion. So we have nearly twice as much set aside for debt reduction as does the President. He has a tax cut that is about twice as big as ours. That is the fundamental difference between the two sides.

I understand Senator Bennett said you cannot do more debt reduction than the President proposes. That is just not so. We had detailed testimony before the Senate Budget Committee by the man who ran the debt reduction program in the U.S. Treasury Department under the previous administration. He said you can do far more of the national debt than the Bush administration is calling for. In fact, President Bush says you can only reduce the publicly held debt by $2 trillion. Mr. Gensler, who was in charge of the debt reduction program in the previous administration, pointed out that $2.6 trillion of the debt actually comes due during this 10-year period. You can eliminate all of that. That is $2.6 trillion instead of the $2 trillion the President says is available for debt reduction. But even more than that, we did a detailed cashflow analysis.

I yield myself an additional minute off the resolution.

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

Mr. CONRAD. Somebody watching me may be very quick with figures and say: Gee, Senator Conrad is saying the Democrats believe you can reduce $2.9 trillion of the $3.4 trillion publicly held debt. But on his previous chart he showed the Democrats have reserved $2 trillion for debt reduction. How can both those things be true?

Simply, they are both accurate, they are both true, because we are dealing with short-term debt and long-term debt. The short-term debt is the publicly held debt, which is $3.4 trillion. We would pay that down by $2.9 trillion. But, in addition to that, we reserve $750 billion more for long-term debt reduction. The long-term debt that is building, that our Federal accounting system does not take account of because of the long-term unfunded liability for Social Security and Medicare, we set aside $750 billion for that purpose. The other side does not set aside a single penny—not a dime—for the long-term debt that is building for this country.

That is the fundamental difference between our two sides. We believe we ought to pay down more of the short-term and long-term debt and have less of a payroll out. It is a substantial tax cut, one that would permit rate reductions, reform of the estate tax, and also address the marriage penalty.

That is the fundamental difference. I do not want to lose sight of it in the back and forth. That is the best summary I can provide.

The PRESIDING OFFICER. The time of the distinguished Senator has expired.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. SMITH of Oregon. Parliamentary inquiry: It is part of the unanimous
concludes agreement that Senator Wyden and I have 15 minutes equally divided.

The PRESIDING OFFICER. The Senator is correct.

AMENDMENT NO. 240
Mr. SMITH of Oregon. Mr. President, I have an amendment I send to the desk. It is an amendment proposed by myself, my colleague Senator Wyden, Senator Baucus, Senator Kennedy, Senator Snowe, and Senator Santorum.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Oregon (Mr. Smith) for himself and Mr. Wyden, Mr. Baucus, Mr. Kennedy, Ms. Snowe, and Mr. Santorum, proposes an amendment numbered 240.

Mr. SMITH of Oregon. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To increase mandatory spending in the Health function by $28,000,000,000 over Fiscal Year 2002, Fiscal Year 2003, and Fiscal Year 2004 for proposals that would expand health insurance coverage to the uninsured, targeting funding for those who need it most, combining public and private coverage options to efficiently target the uninsured, avoiding creating new bureaucracies, promoting state flexibility, protecting employer-based coverage systems, providing a meaningful, affordable health insurance benefit to the uninsured, emphasizing enrollment and not just eligibility, and without taking funding from the HI Trust Fund)

On page 4, line 2, increase the amount by $8,000,000,000.

On page 4, line 3, increase the amount by $10,000,000,000.

On page 4, line 4, increase the amount by $10,000,000,000.

On page 4, line 16, increase the amount by $8,000,000,000.

On page 4, line 17, increase the amount by $10,000,000,000.

On page 4, line 18, increase the amount by $10,000,000,000.

On page 5, line 7, decrease the amount by $8,000,000,000.

On page 5, line 8, decrease the amount by $10,000,000,000.

On page 28, line 23, increase the amount by $8,000,000,000.

On page 28, line 24, increase the amount by $8,000,000,000.

On page 29, line 2, increase the amount by $10,000,000,000.

On page 29, line 3, increase the amount by $10,000,000,000.

On page 29, line 6, increase the amount by $10,000,000,000.

On page 29, line 7, increase the amount by $10,000,000,000.

On page 29, line 20, increase the amount by $8,000,000,000.

On page 5, line 21, increase the amount by $18,000,000,000.

On page 5, line 22, increase the amount by $28,000,000,000.

On page 6, line 8, increase the amount by $8,000,000,000.

On page 6, line 9, increase the amount by $10,000,000,000.

On page 6, line 10, increase the amount by $18,000,000,000.

Mr. SMITH of Oregon. Mr. President, when I go home to Oregon I am often asked what is the biggest surprise I have had as a Senator. I often and without any hesitation answer that my biggest surprise is that one of my closest friendships in the Senate, and one of the most constructive relationships I have in the Senate, is with my former opponent, the senior Senator from Oregon, Ron Wyden. After I was elected to replace Mark Hatfield, he and I became more than colleagues; we became friends, confidants, and worked every year to try to establish an agenda that helps and serves the interests of our State as well as our country.

This year we have followed that tradition, announced a bipartisan agenda, toured our State with seven joint townhalls, and tried to listen to the people as to what they wanted. We heard many things. We heard, "Tax cuts." I am for President Bush's tax cut. I make no apology for that.

I believe our economy needs that. I believe our country needs help. I believe we need to be reminded that we are a democratic free enterprise society and not a democratic socialist society.

But having said that, I believe, using the surpluses we are bountifully blessed with, there are things we can and should do.

In Oregon, we have a proud tradition of caring for the underprivileged and the uninsured. I was a State senator when we set about funding the Oregon Health Plan. We accomplished that, but the job is not done in helping the uninsured.

It seems to me appropriate that in a time when we are looking to cut substantial taxes from the paychecks of the American people that we should take time to help those who also work but who do not enjoy some of the basics of American living, which is health care.

There are 170 million Americans who enjoy the best health care in the world. They are Americans. But of our American citizens, there are 43 million who have no health insurance. Many of those folks are working Americans as well.

But Senator Wyden and I propose, along with the bipartisan coalition, to provide in this budget $28 billion over 3 years to further narrow that gap of the uninsured.

Our plan will build on past actions to give 15 million to 20 million of these uninsured Americans access to affordable quality health insurance without creating huge new Government programs.

First, our plan will give businesses incentives to make quality health insurance more affordable to their low-income workers. Our plan will give businesses a tax credit if they chip in more to offer quality health care to their low-income employees. Many low-wage employees are working hard, but we are having trouble paying the full amount for health insurance.

Second, our plan will extend Medicaid coverage to low-income Americans. Many low-income adults who cannot afford or are not offered private health insurance would now be eligible under this proposal for Medicaid coverage.

Finally, we will give the State the option to extend the highly successful CHIP program, or the SCHIP program, the State Children's Health Insurance Program. We will work to extend these benefits to the parents of these children.

We are trying to say in this great society that we can narrow this uninsured gap. I believe if we can't do it now, we will never be able to do it.

Senator Wyden and I are bringing together an extraordinary coalition between liberals and conservatives. I am referring to the Families U.S.A., which is a group of folks who are trying to advance the cause of the uninsured.

Also, the Health Insurance Association of America, a very conservative group, has come together behind what Senator Wyden and I are trying to give voice to.

I appreciate the chance to offer this amendment. I urge its adoption and, if not by unanimous consent, that it be overwhelmingly approved.

I believe it will be a very nice component of President Bush's effort to extend some passion and conservatism to the American people.

I yield the remainder of my time to my colleague, Senator Wyden.

The PRESIDING OFFICER. The distinguished Senator from Oregon is recognized.

Mr. WYDEN. Thank you, Mr. President.

First, I commend my colleague and thank him for the opportunity to work with him on this bipartisan agenda. I commend him for a very fine statement this afternoon as well.

Each night more than 43 million Americans go to bed without basic health coverage knowing that a serious illness could wipe their family out. These are Americans who aren't old enough for Medicare. They aren't poor enough for Medicaid. Very often they work as small businesses. And yet in a country as strong and good as ours we have not made sure that they have access to basic health coverage.

In my view, for the Congress not to respond now at a time when there are layoffs, at a time when there is great fragility in our economy, for this Congress not to respond to the needs of the uninsured is, in my view, nothing short of government malpractice.

This amendment ensures, with the $28 billion that would be provided for
mandatory spending, that the Senate Finance Committee could develop a program that would allow for public and private options. There are many in the business community who argue—and I think correctly so—that there are a variety of approaches with employer-based health care coverage that makes sense. This amendment would allow for that. There are advocates for the low income who argue—and I think correctly so—that we ought to be spending for important programs like my colleague mentioned, the CHIP program. Senator Kennedy, for example, has done yeoman and exceptional work in trying to extend coverage for adults whose children are on Medicaid. And yet those adults, for example, who might work at a small business lack coverage. This proposal would make that possible. We would have a chance to cover the individuals who are part of what Senator Kennedy has correctly termed “family care.”

In my view, this proposal represents an opportunity for a major breakthrough on the health care issue which unfortunately to a great extent has been deadlocked since the downfall of the discussion over the Clinton health care plan.

In my view, with this amendment it will be possible to provide immediate relief to millions of our citizens through public and private options and at the same time build a foundation for a longer term approach that, again, looks to both the private and the public sector to fill in these gaps in American health care.

I particularly want to thank Senator Kennedy and Senator Baucus. They have been leaders in our party in the development of advocacy for these individuals.

Senator Conrad and his staff have been exceptionally helpful as well in ensuring that this amendment was crafted so that it would not in any way allow for a raid of the health insurance trust fund.

I will tell you, Mr. President, since my days when I was codirector of the Gray Panthers, I dreamed that I could one day be part of a bipartisan effort to really fill in the gaps in the American health care system.

I thank my colleague, Senator Smith, for the opportunity to work with him. These important breakthroughs for the uninsured can, in fact, only be accomplished if they are bipartisan. I thank him for the chance to work with him.

I yield the floor at this time.

The PRESIDING OFFICER. The distinguished Senator from Michigan.

Ms. STABENOW. Mr. President, how much time is remaining on the amendment?

The PRESIDING OFFICER. The Senator from Oregon has 2 minutes 43 seconds; the other distinguished Senator from Oregon has 3 minutes 16 seconds. Ms. STABENOW. I ask for a minute.

Mr. WYDEN. Mr. President, I am happy to yield to time to my friend from Michigan, who has already shown that she is going to be a tireless advocate for working families and seniors on health. I am happy to yield to her.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I rise to commend my colleagues for their hard work. There is nothing more urgent in a family’s life than the issue of health care. I often think that if we address this issue in as urgent a manner as a family does when someone has a health care problem, we would have acted much more quickly. When there is a health concern in a family, it seems that the world stops until you fix it or try to figure out how to help your child or your parent or yourself. We need to be serious about our concern about health care in this Chamber.

I commend my colleagues for their work.

Mr. WELLS. Mr. President, I join with my colleagues in support of Mr. Smith’s amendment to increase funding in the Resolution by $28 billion over fiscal year 2002 through 2004 for the purpose of expanding health insurance coverage to the uninsured. Yesterday’s New York Times reported that the President’s proposed budget, details of which we will not see until next week, will suggest cuts of nearly 90 percent to programs that increase access to health care for the uninsured. That obviously is moving in exactly the wrong direction.

I oppose the administration’s reported plan to “phase out” the Community Access Program. The program seeks to reduce the number of uninsured through integrated, comprehensive health care delivery systems. I also am troubled that the Administration seems to undervalue one of the most important components of any health care safety net—quality care. We need to continue to train health professionals to ensure that every patient receives the quality care he or she deserves. Moreover, we need to make sure we have enough health professionals in every part of this country so that no one is denied access to care because of where they live. According to New York Times however, the White House position is that there is “an oversupply of doctors.” The truth is there are great disparities in the distribution of health professionals in this country. The majority of the country’s counties experience shortages in health professionals and are medically underserved areas.

I support the Smith amendment. This funding will help. But we need to go further. We need quality care for all, which means universal health care coverage. I intend to introduce the Health Security for All Americans Act following this Easter recess. Every American should have quality health care coverage. Meanwhile, the Administration’s proposals to cut the Community Access Program are a clear funding for the care of people living with AIDS and HIV, and cut into funding for the training of our health professionals take us in the wrong direction. This amendment improves the Resolution.

Ms. STABENOW. Mr. President, I rise in support of this amendment that has a very simple purpose: to increase mandatory health spending by $28 billion to increase health insurance coverage.

This is a matter of great national urgency. Today, nearly 33 million adults and 10 million children go without health care coverage. That’s 18 percent of all Americans. And despite record employment and a booming economy over the past decade, over eighty percent of the uninsured are in working families.

Quite simply, we cannot afford to be complacent. Both the nation and individuals pay a penalty for the lack of health insurance. Indeed, one of the most disturbing factors in health care costs more for the uninsured!

According to a recent New York Times article, because “health insurance companies insist on hefty discounts” for their patients, there can be “extreme price disparities” between what the uninsured are charged for medical care and what people with insurance are charged.

For example, one internal medicine specialist reported that the cost of his bills for “routine exam[s]” can vary by 45 percent, with “the uninsured paying the most” and those with insurance “paying much less than their share.” As a result of such arrangements, “some uninsured people struggle to pay more while others put off seeing a doctor until minor problems become major ones.”

How might these funds be spent to improve health insurance coverage? One very promising approach is legislation that will be introduced shortly to expand the SCHIP program to provide health insurance coverage of parents of children eligible for the program.

As I am sure many Members know, in 1997, under the leadership of Senators Kennedy and Rockefeller, Senators Hatch and the late John Chafee, Congress created the State Children’s Health Insurance Program, or “SCHIP.” Since SCHIP was launched just 3 short years ago, this Federal-State partnership has provided health insurance coverage to 3.3 million low-income children. My home State of Maine is justifiably proud of its Cub Care program, covering 9,500 low-income children.

What could be a greater priority of our Nation than the health and well-being of our children? What greater responsibility do we have as leaders and adults? The fact of the matter is, if we are to be stewards of the future, we
must be protectors of our children. America’s children cannot grow up strong if they do not grow up healthy. But the early results are encouraging. We can and must do more. Despite a team effort to enroll all eligible children, one-third of the remaining 18,000 uninsured children in Maine are currently eligible for coverage under Medicaid or Cub Care, but aren’t receiving the benefits. Nationwide, an estimated 6.3 million additional children who could be served by the program remain unenrolled. Like a letter mailed without an address, benefits that aren’t delivered are benefits that might as well not exist.

We must reach our goal of covering all those who are eligible. The solution, or the “key prescription” as one Maine pediatrician said is health insurance coverage for all children.

Here is some evidence. Three of the first States that provided coverage to parents under Medicaid saw their coverage of eligible children increase by 16 percent from 1990 to 1996, compared to 3 percent for States that didn’t cover parents.

The bottom line is that parental coverage means that children are more likely to be enrolled in SCHIP; and that means better access to medical care.

Of course, there are many other possible avenues to improve health care coverage. Indeed, no one solution is the answer for all 43 million uninsured Americans. But none of the options is possible without funding.

I urge all Senators who believe as I do that we must improve health insurance coverage to vote for this amendment.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. SMITH of Oregon. Mr. President, it is my understanding that this may be agreed to unanimously. But in the event it is not, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

Mr. REID. Will the Senator withdraw?

Mr. SMITH of Oregon. I withdraw. Mr. DOMENICI addressed the Chair. The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Is all time expired on the amendment?

The PRESIDING OFFICER. All time has not yet expired. The Senator from Oregon has 2 minutes 20 seconds; the Senator from Oregon has 2 minutes 34 seconds.

Mr. DOMENICI. I wonder if the Senators would be prepared to yield back their time.

Mr. SMITH of Oregon. Mr. President, I would be willing to yield back my time. I was just asking, if necessary, for the yeas and nays.

Mr. DOMENICI. I do not think it is necessary. I think we are prepared now to have a voice vote and accept the amendment.

Mr. SMITH of Oregon. That would be fine.

Mr. WYDEN. Mr. President, I was always under the impression you ought to quit while you are ahead. I yield my time.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 240.

The amendment (No. 240) was agreed to.

Mr. DOMENICI. I move to reconsider the vote.

Mr. SMITH of Oregon. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SMITH of Oregon. Mr. President, I suggest the absence of a quorum and ask unanimous consent it be charged equally against both sides.

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

The clerk will call the roll.

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

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

Mr. DOMENICI. Mr. President, this is a unanimous consent agreement that has been worked on by a wide variety of Senators representing leadership on both sides. I will propound it now.

I ask unanimous consent that time from 3:30 p.m. today until 6:30 p.m. be equally divided for consideration of Senator DOMENICI’s reconciliation instructions amendment; that all the time on the budget resolution expire at 6:30 p.m. this evening; that when the Senate votes in relation to the reconciliation amendment, all remaining amendments be limited to 30 minutes each.

I further ask unanimous consent that any votes ordered on remaining amendments to the budget resolution be stacked to occur following the vote on or in relation to Senator DOMENICI’s reconciliation amendment at 6:30 p.m. with 2 minutes prior to each vote for explanation. I think the rest of it was clearly audible. I propose the rest of it.

Mr. CONRAD. Mr. President, I want to be clear: All remaining amendments be limited to 30 minutes each is intended to apply to what occurs between now and 3:30 p.m. It is what it says, but if it needs to be further clarified, I accept that clarification.

Mr. REID. Reserving the right to object, this does not preclude any points of order anyone might have during the course of the day?

Mr. CONRAD. No, it does not.

The PRESIDING OFFICER. Is there objection? The Senator from West Virginia.

Mr. BYRD. Reserving the right to object, two things: First, is it clear that the vote on the Domenici reconciliation amendment will occur at the expiration of the 3 hours allotted to that amendment?

Mr. DOMENICI. The Senator is correct.

Mr. BYRD. Second, will the distinguished Senator from New Mexico read the final proviso which deals with the final vote at 2:30 p.m. tomorrow or circa 2:30 p.m.?
Mr. DOMENICI. Yes, I will. I ask unanimous consent that disposition of the last two amendments by the two leaders and final vote on the concurrent resolution occur no earlier than 2:30 p.m., Friday, April 6, 2001—tomorrow.

Mr. BYRD. That will mean then the vote-arama, which I do not like and I do not believe the distinguished Senator likes either, would occur. Whatever amendments there are, if Senators chose to call them up, they would have votes on them.

Mr. DOMENICI. That is correct.

Mr. BYRD. That is correct.

Mr. DOMENICI. Yes, it is. We hope to make some impression on our friends that we do not have to do them all. The Senator is correct.

Mr. BYRD. Fine. Is it clear that the majority leader will have an amendment and the minority leader? Is it clear, absolutely clear that they will have one amendment each?

Mr. DOMENICI. Yes, both the minority and majority have an opportunity at the end of the order of minority, majority leader—in that sequence—but they both have that right.

Mr. BYRD. They both have that right.

Mr. DOMENICI. Wraparound right.

Mr. BYRD. They may choose not to offer such amendment.

Mr. DOMENICI. That is correct.

Mr. REID. Mr. President, I want the Senator from West Virginia to understand all amendments will be in order in the vote-arama if filed by 2 o’clock today, as under a previous agreement.

Mr. DOMENICI. I thank the Senator for reminding us that. Senators should know that.

The PRESIDING OFFICER. Is there objection to the unanimous consent request by the distinguished Senator from New Mexico?

Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, I understand the distinguished Senator from Delaware wants to speak for 5 minutes with the time coming off the resolution. That is all right with me.

Can we propose the following, not as a UC, but as a planning tool? We have one amendment each? We have agreed to, not agreed to, and maybe some thoughts we can keep in mind over the next 24 hours or so.

As we attempt to adopt, fashion, and agree on a blueprint for spending for our Nation, the thought that creeps into almost every aspect of our discussions is the economy, the shaky nature of the economy, the fragile nature of the economy, and to what extent tax cuts should play as we adopt this budget framework.

There are a number of ways to stimulate the economy, as we all know. One of the ways that is going forward right now is the aggressive monetary policy launched by the Federal Reserve over the last couple of months which will add to the gross domestic product of our country. I am told, somewhere close to half a percentage point this year by virtue of lower interest rates. The Federal Reserve is expected to come back and consider by May 15 whether more interest rate relief is called for. My hope is they will do so, and maybe even before that time.

Those interest rate reductions are already being felt in our economy as people refinance their homes, lower their mortgage rates, and take the money they are saving and spend it for other purposes.

Another obvious way to stimulate the economy is through tax policy. I remind my colleagues as we consider a stimulus package, trying to put some kind of rebate into place now, rate reductions, child credits, or marriage penalty relief, the actual impact we will have through tax policy is de minimis.

Take $3 trillion out of the stock market, as we have seen over the last several months, and pump in $40 billion, $50 billion, $60 billion in tax policy and in reality it is not going to amount to too much.

I hope we will continue our efforts over the next 24 hours—frankly, over the weeks to come—to adopt the best stimulus of all. The best stimulus we could send, not just to the markets but the American people, would be for us to actually agree on a tax policy, not just one with the Vice President casting the tie-breaking vote but for a number of Democrats and Republicans to agree on an incremental approach where we would be able to lower marginal rates, broadly but not as deeply as the President wants, or double the child credit and make it retroactive to the beginning of this year, or we might eliminate the marriage penalty effective the beginning of this year, and do it in a way to provide stimulus to our economy but also some assurance that the taxpayers are going to see long-term rate reduction, long-term relief.

The President was in Delaware a couple days ago, and I talked with him about this. He said: My concern is, Tom, if we do not take a lot of money off the table now, we will spend the money. I reminded the President he plays an activist role in the appropriations process—signing and vetoing appropriations bills, signing and vetoing enhancements to entitlement programs.

In the end, while we are in the seventh inning stretch, the ball game is likely to go into extra innings, and the very best victory the American people can hope for is a bipartisan agreement for an incremental approach to tax cuts that includes restraint on spending and includes a consensus that one of the best things we can do is continue the good work we have begun on reducing our Nation’s debt. I yield back my time.

The PRESIDING OFFICER (Mr. Kyl). The Senator from New Mexico is recognized.

Mr. DOMENICI. I ask the ranking member, we read off seven names, you added an eighth; can we say the eighth member, we read off seven names, you added an eighth?

Mr. CONRAD. Senators Wellstone and Johnson, if I could add that additional name.

Mr. DOMENICI. Sure. We will try to accommodate all the Senators, saying no more than 15 minutes on each of the amendments.

I yield the floor.

AMENDMENT NO. 215

Mr. FRIST. Mr. President, I have an amendment at the desk, No. 215, on behalf of myself, Senators Smith of Oregon, Leahy, Dorgan, Kerry, and Feingold, and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The amendment is as follows:

On page 4, line 3, increase the amount by $500,000,000.

On page 4, line 17, increase the amount by $500,000,000.

On page 5, line 8, decrease the amount by $500,000,000.

On page 12, line 16, increase the amount by $200,000,000.

On page 12, line 17, increase the amount by $200,000,000.

On page 12, line 20, increase the amount by $500,000,000.

On page 12, line 21, increase the amount by $500,000,000.
On page 43, line 15, decrease the amount by $200,000,000.

On page 43, line 16, decrease the amount by $200,000,000.

On page 48, line 8, increase the amount by $200,000,000.

On page 48, line 9, increase the amount by $200,000,000.

Notwithstanding any other provision of this resolution, it is the sense of the Senate that:

(a) FINDINGS.—The Senate finds the following:

(1) HIV/AIDS, having already infected over 58 million people worldwide, is devastating the health, economies, and social structures in dozens of countries in Africa, and increasingly in Asia, the Caribbean and Eastern Europe.

(2) AIDS has wiped out decades of progress in improving the lives of families in the developing world. As the leading cause of death in Africa, AIDS has killed 17 million and will claim the lives of one quarter of the population, mostly productive adults, in the next decade. In addition, 13 million children have been orphaned by AIDS—a number that will rise to 40 million by 2010.

(3) The Agency for International Development, along with the Centers for Disease Control, Department of Labor, and Department of Defense have been at the forefront of the international battle to control HIV/AIDS, with global assistance totaling $330,000,000 from USAID and $136,000,000 from other agencies in fiscal year 2001, primarily focused on the prevention program.

(4) While prevention is key, treatment and care for those affected by HIV/AIDS is an increasingly critical component of the global response. A health system, providing home-based care, treating AIDS-associated diseases like tuberculosis, providing for family support and orphan care, and making anti-retroviral drugs against HIV/AIDS available will reduce social and economic damage to families and communities.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the spending levels in this budget resolution shall be increased by $500,000,000 in fiscal year 2002 and by $500,000,000 in 2003 and for each year thereafter for helping the poorest countries cope with the burgeoning costs of prevention, care and treatment of those affected by HIV/AIDS and associated infectious diseases.

Mr. Frist. Mr. President, the time is at hand for the United States to take another act of leadership in confronting one of the most important moral, humanitarian, and foreign policy decisions of the new century: How to stop HIV/AIDS in Africa and other developing countries.

History will indubitably record how the United States, along with other governments, other institutions, other foundations, and other civil societies, responds to the call. Inaction will be measured in millions of lives—lives lost, families destroyed, and economies ruined.

The statistics tell the story. They are chilling. Twenty-two million people have died of AIDS worldwide, more than 3 million last year alone. That is over 9,000 per day or nearly 6 deaths every minute. That number is growing. Thirty-six million people are currently infected with HIV, a staggering number that is increasing by 15,000 new infections every day, mostly in the world’s poorest countries. By 2010, 80 million persons could be dead of AIDS. That is more deaths than we saw in military and civilian forces suffered during all of World War II.

In Africa, life expectancy has been reduced by 20 years in many countries. In the next decade, 40 million children will be orphaned by AIDS. That is a number equal to all children in this country living east of the Mississippi. The economic impact is devastating. A nation’s workforce is being lost. Trained personnel in key sectors needed for economic growth and stability—teachers, health care personnel, law enforcement—are being decimated by the epidemic. In South Africa alone, a once strong economy is being devastated by HIV/AIDS. The projected GDP over the next 10 years will be reduced by 17 percent, or the equivalent of about $22 billion, because of this single virus.

Africa is not alone. The Caribbean region has the second highest rate of HIV infections. Russia has the largest increase of any in the world. The National Intelligence Council has said that Asia, especially India, is on the verge of a catastrophic epidemic. This is not just a technical answer. It is a question about regional security in the most populous part of the globe.

All Americans, indeed, can be proud of the international leadership in responding by the United States to this epidemic. We have pushed the G-8 to embrace debt relief in exchange for health programs. We have tripled our global commitment to AIDS programs over the last 2 years. But we are not doing enough. We are not alone. In all of sub-Saharan Africa, the combined national, UN, and donor contributions in the fight against AIDS total $500 million. Yet the United Nations estimates the basic prevention and care in Africa alone will cost $3 billion a year, increasing to $5 billion a year if treatment, including access to specific anti-AIDS drugs, is added.

The fundamental question we must ask today is this: If the United States is already doing more than anyone else, why should we do more right now? There are three reasons.

No. 1, the disease is not waiting. It is not waiting for the international community to mount a coordinated response. Just since I have been talking, 18 people have died and there have been 35 new infections. The problem is growing by the minute.

No. 2, a major new initiative by several pharmaceutical companies that has been rolled out over the last several weeks means AIDS treatment drugs for Africa are more affordable today than they have ever been.

No. 3, access to treatment enhances prevention efforts. Access to treatment enhances prevention, a basic underlying premise of public health.

For the first time in history, the drugs that have revolutionized AIDS care and treatment in the United States can become for the first time part of that comprehensive prevention, care, and treatment strategy even in the poorest countries of the world.

But how we supply these drugs where they are needed, given the fact that purchasing them at cost still puts them way beyond the means of infected individuals in poor countries, is a question we must address.

The answer is in the sort of public-private partnerships which we know have worked in the past and can increasingly work in the future. On the private side, U.S. companies took the lead in making drugs available, and now it is appropriate for the U.S. Government in this private partnership approach to take the lead in making these drugs part of a comprehensive plan, strategy, of prevention, care, and treatment in these poorest countries.

Currently, the United States is contributing close to $500 million to fight the scourge of HIV/AIDS in poor countries. The amendment my colleagues and I are putting forth today increases that amount by $200 million next year and by $500 million the following year, ultimately doubling our current commitment over 2 years.

These funding resources from the United States will provide the leadership impetus for a powerful coalition of Government, of foundations, of the United Nations, of the pharmaceutical companies, of academic institutions, of the scientific institutions to help fill the gap between the available resources and the need for care and treatment.

Working with authorizing and appropriations committees, working with Secretaries Powell and Thompson, with USAID and other parties, we will be crafting legislation to ensure this new budget authority enhances and complements our bilateral aid programs and also, fundamentally important, creating a mechanism that both encourages participation by other donors and gives the program the appropriate accountability and oversight we all must require.

One possible model would be the strictly monitored fund similar to the successful global alliance on vaccines and immunization. That particular
Mr. SMITH of Oregon. Mr. President, I raise today to join Senator FRIST to increase funding for International HIV/AIDS efforts. This amendment will increase by $200 million in fiscal year 2002 to help the neediest countries cope with the burgeoning costs of prevention, care, and treatment of those affected by HIV/AIDS and associated diseases.

AIDS is one of the most recent and most devastating infectious diseases facing the world today. Since the virus was first identified about 20 years ago, more than 50 million people have been infected—and at the current rate of infection that number will top 100 million within 6 years.

Of those being infected with HIV, half are between the ages of 10 and 24. Five young people will contract HIV/AIDS as each minute passes as I stand here speaking to you on the Senate floor.

These numbers are beyond belief—these youth are the future of the world and yet that future is being endangered as surely as those lives are being endangered.

Last year many of us on the Senate Foreign Relations Committee joined forces to authorize a real boost in funding to fight HIV/AIDS abroad. Senator BOXER, FRIST, KERRY and I—and many others including Chairman HELMS—succeeded in authorizing increased funding to meet the challenges of HIV/AIDS infection.

We did this without care about party politics, ideology or conviction, working together to somehow find solutions to a horrible health problem. I note that last year our focus was basically on Africa.

This year our attention has unfortunately been turned to new continents and new countries that are being impacted by HIV/AIDS.

In the Far East—in Thailand for instance, in the Near East—threatening India and in some countries of Eastern Europe and in Russia, HIV/AIDS is spreading quickly. Asia will soon have more new HIV infections than any other region. In Russia more Russians are projected to be diagnosed with HIV/AIDS by the end of this international year than all cases from previous years combined.

I could go on—HIV/AIDS will be responsible for the deaths of more men, women and children than all the soldiers killed in the major wars and conflicts of the 20th Century.

All these facts, again, cause the mind to pause and the imagination to stagger. Vocabulary fails to describe this. I simply ask my colleagues to join Senator FRIST and me in helping to fight HIV/AIDS abroad. Time and lives are wasting, even as we speak. I yield the floor.

Mr. DASCHLE. Mr. President, I strongly support the amendment offered by Senators FRIST and FEINGOLD. It is a timely amendment that addresses not only a humanitarian crisis, but a key threat to U.S. national security. I commend the sponsors for drafting an amendment that will keep the United States in a leadership role on this critical issue.

HIV/AIDS is a public health crisis threatening not just Africa, Asia, and the Caribbean. There are more than 50 million people infected with HIV worldwide; more than 25 million of them are in Africa, where some countries experience infection rates between 10 and 20 percent of the population. In India, there are 3500 new cases of HIV daily, and the World Bank projects that India will have 35 million people with HIV by 2005. Although prevention is key to halting the spread of HIV, because of the high costs of drugs and the woeful medical infrastructure, many of those infected are shut out of any treatment or care.

This devastating impact on a large and growing segment of the world population threatens to produce an economic development crisis. It is striking down productive adults, impacting agricultural and economic output in many countries, and creating an estimated 13 million orphans, who face increased risk of malnutrition and related problems.

Some estimates suggest that the number of orphans will grow to 40 million in the next decade.

This amendment provides the United States with the resources it will need to confront this threat. The President's budget allowed for a 10 percent increase over last year's spending, but this challenge demands a more robust American response, and the Senate is responding here tonight.

This amendment is the first step, a very good first step, in that response. I am encouraged by a study released yesterday by Harvard University that this problem is, in fact, surmountable. It will, however, demand that we follow through on the next steps in this fight.

The ACTING PRESIDENT pro tempore, the Senator from Tennessee.

Mr. FRIST. Mr. President, I ask for the yeas and nays.
I believe protecting our environment deserves top priority. Yet in the past few months, the White House administration has publicly stated an all-out attack on our environment.

Three weeks ago, the administration pulled a complete 180-degree turn on a clear campaign pledge to address global warming through the regulation of carbon dioxide. They pushed back regulation designed to protect the public from arsenic in drinking water. They proposed drilling in the Arctic National Wildlife Refuge. And they refused to defend regulations designed to protect our national forests.

Unfortunately, the Bush budget and this budget resolution continue this attack on our environment. The President’s “Budget Blueprint” proposed a 15-percent cut in environmental and mental health programs, totaling $50 billion. These cuts are dramatic step backwards and would reverse much of the progress we have made on cleaning our air and water and protecting our Nation’s natural resources. These cuts would contribute to the Nation’s growing concern about sprawl and would weaken efforts to hold polluters accountable.

These cuts have been especially serious in my State of New Jersey. I know I was sent here to fight to represent New Jersey’s interests. Air quality in New Jersey is one of the worst—in six of our counties—in the Nation. We have 115 Superfund sites, 80 percent of our rivers and lakes and streams are unfishable and unswimmable. If the Clinton administration, including a $125 million program that helps uninsured people get treatment and one aimed at preventing child abuse. But overall, programs designed to ensure scientific and environmental protection, including a few-million-dollar program that provides more funding, officials at the Department of Health and Human Services said.

Mr. CORZINE. This uncertainty arises because we do know this undercuts a commitment the President made last year to support the Land and Water Conservation Fund. This blueprint cuts conservation initiatives by $2.7 billion. That is in the blueprint.

Potentially most damaging, the Bush budget would undermine enforcement of our environmental laws. It would require deep cuts in the operating functions of our environmental agencies: the EPA, Interior and the National Oceanic and Atmospheric Administration.

We just can’t afford these cuts. If anything, we should be putting more resources into enforcement not less. Consider EPA’s own data from just last month. They found that:

- Twenty-six percent of industrial facilities were in significant noncompliance.
- Nearly 10 percent of industrial facilities were in significant noncompliance.
- Twenty-six percent of industrial facilities were in significant noncompliance with their clear water permits; And 7 percent of industrial facilities were in significant noncompliance with their hazardous waste permits.

The Energy Department would endure the biggest cuts, expected to total as much as $300 billion, from the President’s programs for creating fossil-fuel-production technologies, including some aimed at making oil wells and pipelines safer for the poor and clean-coal research.

Still, activities call the administration’s cuts in conservation perplexing, given that Mr. Bush has been proclaiming an energy crisis. “The programs that will actually solve the problems, save consumers money and reduce pollution are getting slashed by this administration,” said Anna Aurilio of U.S. PIRG, a consumer group.

An administration spokesman declined to provide details of the cuts but said the targeted programs aren’t necessarily saving money. A White House official said the President’s budget “reflects his support for energy conservation, renewable energy and encouraging entrepreneurs to develop alternative sources, and noted that it proposes significant new tax incentives for energy production.

At the EPA, spending is being reduced by $500 million. Some congressional aides also expect reductions in conservation funds that pay for EPA enforcement activities, possibly as part of an increase in grants to help states pay for enforcement.

The environment isn’t the only area in which Mr. Bush is taking some political heat. In health care, he is expected to propose cutting some programs favored by the Clinton administration, including a $125 million program that helps uninsured people get treatment and one aimed at preventing child abuse.

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- Twenty-six percent of industrial facilities were in significant noncompliance with their clear water permits; And 7 percent of industrial facilities were in significant noncompliance with their hazardous waste permits.
When government lets polluters off the hook, all of us pay a price—particularly those least able to protect themselves: our kids and seniors.

The Bush administration has not been in office very long. But it has done a lot of damage and a lot of damage to our environmental laws. And it’s time for them to reverse their course. I hope my colleagues will support the amendment I am offering today. It is really a very limited amendment. It simply would allow us to barely maintain funding for environmental programs at today’s levels. Frankly, I think we should do substantially more. But I hope my colleagues can support at least this, because it is protection of where we are today.

The message of this amendment is simple. It says that it’s more important to keep our air and water clean than to give huge tax breaks to the very wealthiest Americans. And it’s more important to address global warming than to give the top one percent of Americans a tax cut worth $55,000 a year.

I think environmental priorities reflect the values of the American people. I think they’re the right priorities for our nation and world. And I hope my colleagues will support the amendment and those values.

I yield the floor and reserve the remainder of my time.

Mr. CORZINE. Mr. President, does the Senator from Nevada or the Senator from California seek time?

Mrs. BOXER. I yield to my colleague, the Senator from Nevada.

Mr. CONRAD. Mr. President, does the Senator from New Jersey or the Senator from California seek time?

Mrs. BOXER. I yield to my colleague, the Senator from California.

Mr. CONRAD. Mr. President, I yield 1 minute to the Senator from Nevada.

Mr. REID. Mr. President, I am the ranking member of the environment committee and want to express appreciation to the Senator from New Jersey and the Senator from California who will soon speak on this amendment.

In our committee, every Member on the Democratic side has been extremely concerned about what has happened so far during the Bush administration and what they have done to violate what we have worked on for so long to take care of the environment, whether it is global warming, whether it is arsenic, whether it is lead, or whether it is drilling in ANWR. We need to understand that in our country—no matter if you are from New Jersey or California and all the States in between—and about the environment. George Bush is a good man. He is simply not getting the word that he is making tremendous mistakes in how he is treating the environment.

The Senator from New Jersey has done an excellent job with this amendment in restoring financing in the budget so we can do something about the environment and to maintain the progress we have made.
Let me ask one simple question of the distinguished Senator from New Jersey. Does this amendment take $100 billion out of the tax cut and put $50 billion of it against the debt and $50 billion of it for increased spending in various environmental areas?

Mr. CORZINE. It is $93.75 billion.

Mr. DOMENICI. I don't want anybody to think we round out those big numbers. But sometimes we refer to $93.75 billion as a hundred.

Mr. CORZINE. We will check those numbers.

Mr. DOMENICI. We plan to have a second degree. We will have to work on it in due course. But we will have a second-degree amendment to that.

We don't have any formal agreement, excepting that a series of Senators are going to be recognized—bipartisan or otherwise—to send an amendment to the desk and talk about it and be limited to 15 minutes so we can have enough time to get them all in. We are going to yield 12 minutes for your team.

Is that satisfactory?

Mr. BOND. Mr. President, I thank the distinguished manager.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

AMENDMENT NO. 211

Mr. BOND. Mr. President, I call up my amendment.

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

The Senator from Missouri [Mr. Bond], for himself, Ms. Mikulski, Mr. Lieberman, Mr. Allen, and Mr. Frist, proposes an amendment numbered 211.

Mr. BOND. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

On page 14, line 11, increase the amount by $1,411,000,000.

On page 14, line 12, increase the amount by $530,000,000.

On page 43, line 15, decrease the amount by $1,411,000,000.

On page 43, line 16, decrease the amount by $530,000,000.

On page 48, line 8, increase the amount by $1,411,000,000.

On page 48, line 9, increase the amount by $530,000,000.

Mr. BOND. Mr. President, the amendment I am offering with my colleagues, Senators Mikulski, Allen, Lieberman, and Bingaman proposes to add $1.44 billion over the President's budget to the Function 250 general science account to boost spending in fiscal year 2002 for the National Science Foundation, Department of Energy, and National Aeronautics and Space Administration. Compared to the fiscal year 2001 enacted levels, this amendment would add $469 million to DOE's science accounts, $674 million to NSF, and $518 million to NASA. This amendment continues the Federal Government's strong commitment to the Nation's basic research programs. Let us make no mistake, basic science means applied science, which is the foundation of this economy and will be the booster rocket for the future success of our economy and allow this Nation to lead the world in this century.

Of particular interest to me, this amendment maintains the momentum to double the budget of NSF over 5 years. Under this amendment, NSF would receive a 15.3 percent increase over last year's enacted level. As chairman of the VA, HUD, and Independent Agencies Appropriations Subcommittee, I began the doubling effort last year with my good friend and colleague on the appropriations subcommittee, Senator Mikulski. We are not alone and we have broad support for this funding. Last year, a bipartisan group of 41 Senators also supported this effort and I expect even more direct and enthusiastic support this year. Support and unique role in stimulating core disciplines of science, mathematics, and engineering and doubling the NSF budget will help ensure that the economic growth we have enjoyed over the past several years will continue.

I think we can all agree that research and development is a positive and critical investment for the economic and intellectual growth and well-being of our Nation. According to many economists, over the past half century, advances in science and engineering have stimulated at least half of the Nation's economic growth. Further, investment in scientific research has led to innovative developments in the high-tech industry—most notably the Internet and lasers. The investments have also spawned not only new products, but also entire industries, such as biotechnology, Internet providers, E-commerce, and geographic information systems.

Besides the economic benefits we have enjoyed from our investment in NSF's research programs, NSF has also played a crucial role in the biomedical area. Over the past half century, NSF-supported research has had monumental impact in the field of medical technologies and research. Let me make it clear that I am very supportive of the funding support we have provided to the National Institutes of Health. However, I am very concerned that the work that NIH is doing currently may be jeopardized if the underlying work from NSF research is not adequately supported. Medical technologies such as magnetic resonance imaging, ultrasound, digital mammography and genetic mapping could not have occurred, and cannot now improve to the next level of proficiency, without underlying knowledge from NSF-supported work in biology, physics, chemistry, mathematics, engineering, and computer sciences. Thus, the success of NIH to cure and diagnose diseases may depend upon the underpinning research supported by NSF.

The connection between NSF and NIH has been recognized by leading medical experts such as former NIH Directors, Bernadine Healy and Harold Varmus. As Bernadine Healy, Harold Varmus wrote in a letter to me last June 26:

Essential contributions to both genome sequencing and determination of protein structures have come from work supported by the one percent each year. NSF, and efforts to take advantage of this new information will require expanded activity in disciplines traditionally dependent on the NSF—including computer science, chemistry, physics, and engineering. Indeed, from the perspective of a medical scientist, there could be no more opportune time to guarantee the vitality of American science fund-activities every year.

Let me add on more voice. Dr. Kenneth Shine of the Institute of Medicine. Dr. Shine wrote:

...it is important to note that advances in medicine are very dependent upon other fields of science that are mostly supported by the National Science Foundation... doubling of the NSF budget will pay for itself many times over in terms of saving costs, and, more importantly, improving human health.

To be blunt, supporting NSF supports NIH.

Beyond just the biomedical field, the Senate should also be concerned about our Nation's supply of engineers and scientists. For the past several years, the number of graduates in the science and engineering fields has been declining. This decline has put our Nation's innovation capabilities at risk and at risk of falling behind other industrial nations. In the past decade, growth in the number of Asian and European students earning degrees in the natural sciences and engineering has gone up on average by four percent per year. During the same time, the rate for U.S. students declined on average by nearly five percent per year. NSF plays a key role in funding the training of the nation's young researchers in university laboratories. Twenty thousand graduate students and nearly 30,000 undergraduates are directly involved in NSF programs and activities every year.

However, as many of my colleagues know, the Congress has had to raise the cap on H–1B visas for immigrant workers due to the shortage of technically-trained workers in this country. The high-tech industry has had to turn to foreign workers because our country is not producing enough scientists and engineers to meet demand. According to NSF, the demand for engineers and computer scientists is expected to grow by more than 50 percent by the year 2010. NSF has been active in addressing this problem, it is obvious that it is not enough and we need to provide more support to our Nation's students.
hope my colleagues understand why this amendment is so critical. If we do not support NSF, this problem will continue and our Nation’s long-term economic growth and research innovation will be significantly hampered.

The PRESIDING OFFICER. The Senator has used 4 minutes.

Mr. BOND. I thank the Chair.

I hope my colleagues will support this important amendment and our efforts to strengthen the country’s research and development base. It is important to recognize that if we are to sustain our economic base and support the important work of NIH, we must support NSF.

Mr. President, I urge my colleagues to support this amendment.

I am going to use the last bit of my time to tell my colleagues that I have another amendment at the desk. No. 210, which we will be calling up in the vote-arama. It is cosponsored by Senators HOLLINGS and DEWINE.

Yesterday, the Senate voted overwhelmingly to add to the President’s generous proposal for NIH research spending. I hope we get an overwhelming vote for this one, too. It does two things.

First, it adds to the President’s proposal on community health centers. Like NIH, the Senate is on record supporting double funding over 5 years for health centers, and like the NIH amendment yesterday, my amendment would put us on track to double the funding for health centers.

Second, the amendment would make room in the budget to finally provide equitable treatment for children’s hospitals when it comes to our support of physician training programs. They have not received enough money to train the pediatricians they need. This year, our goal is to end this inequity finally.

The amendment we will be calling up later will provide enough room in the budget to make these things happen. When that amendment comes up, I ask my colleagues to support that one as well.

I thank the Chair and my colleague.

I yield the floor.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER (Mr. Frist—presiding). The Senator from New Mexico.

Mr. DOMENICI. Before yielding to Senator Mikulski, may I ask the Senator a question?

Mr. BOND. Mr. President, I would be happy to respond to the distinguished manager.

Mr. DOMENICI. May we have order, Mr. President.

The PRESIDING OFFICER. The Senate will be in order.

Mr. BOND. May I ask the Senator: The other part of the Government that has basic science research is the Department of Energy. I understand that you included that in the triad. We have done NSF and the National Institutes of Health. You have added for the National Science Foundation and added $469 million for DOE basic research. Is that correct?

Mr. BOND. Mr. President, the total amount of funding goes into section 250. I say to the Senator, $1.44 billion goes into section 250. As I understand it, how that gets sliced up is probably beyond the ability of this particular budget debate to determine. It will ultimately come down, I believe, to a 302(b) allocation. But my recommendation is that the vitally important work of DOE be funded with an additional $469 million out of this function.

There is another function—I believe it is 270—that also funds science.

Mr. DOMENICI. I thank the Senator. Mr. CONRAD addressed the Chair.

The PRESIDING OFFICER. Mr. CONRAD addressed the Chair.

Mr. CONRAD. Will the Chair inform us how much time remains on both sides?

The PRESIDING OFFICER. The Senator from Maryland has 5 minutes. Senator Bingaman has 2 minutes. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I rise as an original cosponsor of this amendment with my dear colleague, Senator BOND, to increase the function 250 for general science.

Our amendment seeks to increase funding for science by $1.4 billion by doubling the funding for the National Science Foundation, increasing the NASA budget by $500 million, as well as the Department of Energy funds.

This has strong bipartisan support. We are joined by Senators LIEBERMAN and ROCKEFELLER on my side of the aisle.

Why is it this issue enjoys such strong bipartisan support?

Both sides of the aisle—Senator Kit BOND and Senator Barbara Mikulski—want to make sure that America not only continues to win the Nobel Prizes but that we win the global markets. In order to do so, we need to invest in our Federal labs to create the new ideas that lead to the new products that lead to us winning those prizes and their markets. We are so proud of the fact we put on target to double the funding at NIH. But NIH is not IIBER. The Senator from North Dakota.

Mr. CONRAD. May I ask the Chair if we have enough money to fund the way we need to fund the way we need to fund for science and technology?

Our amendment pays for this increase through a $1.4 billion reduction in the proposed contingency fund. This offset does not cut any existing program or agency. Unfortunately, the President’s budget cuts NSF research below last year’s appropriated level. The President’s budget also proposes similar cuts in real terms to NASA and the Department of Energy research programs. This is unacceptable. While we are on target to increase biomedical research at NIH, we must also increase funding in the core areas of science and engineering—the same disciplines that fuel the very biomedical enterprise we seek to strengthen. CAT Scans and MRI’s were enabled by NSF research—not NIH research.

As the former head of NIH, Dr. Harald Varms, said:

Scientists can wage an effective war on disease only if we as a scientific community harness the energies of many disciplines, not just biology and medicine. The allies must include mathematicians, physicists, engineers and computer and behavioral scientists.

Because it is at NSF, NASA, and also DOE that we are supporting basic science that saves lives and generates jobs today and jobs tomorrow. NASA and NSF made the major innovations in the Internet, satellites, and microelectronics. If it were not for federally funded research, none of this would exist today.

But supporting basic scientific research is not just about saving lives, it is also about creating the jobs of tomorrow. Federal funding for basic scientific research is absolutely necessary for economic growth and job creation. I couldn’t even begin to list the technologies and inventions that were created through Federal research, but I will name just a few: the Internet, satellites, and microelectronics. If it weren’t for federally funded research, none of this would exist today. The private sector will always be focused on near-term product development—that is what they have to do. But that allows the Government to focus on long-term basic research to provide industry with the foundation for future product development and future job creation for our country. Mr. President, we are on the verge of historic breakthroughs in science and technology, and we must revolutionize our economy.

Nanotechnology is just one area that could transform our economy. Nanotechnology is the science of creating new systems and devices at the atomic and molecular levels, through the manipulation of individual atoms and molecules.

What does this mean? It means inventing new materials that are 10 times stronger than steel—at a fraction of the weight. It means supercomputers the size of a teardrop. It means new sensors that can detect cancer cells at the earliest stages of development. Unfortunately, we may not see the pay-off for 10 or 20 years. Industry on its own cannot support such high risk, long term research. That is why the Federal Government must support long term basic scientific research. For evidence, just look at recent history. The United States had led the world in patenting considered a critical measure of innovation. Entrepreneurial investment in new technologies and services created an estimated one-third of the 10 million new jobs between 1990 and 1997. Since 1995, growth in gross domestic product per capita reached its highest levels in 40 years.
We cannot afford to stop now. That is why this amendment is necessary. Not only do we need to increase funding for research, but we need to rebuild our research infrastructure.

According to NSF, there is an $11 billion backlog in modernizing university research labs and research facilities. How can we push the frontiers of new technology if our laboratories aren’t ready? We are seeing a decrease in the numbers of graduates in key science and engineering fields. This puts our future innovation capabilities at risk.

We must work to expand the pool of U.S. scientists and engineers by increasing support for K-12 math and science education. We must increase support for the education and training at our 2 year colleges, undergraduate institutions and research universities. Our international competitors won’t stand still, and neither can we. With all that is confronting us, now is precisely the wrong time to cut funding for scientific research.

I urge all my colleagues to join us by supporting this amendment as a necessary and critical investment in the future well being of the Nation.

Mr. President, yesterday I had a great talk with Dr. Sally Ride, the first woman to go into space. When she went into space, she took the hopes and dreams of so many of us. Dr. Ride holds degrees in both English literature as well as astrophysics. If Dr. Ride were here today to consult with the Senators, she would say she could do what she did because of the funding of the National Science Foundation that helped her get the background to be able to go on to be an astronaut. And look at what it has meant.

Our own National Science Foundation today is leading a breakthrough effort in a new area called nanotechnology. It could transform our economy. It is the science of creating new materials at the atomic and subatomic level.

But what does that mean to those of us who are scientifically literate but not scientists? It means a supercomputer the size of a teardrop, new materials that are 10 times stronger than steel at a fraction of the weight. Think what it means for new materials for our airplanes and our automobiles who are scientifically literate but not scientists? It means a supercomputer the size of a teardrop, new materials that are 10 times stronger than steel at a fraction of the weight. Think what it means for new materials for our airplanes and our automobiles.

Unfortunately, we will not see this payoff for 10 or 20 years. Industry cannot be the venture capitalist in this area. Government needs to get into it. By getting involved in nanotechnology and infotech technology, we are really taking America to the future. We lead the world in patenting and innovation.

Since 1995, our gross domestic product has increased more. Why? Because of innovation that has led to new products and new productivity. So we really need to focus our research on what will generate this type of activity.

At the same time, while we are looking at the funding of research, there is an $11 billion backlog in modernizing university research labs and research facilities. How can we push these frontiers of new technology if our laboratories are not ready? This program will help with those laboratories.

I think all here know of my passion for bringing often left out constituencies into science and technology—women, people of color. It is the National Science Foundation that reaches out to bring them into the field of science, mathematics, and engineering. The NSF has done a fantastic job reaching out to historically black colleges and women. At the same time we see, particularly with some of the NIH money that doesn’t necessarily come to States with large rural populations, EPSCoR, an excellent program at NSF that brings in large opportunities to our smaller rural States, that enables them to come up with the new ideas and maybe even jump start efforts of the stodgy universities. This is the competition we love. It is the competition of ideas, the competition for new products.

The PRESIDING OFFICER. The Senator’s time has expired. The Senator from New Mexico has 2 minutes.

Mr. BINGAMAN. Mr. President, I thank the sponsors of the amendment for the opportunity to speak on its behalf. I am a cosponsor of the amendment. I believe very strongly that it is the right thing to do. Of course, it does not actually get the money appropriated for these very important purposes, but it does make it possible for us to do that later in this session of the Congress.

We have seen a commitment over several years now by the Congress to adequately fund the National Institutes of Health. I have strongly supported that. But we have not seen the same level of commitment, the same level of appreciation for the importance of maintaining high levels of funding for research and development in the physical sciences area. That is what this amendment would do. It would try to bring funding for research and development in the physical sciences on a par with the funding for the research and development that is pursued in the arts through the National Institutes of Health.

This is an extremely important effort, particularly as it relates to the Department of Energy’s Office of Science, their commitment to developing the necessary user facilities across the Nation in two critical areas. One is the nanosciences that have been mentioned by the Senator from Maryland. The second is in advanced scientific computers. In both of these areas, we need to be the world leader. There is no reason we cannot be. In both of these areas we need to commit funds in order to maintain that leadership position.

I strongly support the amendment. I commend the sponsors of the amendment for proposing it and yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I thank the distinguished Senator from New Mexico for his kind comments as well as the strong comments of the Senator from Maryland.

The PRESIDING OFFICER. All time has expired.

Mr. BOND. I ask unanimous consent that the distinguished chairman of the Budget Committee be identified as an original cosponsor. It was my mistake not to include him on that list.

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

Mr. DOMENICI. I thank the Senator. Mr. DOMENICI. I yield the floor.

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

Mr. DOMENICI. Will the Senator with the next amendment please yield.

Mr. CONRAD. I am pleased to withdraw for the Senator.

Mr. DOMENICI. While we are waiting, I yield myself 1 minute off the conglomeration of amendments. We won’t exceed our time on those.

I take a minute to respond to the distinguished Senator from California who talked about our President and his environmental record. I want to make sure everybody out there in the hinterlands knows that the Senate had an opportunity to vote on whether it would ever enforce the so-called Kyoto accord. Not one single Senator voted that we would, indeed, enforce that accord.

The vote was either 99-0 or 98-0, incidentally. The President would not even see the light of day because the Senate said it wouldn’t.

I believe we ought to be square with this President and be honest with the people. How can he be blamed for doing damage to the environment when the President clearly said, with not a single dissenting vote, that we would not enforce it? If we wouldn’t enforce it, it would never be effective. It would have no efficacy on the environment of the world or America.

When our President announced that, somebody should have put a little scorecard up there that said: The President agrees with the Senate, which voted 98-0 that it would not enforce that accord.

On arsenic, which the Senator from California addressed, there are Democratic mayors across this land who have written to the Senator from New Mexico. I don’t know very many who supported the old arsenic regulation because it was nonscientific and was not based on any real science. It wasn’t only this President. Democratic mayors and councilmen joined by Republicans across the land said: Don’t make
The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I yield 10 minutes to the Senator from Louisiana.

Mr. BREAUX. Mr. President, I thank the distinguished ranking member, Senator Conrad, for his skill in managing our presentation from this side on the budget.

I rise to make some comments in general terms but directing my comments to the amendment I introduced today on behalf of myself and Senators Nelson, Landrieu, Carnahan, Chafee, Lincoln, Bayh, Torricelli, and Jeffords. The amendment provides for a $1.25 trillion tax cut over the next 10 years for the enactment of marginal rate reductions and estate, marriage penalty, and alternative minimum tax relief, and reserves additional resources for other domestic priorities such as debt reduction, education, agriculture, defense, and prescription drugs. That is the essence of the amendment.

Let me suggest to my colleagues and, indeed, to the American public, that during the Presidential elections of last year, the most important thing President Bush was able to enunciate for the American people who contributed to his victory was not a number, but a concept. The number he talked about in the campaign was a $1.3 trillion tax cut for all Americans. But more important than the number was the concept in which he told the American people that if he were to come to Washington, he wanted to change the culture of the way Washington worked or, rather, the way Washington did not work.

He said—I think correctly—that the American people were tired of class warfare. The American people were tired of the blame game. The American people were tired of seeing Democrats blaming Republicans for failure. The American people were tired of Republicans blaming Democrats for failure. The American people were tired of the blame game and the essence in which we argued about failure and whose fault it was that nothing was getting done.

He said: If I get the chance to come to Washington, I will change that culture. The election was not about a number. It was about changing fundamentally the way we do business in this city. On the one hand, we have the opportunity to show the American people that perhaps there is a glimmer of hope, that perhaps with a new President in Washington, if he truly believes, as I think he does, that he wants to change the culture, the first test of whether that will be done. If you took to the American people a tax cut of over a trillion dollars for all Americans and you were able to put together a bipartisan coalition of 55, 60, 65 or more votes together in a package and on the floor of the Senate together accomplish this in a bipartisan fashion, we have fundamentally changed the way Washington works, that would be a victory for this President. It would be a victory for the Senate and, far more importantly, it could be a victory for the American public.

Let me assure my colleagues of one thing: This body is not the Super Bowl. This body is not the Final Four. In both of those endeavors there has to be a winner and there has to be a loser. I suggest that in the Congress of the United States that is not true. In the Congress of the United States it is far more important that we keep in mind that we should be trying to make the American people rich, that is a victory. It is not as important which party wins, but that both parties can work together in order to make a victory available to the people of this country.

I suggest we have an opportunity to show the American people that we are not going to try to create a system that works for one and against the other. We have offered a plan that is available to all Americans, that receives a substantial degree of support from both sides, is an incredible victory. It is an incredible victory not because it is a number but because we will have changed fundamentally the culture of this city.

It does not behoove any of us to try to pick one Republican off to join this side and for them to try to pick one Democrat off to join them on that side. If the American people see that that is the way Washington works in the year 2001, they will say the last Presidential election meant very little because of all the talk about change in the culture, and we ultimately get back to the same old way of doing things. We pick up one, they pick up two; we pick up one, we get a 50-50 tie; and then we bring down the Vice President to break the tie and one side declares victory.

In essence, I think that is a short-term, shallow victory. In essence, I think it would be a serious defeat for all Americans who think we should change the culture of the way this institution works. We have offered something that I think could be a victory for everyone. We have offered a plan that should bring about serious negotiations, where we all sit together and not try to pick each other off, but we try to create a system that works for the benefit of all Americans. What is at stake is not just one party's victory; it is a victory for the American public.

I reserve the remainder of my time.

Mr. CONRAD. Mr. President, I yield 5 minutes to the Senator from Nebraska.

Mr. NELSON of Nebraska. Mr. President, I yield 5 minutes to the Senator from Louisiana.

Mr. BREAUX. Mr. President, I yield 5 minutes to the Senator from Nebraska.

Mr. CONRAD. Mr. President, I yield 5 minutes to the Senator from Louisiana.

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Mr. BREAUX. Mr. President, I yield 5 minutes to the Senator from Nebraska.

Mr. CONRAD. Mr. President, I yield 5 minutes to the Senator from Louisiana.

Mr. NELSON of Nebraska. Mr. President, I yield 5 minutes to the Senator from Louisiana.

Mr. BREAUX. Mr. President, I yield 5 minutes to the Senator from Nebraska.
when I was Governor Nelson and he was Governor Bush. So I am familiar with the bipartisan efforts he undertook in the State of Texas. We both campaigned on the premise that we would reach across party lines to find sensible solutions to the Nation’s most pressing issues. With this bipartisan proposal on the table, the President and the White House have the opportunity to demonstrate their negotiating skills and their desire to work together to achieve an ideological conclusion that is based not on partisanship, but is based on partnership.

Persuading one or two Democrats to vote with 48 or 49 Republicans doesn’t, in my opinion, constitute bipartisanship. However, sitting down and working out our differences to establish a constructive alternative does, in fact, constitute bipartisanship.

On the surface, this legislation is about the tax cut, but it is also about much more than a tax cut. This bill is about changing the partisan tenor in Washington. It is about whether we can meaningfully negotiate with the people at both ends of Pennsylvania Avenue, as well as with colleagues on either side of the table, we will be taking a step in the right direction. I am confident that if we work together, we will in fact reduce our differences, and we will also in fact reduce taxes; but we will not reduce our hopes and our dreams or those of others.

Mr. CONRAD. Mr. President, I compliment the Senator from Nebraska. He has been an exceptional addition to the Senate. He comes to us as a very distinguished former Governor, and he has made a great contribution to this debate in the Senate. I want to say that we welcome him, and we are so pleased that he has played this constructive role.

Mr. President, I yield 5 minutes to the Senator from New Jersey.

Mr. TORRICELLI. Mr. President, at some point, the division of this Senate on the issue of a tax reduction proposal must end. We must find some moment where there is a bipartisan approach that both protects our resources to deal with education and health care initiatives, but also has meaningful tax reduction. This can be that moment.

I join with Senator Breaux because I believe we have found a reasonable compromise—this is bipartisan—a $1.25 trillion tax reduction that lowers rates, offers real relief to middle-income families, but also protects enough resources to deal with our education, prescription drugs, and other family needs.

We have been told in recent months that there is a false choice. We can either deal with these problems or we can provide tax relief, but most assuredly we cannot do both. With this proposal, we achieve both by doing each modestly.

I have in the past indicated my belief that I could support a $1.6 trillion tax reduction as proposed by President Bush. Indeed, if required to do so, at some point I might vote for it, but surely this is not a tax reduction of 51 votes, no Vice President breaking a tie to decide upon a major national initiative that will decide the basic fiscal parameters of this Government for the next decade. This, a bipartisan plan that is affordable, protects the surplus and allows for a variety of other initiatives.

This is the most important part of the plan because while these are good times in America, they are not perfect times; and while the economy has been strong, it is now troubled.

In the last few years, we began an effort to hire 100,000 teachers; $50,000 remain to be hired to complete the program to reduce class size in America to 18 because we can vary it that does the most to improve the quality of education.

Under the plan I offer with Senator Breaux, this initiative can proceed. I am not certain it can with a larger tax cut proposal.

The Nation is living through a virtual revolution of technology with prescription medications prolonging life and helping the quality of life. Yet 15 million Americans have no access to prescription drugs. They are a vital part of their quality of life.

This plan leaves enough resources to write a realistic prescription drug program. Were it larger, I am not certain that would be possible.

I hope Members of the Senate will look carefully at what Senator Breaux has offered today, our first chance at a bipartisan product to move toward meaningful tax reduction and a balanced program. I am sympathetic with the need to cut taxes and reduce them substantially and immediately. I do not think a nation at peace, in relatively good economic times, should be taking 28 or 30 percent of the incomes of middle-income families. Indeed, 39 percent of the income of any American family should not be expected in peacetime and in relatively good times.

That is exactly what we are asking of the American people. The average per capita tax in America is $6,300. In my State of New Jersey, it is an astounding $9,400 per person. For a middle-income family, that is money the Federal Government should not expect because the Federal Government does not need it. That is money that should be going to educate children, feed them, house them, to deal with family security and emergencies and savings. That is the better use of these resources.

I believe that meaningful tax reduction in an economy of this size, with these emerging surpluses, can allow for dramatic tax relief and the better of this deal.

Senator Breaux has offered a meaningful beginning to writing that tax reduction and providing that relief. I am proud to join with him.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I thank the Senator from New Jersey once again for a powerful and persuasive presentation.

Mr. President, I ask the Senator from Connecticut if he seeks time.

Mr. DODD. I do, Mr. President.

Mr. CONRAD. I yield 10 minutes to the Senator from Connecticut.

Mr. DODD. Mr. President, my amendment is currently being crafted, and I have been in discussion with the distinguished chairman of the Budget Committee. I will explain what the amendment is and then I will offer it shortly.

I will be offering this amendment on behalf of myself and several of my colleagues: Senators WELLSTONE, CLINTON, Bingaman,Corzine, Murray, Landrieu, Lincoln, Rockefeller, Dayton, and Durbin.

This amendment ensures that critical children’s programs will be protected from harmful cuts. President Bush has always been on the record to leave no child behind. If we heard it once, we heard it a thousand times during the campaign. Those of us who took this President at his word were dismayed, to put it mildly, by the news 2 weeks ago that he intends to pay for the tax cut by cutting programs affecting children’s health, children’s hospitals, child care, and child abuse prevention treatment programs.

His actions certainly beg the question: When he pledged to leave no child behind, which children did he mean? Not abused and neglected children apparently because he would cut funding for child abuse by 18 percent.

Yesterday I attended a wonderful program sponsored by Child Help USA, a national group supporting programs to eliminate child abuse in this country. I was pleased to have the opportunity to participate in the program. The luncheon was co-hosted by the distinguished wife of our majority leader and my wife. We had speakers from the House and the Senate, as well as many experts from across the country who are involved in child abuse prevention. Groups like Child Help USA, serving the needs of abused and neglected children throughout the nation, deserve our utmost support. The amendment that I offer today is a step in the direction of providing that support.

What we are doing with this amendment is seeing to it that the level of funding for child abuse at the very least remains the same and we do not have an 18-percent cut in that program, as called for in President Bush’s budget.

More than 800,000 children are the victims of child abuse each year. Certainly an 18-percent cut in that program can be devastating for these very worthwhile efforts.
Children's hospitals is a second issue addressed by this amendment. These hospitals train more than 25 percent of our Nation's pediatricians and more than 50 percent of the country's pediatric specialists. A $35 million cut in that program which trains pediatricians and pediatric specialists is surely a move in the wrong direction. The most critically ill children in our country are at these children's hospitals, and seeing to it they get the proper assistance and support is critically important.

The third issue addressed by my amendment is the restoration of the $20 million cut in the early learning programs contained in President Bush's budget. These early learning programs were sponsored by our colleague from Alaska, Senator Stevens, and our colleague from Massachusetts, Senator Kennedy. I believe the early learning program is certainly worthwhile, and it has to be restored. My amendment addresses this issue.

Lastly, as many of my colleagues know, child care is a very important program to our nation's children and families. Last year, this body, along with the other body, increased funding for child care. Under the President's proposal, child care would be cut by $200 million which is a major step in the wrong direction. Given the needs of children who are on waiting lists for child care and of working families who need help in paying for the cost of child care, child care funding is vitally important. Mr. President, in Texas, 41,000 children are on the waiting list for child care assistance, in Florida, 44,000, Mississippi, 15,000; 16,000 in Massachusetts; 14,000 in North Carolina. Yet if the proposed cuts went into place, 60,000 more families with young children and toddlers would be denied child care assistance under the child care development block grant that was authorized by my colleague from Utah, Senator Hatch, and myself. We think the restoration to present levels of funding is the very least we can do as we enter the 21st century with the established need for well-trained pediatricians, early learning programs, and good early learning programs, adequately dealing with child abuse, and providing at least the same level of funding for child care assistance in this country.

We are told all the reasons we need to have a tax cut of this size, but to do that, it seems to me, the cost of cutting into programs for the most needy people in our society—children in children's hospitals, children who are abused, children who need early learning programs—is too high a price to pay for tax relief. To say we cannot provide some reduction in that tax cut, where the bulk of it is still going to those who can afford these programs and more, the most, to provide some assistance to these children and these families is something for which this body I believe does not want to be on record.

This is not an increase. I stress to my colleagues, I am not asking for that. I will, however, at some point, today all that I am asking for is the restoration of last year's funding levels. That is all—child abuse, child care, and pediatric care, along with early learning programs that Senator Stevens and Senator Kennedy have championed, do not deserve these cuts. All I am asking for with this amendment is that we—at the very minimum—provide the same level of funding we provided just last year. While I surely support adding to these levels, and will work toward boosting funding as we move into the appropriation's process, the amendment I offer today simply restores cuts to these vital programs contained in President Bush's budget. Don't make cuts in these programs at the same time we are offering a substantial tax break to those like you and me, but many of them would agree that their money could be better invested in programs that serve vulnerable children and families.

I ask my colleagues to support this amendment. I yield 1 minute to my colleague from Minnesota.

Mr. WELLSSTONE. Mr. President, I thank the Senator from Connecticut for his amendment. I thank him for his passion for children. I am very proud to be an original cosponsor of this amendment. I thank my colleagues on the other side of the aisle, if indeed they support this amendment. To cut funding for a program that would help with prevention of child abuse, to cut funding for child care, little children, to cut funding for training for doctors at some of our children's hospitals where you have some of the sickest children is no way to realize the goal of leaving no child behind.

This amendment restores funding. There will be a number of Senators fighting for more funding for investment in children, especially prekindergarten, little children. This is a good amendment. I thank my colleague from Connecticut. I am proud to be a supporter.

Mr. DODD. We are talking about a very modest amount of money. We Members have been talking about billions of dollars yesterday and today. This amendment does not even get near the $1 billion figure. While we regularly talk of billions and trillion of dollars around here as if they don't count much, they surely count if you have a child in a children's hospital needing help, if you are a parent trying to afford child care and you are working, if you have seen what happens to children that are abused. The millions of dollars that this amendment will restore for pediatricians and programs where the bulk of it is still going to those who can afford these programs and more, the most, to provide some assistance to these children and these families is something for which this body I believe does not want to be on record.

I yield the floor.
Mr. ROCKEFELLER. Mr. President, I rise today to join my colleagues in advocating passage of the Bond and Mikulski amendment to increase federal science and technology research funding. This amendment recognizes the critical importance of Federal science and technology funding in expanding the frontiers of science and laying the groundwork for economic success and leadership.

The Bond-Mikulski amendment will increase the funding for the National Science Foundation, the Department of Energy's R&D activities, and NASA. Importantly, the increase to NSF would return us to a path to double that agency's funding over the next five years. I have worked for many years with Senators FRIST, LIEBERMAN and others on the Federal Research Investment Act, which would double federal funding for science and technology research. That bill has passed the Senate twice, but has yet to become law. This year I hope that it will pass both Houses and become law. This amendment contributes to that larger overall effort by maintaining our funding trajectory for several agencies for the current budget. The Federal Research Investment Act is still necessary to reach our goal on energy's R&D activities, and NASA. The commitment to research and development is also imperative for training the next generation of scientists and engineers.

Mr. DASCHLE. Mr. President, I want to indicate my strong support for the amendment offered by Senator BOND and Senator MIKULSKI that would increase the amount of funding available for scientific research at the National Science Foundation, NASA and the Department of Energy by $1.4 billion.

Our nation's capacity for groundbreaking scientific research is one of its greatest assets. Scientific research strengthens our economy, improves our international competitiveness and raises the quality of life for all of our citizens. President Bush's 2002 budget, however, will retard our national investment into such research. For example, it virtually freezes funding for the National Science Foundation, NSF, cutting facility project funding by $13 million, and providing only one-third of the funding for the National Superconducting Super Collider. Such cuts threaten to throw our country's research portfolio out of balance by not providing for needed advances in the physical sciences and engineering.

Science is a bipartisan issue. A recent Wall Street Journal article reported that to pay for his tax cut, "President Bush is having to chop another Republican priority: increased government spending for science." D. Allen Bromley, a professor of nuclear physics at Yale and science and technology advisor to former President George H. W. Bush, recently wrote, "the proposed cuts by the Bush Administration to scientific research are a self-defeating policy. Congress must increase the investment in science. No science, no surplus. It's that simple." Even Former House Speaker Newt Gingrich has been reported as calling the President's NSF budget "a tragic mistake," stating it "should be $11 billion" instead of $4.5 billion.

Earlier this year, a blue-ribbon panel of physicists recommended a site in my state of South Dakota, the Homestake Gold Mine, as its preferred location for a world-class underground physics laboratory. The mine has been the economic mainstay of the Black Hills of South Dakota, and its closure would be a disaster for the region's surrounding communities. Converting the mine into a world-class research facility holds great promise for the scientific community at large and would minimize the disruption the mine's closure will have on the region. With an underground laboratory, hundreds of new jobs would be created, business would expand, and new opportunities for growth and learning would abound.

If Homestake is selected as the site for national underground science laboratory, it is imperative for the project to be funded this year. Unless construction begins this year, Homestake Mining Company will allow the mine shafts to flood when the mine closes, permanently foreclosing any chance of building the lab at Homestake. Moreover, the longer we delay, the more likely it is that the mine's workforce will leave, crippling our ability to construct the lab.

The Bond-Mikulski amendment will greatly enhance the prospects that valuable scientific ventures like the national underground physics laboratory will secure the government support needed to make them viable. I encourage my colleagues to support it.

Mr. DODD. I call up amendment No. 322.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Connecticut [Mr. DODD] proposes an amendment numbered 322.

Mr. DODD. I ask unanimous consent reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To increase discretionary funding for Early Learning, Child Care Development Block Grant, Child Abuse Prevention and Treatment, and Pediatric GME programs)

On page 2, line 17, increase the amount by $1,163,000,000.

On page 2, line 18, increase the amount by $1,498,000,000.

On page 3, line 13, decrease the amount by $1,163,000,000.

On page 27, line 3, increase the amount by $241,000,000.

On page 27, line 4, increase the amount by $241,000,000.

On page 28, line 22, increase the amount by $50,000,000.

On page 28, line 24, increase the amount by $50,000,000.

On page 32, line 15, increase the amount by $790,000,000.

On page 32, line 16, increase the amount by $790,000,000.
an affirmative vote of three-fifths of the Members, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling on a point of order raised under this section.

(d) DEFINITION OF AN EMERGENCY REQUIREMENT.—A provision shall be considered an emergency requirement if it (i) directs the scorekeeping of any bill or resolution (or amendment, motion, or conference report on that bill or resolution) that waives or suspends the enforcement of section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985; (ii) requires an affirmative vote of three-fifths of the Members, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling on a point of order raised under this section.

(e) FORM OF THE POINT OF ORDER.—A point of order under this section may be raised by the Senator or as provided in section 313(d) of the Congressional Budget Act of 1974.

(f) CONFERENCE REPORTS.—If a point of order is sustained under this section against a conference report, the report shall be dis-"
I would question whether these defense “emergencies” could not have been handled in the normal appropriations process.

Total emergency supplemental defense spending in fiscal year 2000 amounted to $17.5 billion, and in fiscal year 1999, it totaled $16.8 billion.

Even for Washington, these are large sums of money.

I am sure that the vast majority of this spending is for legitimate emergencies.

However, I believe we need an added safeguard to help stop abuses of the emergency spending designation in an effort to circumvent our spending caps.

I believe this amendment is a sensible approach to achieving our goal of fiscal responsibility and it represents a good step toward improving the transparency of our budget process.

I urge my colleagues to support this amendment.

AMENDMENT NO. 322, AS MODIFIED

Mr. DODD. Mr. President, I send a modification of my earlier amendment to the desk.

The PRESIDING OFFICER. The Senator has that right.

The amendment, as modified, is as follows:

(Purpose: To increase discretionary funding for Early Learning, Child Care Development Block Grant, Child Abuse Prevention and Treatment, and Pediatric GME programs)

On page 2, line 17, increase the amount by $270,700,000.

On page 3, line 13, decrease the amount by $270,700,000.

On page 27, line 3 increase the amount by $270,700,000.

On page 27, line 4 increase the amount by $235,000,000.

On page 28, line 22 increase the amount by $50,000,000.

On page 28, line 24 increase the amount by $50,000,000.

On page 32, line 15 increase the amount by $870,000,000.

On page 32, line 16 increase the amount by $870,000,000.

On page 4, line 2 increase the amount by $50,000,000.

On page 4, line 16 increase the amount by $870,700,000.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, I am pleased to join my colleagues, Senators VOINOVICH and GREGG, to offer this amendment to improve fiscal discipline.

Our amendment would strengthen enforcement tools. The amendment would also limit the procedure on emergency spending from last year’s budget resolution, with one change. It would put emergency defense spending on exactly the same footing as emergency domestic spending. All emergency designations would thus be subject to a 60-vote point of order.

As under current practice, if sustained, the point of order would strike the emergency designation, but leave the associated funding. If the funding, without the emergency designation attached, would push the total funding for the bill over its allocation, or over the total discretionary spending cap, another point of order could be raised.

Our amendment would also close several budget loopholes. It would make out-of-order three separate devices used to evade budget discipline: changing the discretionary spending caps, waiving a sequester, and directing scorekeeping. Under current law, doing any of these three things is out of order on any bill not reported by the Budget Committee. Our amendment would extend that prohibition to all bills.

This amendment will strengthen budget enforcement. I urge my colleagues to support it.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. VOINOVICH. I want to remind my colleagues of one thing. The direct scoring was used in the last two omnibus appropriations, so frankly, avoid busting the budget caps. That is why it is so important we have this point of order.

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

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, the pending amendment is not germane. Therefore, I am constrained to raise a point of order. The amendment violates section 305(b)(2) of the Congressional Budget Act of 1974.

Mr. VOINOVICH. Mr. President, I ask the point of order be waived and ask for the yeas and nays on the waiver of the point of order.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Had the Senator used all his time? How much time did he use?

The PRESIDING OFFICER. They used 7 minutes.

Mr. DOMENICI. Would the Senator like to speak a little longer on this amendment in case somebody is interested?

Mr. VOINOVICH. Not necessarily, unless somebody wants to speak against it. Then I will answer.

Mr. CONRAD. Does the Senator from South Carolina seek time?

Mr. HOLLINGS. Mr. President, I ask for 10 minutes from my distinguished chairman?

Mr. CONRAD. I yield to the Senator from South Carolina 10 minutes.

AMENDMENT NO. 225

Mr. HOLLINGS. Mr. President, I call up the amendment No. 225 on behalf of myself, Senator Biden, Senator Daschle, and others.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The amendment is as follows:

(Purpose: To provide for a $85 billion tax rebate, and for other purposes)

On page 43, strike lines 10 through 12, and insert the following:

(A) New budget authority, $85,000,000,000.

(B) Outlays, $85,000,000,000.

(C) The Senate finds that

(i) given the apparent economic slowdown, the Congress should stimulate the economy by passing a 1-year true tax cut stimulus package that provides income tax and payroll tax relief;

(ii) for real economic stimulus the 1-year tax cut should equal approximately 1 percent of the gross domestic product, or $95,000,000,000;

(iii) a meaningful economic stimulus must reach as many taxpayers as possible, or at least 120 million people;

(iv) the broadest range of taxpayers can be reached by offering a direct rebate based on income tax liability or payroll tax liability; and

(v) the tax stimulus bill should be immediate and take effect on or before July 1, 2001.

(D) It is the sense of the Senate that the levels in this resolution assume that the Senate should as soon as practical consider and pass a stimulus tax package pursuant to this budget resolution that will result in a rebate of

(i) up to $500 per individual or $1,000 per couple for 95 million taxpayers who pay income tax; and

(ii) up to $500 for the 25 million taxpayers who pay payroll taxes but do not have income tax liability.

Mr. HOLLINGS. Mr. President, my appeal now is to all Democratic Senators, all Republican Senators—to the Senate as a body—to heed the distinguished majority leader’s admonition to us last evening when he exclaimed: We are fiddling while Rome burns.

What we should be doing is taking up a stimulus measure to get the economy moving, not, if you please, worrying about what is going to happen over the 10-year period—not for the elections next year, or education, or housing, or Patients’ Bill of Rights, or health care, or any of these other things.

Distinguished members of the Concord Coalition, including the former Secretary of the Treasury, Secretary Rubin, and former Senators Warren Rudman and Sam Nunn, recently wrote an editorial to The Washington Post, “On Taxes, One Step At A Time,” saying what we really need:

We believe an immediate fiscal stimulus can be provided independently of the proposed 10-year tax cut.

That is exactly what my amendment is cut out to do. The previous amendment, the Durbin amendment, involves the tax cut. This has nothing to do
with the tax cut. It responds to what Rubin and others have been saying, that is, to try to get 1 percent of a $12 trillion economy, around $5 billion or $95 billion, to extend to the greatest number of Americans—namely, the 95 million taxpayers and the 25 million payroll workers, some 120 million Americans—a $300 rebate, Senator Domenici.

You ask me where the money is? This is the most money we can utilize for stimulus without touching the Medicare and Social Security trust funds. I would have put in even more, if it was available. The $60 billion the distinguished Senator from New Mexico has in his bill was called, by Steve Forbes, "an hora d'oeuvre." I call it half a haircut. I do not know whether the $55 billion in this particular measure is going to do the trick. I hope so. But we have got the best authorities from all walks of economic life, and from the market itself, in agreement.

MIT professor Lester Thurow:

If President Bush were really interested in using taxes to stop the plunge in the economy, he would drop his 10-year tax cut and first go for a large 1-year temporary tax cut, a stimulus package that could be extended for another year if needed.

That is exactly what I have done. I am not involved in the budget arguments so as to divorce it from the politics of tax cuts; rather, get a true stimulus package.

Robert Kuttner, whose column appears in the Boston Globe: First, the tax cut should be smaller, quicker, and directed to people who need it.

The best idea proposed by Harvard's Richard Freeman and the Economic Policy Institute is a one-time dividend of $500 for every woman, man, and child. That would inject a lot of stimulus into the economy right now. The Treasury could send out the checks within a month.

We are all complaining about Alan Greenspan, but we have to do our part here. If you want to accept responsibility for the recession, just vote the amendment down. If you want to revive the economy and the market, I propose a large 1-year tax cut and go for it. That would inject a lot of stimulus into the economy right now. The Treasury could send out the checks within a month.

We are not paying down the debt. But if you get those surpluses, you will have my help.

Mr. DOMENICI. Mr. President, I close by saying I don’t want to ask another question, obviously, because your answer was one that I didn’t expect. But I want to remind you that you made a deal with me once. You said as soon as we balance the budget—you and I—I wouldn’t you jump off some building?

Mr. HOLLINGS. Off the dome. That is right. You had me looking for a parachute last fall. But now look at what we have going on. We are spending money we don’t have now on this particular measure.

I go back to Roosevelt’s “prime the pump,” because I remember for about a 2- to 3-year period back in my hometown they were paying everybody in script. We didn’t have the money. That assumes we don’t have the money. But if you want to get this economy moving again, let’s vote for this particular amendment so we can do that and not be accused of bogging down in the political argument of tax cuts and budgets.

Mr. DOMENICI. I would have modified my suggestion, and would have said, Will the Senator try a bungee jump? You wouldn’t have to jump for real.

I yield the floor.

Mr. HOLLINGS. I thank the distinguished chairman of the Budget Committee and the ranking member, Senator CONRAD. I yield the remainder of my time. I thank the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

AMENDMENT NO. 201

Mr. ALLEN. Mr. President, I call up my amendment with Senator BROWNBACK and others, No. 201.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Virginia [Mr. ALLEN], for himself and Mr. BROWNBACK, proposes an amendment numbered 201.

Mr. ALLEN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide for a tax cut accelerator)

SEC. 2. TAX CUT ACCELERATOR.

(a) REPORTING ADDITIONAL SURPLUSES.—If any report provided pursuant to section 202(e)(1) of the Congressional Budget Act of 1974, estimates an on-budget surplus that exceeds the on-budget surplus set forth in such a report for the preceding year, the chairman of the Committee on the Budget of the House of Representatives and of the Senate shall make adjustments in the resolution for the next fiscal year as provided in subsection (b).

(b) ADJUSTMENTS.—The chairmen of the Committee on the Budget of the House of Representatives and of the Senate shall make the following adjustments in an amount not to exceed the difference between
the on-budget surpluses in the reports referred to in section (c):

(1) Reduce the on-budget revenue aggregate by that amount for the fiscal years included in such reports.

(2) Amend the instruction to the Committee on Ways and Means and the Committee on Finance to increase the reduction in revenues by the sum of the amounts for the period of such fiscal years in such manner as to not produce an on-budget deficit in the next fiscal year, over the next 5 fiscal years, or over the next 10 fiscal years and to require a report of reconciliation legislation by the Committee on Ways and Means and the Committee on Finance not later than March 15.

(3) Add such other levels in such resolution, as appropriate, and the House of Representatives and the Senate pay-as-you-go scorecards.

(c) LEGISLATION.—It shall not be in order in the Senate to consider any bill that is reported by the Committee on Finance pursuant to the adjusted instructions described in subsection (b) unless the ceiling on that bill previously unaccounted for—the unaccounted for on-budget revenue aggregate by that amount for the fiscal years included in such reports.

The way this works is if the Congressional Budget Office’s January report projects higher than expected on-budget surpluses over the previous year, then this amendment would require the Budget Committee to make the appropriate budgetary adjustments by reducing the on-budget revenue aggregate by the same amount as previously unaccounted for—the unaccounted for on-budget surplus.

It instructs the Finance Committee to increase the amount of tax relief by the sum of the amounts for the period of such fiscal years and the bottom line is it sends money back to the people and not to fund increased Government spending.

We hear many issues and ideas about triggers and brakes and circuit breakers designed to slow down tax relief and not enough about a tax cut accelerator in the case that on-budget surpluses are higher than expected.

If you look at the Congressional Budget Office’s projections over the last few years, they are generally very pessimistic about what revenues will be coming in and, therefore, surpluses will not be there. But, in fact, they are right about the deficits. They err on the side of caution. I understand that. That is probably a good way of looking at things.

However, if the economy is doing better, if the budget surpluses appear on a year-to-year basis, who ought to take care of protecting it’s taxpayers? In my view, it ought to be the taxpayers.

The Finance Committee and Budget Committee may not want to use the entire surplus for tax cuts being accelerated. They may want to say they want to take care of priorities—let’s expand perfect health, or scientific research, or national defense. They will say: Well, we will use half this for these priorities and half for accelerated reductions in taxes.

The point is, that identified surplus is not spent—not rolled over—but it is determined as a definite, identifiable amount of money that the Budget Committee will act upon, that the Senate Finance Committee will act upon, and then this whole body will act upon and have that scrutiny.

I think it will, of course, in my view, help speed up tax relief to the people.

Because any view is more optimistic than the pessimistic views of the Congressional Budget Office. There is plenty of evidence, and other projections have been too low over the years because they use static estimates—not dynamic estimates.

It is understandable why in 1-year budgets you would use static analysis because you do not have the full impact of tax reductions or any measures until a few years or maybe more than a few years down the road. If you want to look at what the impact of static analysis has on underestimates in the revenue impact because of tax cuts, the Kennedy tax cut under President John F. Kennedy was 12.6 percent of Federal revenues. They reduced rates from 90 to 70 percent. The rate reduction resulted in a return of all expected revenue losses plus an additional 4 percent. The Reagan tax cut, at 38.9 percent of Federal revenues, reduced rates, tax rates from 70 to 50 percent. The static models predicted a revenue impact of a negative $330 billion. The actual fiscal impact on the Treasury was about $70 billion—less than one-fourth of the expected impact.

These numbers, coupled with CBO’s past inaccuracies, make it reasonable to believe that the on-budget surpluses will come in higher than projected.

I mean, it is more than ever that we need a tax cut accelerator. Over the last few years, the Senate has chipped away on the on-budget surplus.

The Senate has reduced drastically the available money for tax relief. Hiding behind the ever process about how many reconciliation instructions per budget resolution is really to get in the way of real tax relief for American families.

Real people do not care about reconciliation. They think it is a domestic matter, if you ever bring up reconciliation. It means, at best, some sort of family squabble being resolved. They care about providing for their families. People in the real world care about their future.

This tax relief accelerator will hold Congress accountable to the American people, which I think is very good. This budget represents a promise to the people of America. It protects Social Security and Medicare. Tax cut accelerator does not affect Medicare or Social Security; it is only the on-budget surplus.

This budget helps pay off all available debt. It funds current Government obligations and programs. It provides a $26 billion increase, or 4 percent raise, over last year’s budget on next year’s budget spending. It ensures for future contingencies. And this budget promises to provide the people of America with the tax relief they deserve.

I generally support this budget framework, and I strongly believe we should honor all of its promises. The tax cut accelerator provides the assurance that Washington will fulfill its promise to return excess on-budget surpluses to the people, to the taxpayers, instead of permitting their hard-earned dollars to be spent away by Government bureaucracies.

The accelerator does not—does not—touch Social Security or Medicare funds. It does not threaten funding for current programs. It allows for increases in funding for new and existing priorities, such as defense, education, science, and medical research. And it does not bring back deficit spending.

Today we have a choice. Our choice is, Do we keep our promises? Do we trust the American people and adopt this amendment which provides the necessary mechanism to ensure the return of unexpected on-budget surpluses back to our families and businesses or do we allow Government to keep this money from them?

I say we ought to let the people decide how to best spend their hard-earned dollars. Families must be able to save and spend for their children’s education, to make a downpayment on a new home, to invest in their business, or to prepare for their retirement years. It is my view that we ought to trust people in our free enterprise system, to make a downpayment on a new home, to invest in their business, or to prepare for their retirement years. It is my view that we ought to trust people in our free-enterprise system, to make a downpayment on a new home, to invest in their business, or to prepare for their retirement years.

So with that, I see my friend from Kansas has risen.

Mr. President, how much time do we have on our side?

Mr. CONRAD. Seven minutes.

Mr. ALLEN. OK. I will yield the floor and allow the opposition to make any statements they so desire.
on schedule with what we agreed to on both sides.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. BROWNBACK. I ask unanimous consent that I be allotted 5 minutes to speak on behalf of the amendment.

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

Mr. BROWNBACK. Thank you very much, Mr. President.

I thank my colleague from Virginia for his sponsorship in putting forward this amendment. I think this is a key amendment.

We have been talking a lot about reducing the tax cut because we are not sure that the money may come in. What this amendment says is, if the money does come in, then let's require that there be a vote that we have a larger tax cut. That seems to me to be the symmetrical discussion that should be taking place.

We need to concern about: OK, what if the resources do not come in? What if this does not quite work out? Should we lock ourselves into this size tax cut? What we are saying is, once this money comes in—I am confident that it is going to come in; I am confident that it will happen—if it does come in, then tax cuts of a larger scale should be voted upon.

Yesterday the step was taken by the Senate to make a smaller tax cut. I think that was a wrong step. I think it is a bad step for our economy. That sends a signal to people that there is going to be less money in their pocket. Less consumer confidence will result and that is going to be a more difficult situation for our economy and for our people.

What we are trying to do is send a different signal, saying that if this economy continues to put these sorts of receipts in the Federal Government—which I am confident that it will—then we are going to return more of that to the American taxpayers. That will create an economic climate that allows individuals to make informed savings and investment decisions. It is the best path for sound, responsible fiscal policy.

If individuals are not confident that the economic decisions they make today will be respected in the Tax Code tomorrow, they will be less likely to take the kind of risks that make our economy one of the most productive and fastest growing in the world. That level of predictability and the assurance is important.

This is why offering taxpayers a one-time rebate, in my estimation, as has been proposed by some of my colleagues, is bad economic policy. The problem is, it gives the veneer of economic growth while only providing really a Band-Aid to the larger underlying problem of sluggish growth and a slowing economy.

The goal of our economic policy should be to encourage savings and investments at the margins, not promoting policies that artificially might prop up the economy through consumption incentives for nothing to solve long-run economic problems.

Mr. President, because I know our time is short, I want to make an additional point; that is, for people who are also concerned that we are not paying down the debt sufficiently with the policies we put forward, what this says is that if we have more coming in, we will vote on a larger scale tax cut. We are going to continue to pay the debt down. We will pay down all the available debt over a period of 10 years. This has nothing to do with that. We will continue to honor that debt paydown provision that is in the overall budget and is a part of our overall proposal. I want to make sure we set that one off to the side so people are not confused about that particular issue as well.

With those caveats, and for those reasons, I urge my colleagues to vote for this triggering mechanism that would go into place if—if the dollars are forthcoming. There really should be no reason to vote against this amendment. That is why I urge my colleagues to support this amendment and vote for it.

With that, Mr. President, I reserve the remainder of our time and yield the floor.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I ask unanimous consent to be made a co-sponsor of the amendment.

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

Mr. WARNER. I believe the Senator has allocated me a few minutes.

Mr. ALLEN. Yes.

Mr. President, how much time do we have on our side?

The PRESIDING OFFICER. Two minutes 39 seconds.

Mr. WARNER. Might I inquire of the Chair as to the amount of time remaining for the Senator from New Mexico?

The PRESIDING OFFICER. There is no time for the Senator from New Mexico.

Mr. ALLEN. I would like to have just a final closing comment, and then I will yield to the senior Senator from Virginia.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. ALLEN. Let me say in a few seconds—and I want to yield the remainder of the time to the senior Senator from Virginia—the Senator from Kansas has it exactly right. We want to have an insurance policy for the people of this country, the taxpayers. We understand their budgets are strained. If there is a time, we are optimistic there will be because we think reducing taxes helps create jobs, improve our economy, and has a dynamic, positive impact on our country. So if you want to make sure the taxpayers of this country get any of the excess money they have the first claim on, then you should support this amendment because it supports the people of America and will help strengthen our economy.

I yield the remainder of my time to the senior Senator from Virginia, Mr. Warner.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Mr. President, reserving the right to object, what was the request?

The PRESIDING OFFICER. There was a request to call up an amendment. Mr. REID. I object. There is an amendment pending.

The PRESIDING OFFICER. Objection is heard.

Mr. WARNER. I have it filed at the desk.

Mr. REID. We have a UC that is now in order. There is a unanimous consent agreement in order, and the only amendment in order now is one to be offered by Senator WELLSTONE, after this one is completed.

Mr. WARNER. I had consulted with the Senator from New Mexico. I was told I could have a minute. Obviously, I am in error. I apologize to my distinguished colleague, and I withdraw my comments.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. BROWNBACK. Mr. President, how much time remains on the amendment?

The PRESIDING OFFICER. Twenty-nine seconds.

Mr. BROWNBACK. How much?

The PRESIDING OFFICER. Twenty-six seconds now.

Mr. BROWNBACK. Mr. President, CBO, in January of 1999, said that the 2-year forecast showed a total budget surplus of $2.3 trillion. The surplus announced this year is $2.6 trillion. In that 2-year time period, they more than doubled the size of it. What we are saying is, if that happens again, as is likely, let us vote on a bigger tax cut.

The PRESIDING OFFICER. AUC time has expired.

The Senator from North Dakota.

Mr. CONRAD. Mr. President, the pending amendment is not germane. Therefore, I raise a point of order that the amendment violates section 305(b)(2) of the Congressional Budget Act of 1974.

I yield back the remainder of the time on the amendment.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. ALLEN. Mr. President, under section 904 of the Budget Act, I move...
to waive section 305 of the Budget Act for the consideration of this amendment and ask for the yeas and nays.  

The PRESIDING OFFICER. Is there a sufficient second?  

There appears to be a sufficient second.  

The yeas and nays were ordered.  

The PRESIDING OFFICER. The Senator from North Dakota.  

Mr. CONRAD. Mr. President, I yield 5 minutes to the Senator from Minnesota. We only have 10 minutes remaining. I advise the Senator—actually less than that. We have agreed to provide the other time to the Senator from West Virginia.  

Mr. WELLSTONE. That is fine.  

Mr. GREGG. Will the Senator from North Dakota yield for a question?  

Mr. CONRAD. No, the Senator from North Dakota can’t yield at this point for a question because we are rapidly running out of time.  

The PRESIDING OFFICER. The Senator from Minnesota.  

AMENDMENT NO. 269  

Mr. WELLSTONE. Mr. President, I call up amendment No. 269.  

The PRESIDING OFFICER. The clerk will report.  

The assistant legislative clerk read as follows:  

The Senator from Minnesota (Mr. WELLSTONE), for himself, Mr. JOHNSON, Mr. RINGAMAN, Mr. DORGAN, Mrs. MURRAY, Ms. MIKULSKI, Mr. KERRY, Mr. FEINGOLD, Ms. LANDRIEU, Mr. DURBIN, Mr. DASCHLE, and Mr. REID, proposes an amendment numbered 269.  

Mr. WELLSTONE. Mr. President, I ask unanimous consent that Senators DURBIN and DASCHLE be included as original cosponsors as well as Senator HARRY REID.  

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

Mr. WELLSTONE. Mr. President, I introduce this amendment on behalf of myself and Senators JOHNSON, RINGAMAN, DORGAN, MURRAY, MIKULSKI, KERRY, FEINGOLD, and LANDRIEU. I ask unanimous consent that Senators DURBIN and DASCHLE be included as original cosponsors as well as Senator HARRY REID.  

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

Mr. WELLSTONE. Mr. President, I introduce this amendment on behalf of myself and Senators JOHNSON, RINGAMAN, DORGAN, MURRAY, MIKULSKI, KERRY, FEINGOLD, and LANDRIEU. I ask unanimous consent that Senators DURBIN and DASCHLE be included as original cosponsors as well as Senator HARRY REID.  

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

Mr. WELLSTONE. Mr. President, I introduce this amendment on behalf of myself and Senators JOHNSON, RINGAMAN, DORGAN, MURRAY, MIKULSKI, KERRY, FEINGOLD, and LANDRIEU. I ask unanimous consent that Senators DURBIN and DASCHLE be included as original cosponsors as well as Senator HARRY REID.  

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

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The arithmetic is compelling, just on veterans’ health care: $900 million in inflation, emergency room services for veterans who don’t have any coverage, hepatitis C coverage we have committed to, the millennium program.
which is so important when we are say-ing to veterans who are 65 years of age and over, you are going to begin to ad-dress our long-term care needs.

When I am in the medical center in Minneapolis and I am talking to a spouse of a World War II veteran, and this happens over and over and over again, doesn’t have a clue what she is going to do when her husband gets home. Where is going to be the care for her? Where will be the supportive serv-ices for him? Not to mention all the long waits of veterans for health care. The county veterans service officers are the best of the best. They do the work down in the trenches. I get my education from them. Even though they are not within the VA sys-tem, they talk about the long waits and the gaps.

This amendment is all about living up to our commitment to veterans. We need to provide full funding for vet-erans health care. This amendment should be supported by both Democratic and Republican support. The amendment offset by transferring $1.7 billion out of these Robin-Hood-in-reverse tax cuts, of which over 40 percent of the benefits going to the top 1 percent. We surely can transfer $1.7 billion to veterans health care.

I yield the floor.

The PRESIDING OFFICER. The Sen-ator from West Virginia.

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that I be added as a cosponsor of the Wellstone amend-ment.

The PRESIDING OFFICER. Without ob-jection, it is so ordered.

Mr. ROCKEFELLER. Let’s be very clear. The Senator from Minnesota is correct. For the Department of Vet-erans Affairs, under the budget resolu-tion which is proposed, there will be tremendous cuts to the Veterans Administra-tion and to the veterans of our country. It is axiomatic that the increase that is contemplated in the budget resolution simply will not work. It does not come close.

If there is anything which is an im-mutable fact, it is that the cost of health care and the cost of paying those who deliver it goes up by more than a billion dollars a year, just for health care alone. That is across Amer-ica, and that is true for the veterans.

Beyond that, we have a very difficult problem of disability claims. We need $132 million for staffing and tech-nology. My veterans in West Virginia are being told they are going to have to wait for a full year even for a prelimi-nary examination of their disability claims.

Lastly, we cannot forget our commit-ment to the final resting places of honor for our veterans. Our Nation’s veterans’ cemeteries are falling apart in many cases. Graves are sinking. Tombs-stones are breaking. That may seem in-cidental to some. It does not seem incid-ental to any veteran’s family.

I urge all to remember our promise to our veterans and support the Wellstone amendment.

I thank the Chair and yield the floor.

Mr. JOHNSON. Mr. President, I would like to first commend Senate Budget Committee Chairman DOMENICI for including an increase in his budget mark for veterans health care. This funding level is in line with what the Administration proposed in its budget request and shows a renewed commit-ment to veterans’ health care.

While I am pleased that this budget includes an increase in outlays, I am disappointed that it falls short of the funding level proposed in the author-iative Independent Budget endorsed by 40 veterans groups and medical soci-eties, including AMVETS, the Disabled American Veterans, the Paralyzed Vet-erans of America, and VFW.

That is why I join Senator WELLSTONE in offering an amendment today that would increase appro-priations for veterans health care by $1.718 billion over the Budget Committee’s level. With only $39 billion of the Sen-ator’s budget resolution would include an in-crease in appropriations of $2.6 billion for veterans health care over last year’s funding level.

Our amendment pays for this in-crease in health care for our nation’s veterans with a modest decrease in the $1.6 trillion in tax cuts proposed by the President.

For a number of years, the VA had to contend with a flat-line appropriation for veterans’ health care as the cost of health care far outpaced the rate of in-flation. As a result, the VA experienced deep cuts at a time when it should have been addressing the growing need for medical care for this country’s veterans.

For the past 2 years, I have offered amendments in the Budget Committee and on the Senate floor to increase vet-erans funding to allow the VA to con-tinue giving quality care to veterans. With the help of the chairman, we were able to increase VA health care funding by $1.7 billion for fiscal year 2000 and $1.4 billion for fiscal year 2001. These were good steps in restoring budget equ-ity to veterans’ health care.

We must continue this process by in-creasing funding for veterans’ health care to the level recommended in the Independent Budget. It is critical that we increase veterans health care fund-ing over and above the Chairman’s mark in order to compensate for pre-vious underfunded VA budgets and to allow the VA to meet the growing health care needs of our veterans.

Veterans from South Dakota visited my office recently with stories of understaffed VA hospitals, long waits for appointments, and reductions in vital services. These situations are not unique to my state and affect every VA hospital and clinic in the country.

With adoption of our amendment, we will have a VA veterans’ health care bud-get that can adequately offset the higher costs of medical care caused by consumer inflation, medical care infla-tion, wage increases, and legislation passed by Congress.

Without a total increase of $2.6 bil-lion above last year’s appropriation in veterans health care, the VA will like-ly be unable to address the treatment of Hepatitis C, emergency medical services, increased costs due to medical inflation, and long-term care initia-tives.

The Independent Budget highlights the need to increase funding in a num-ber of important health care initiatives including: an additional $523 million for mental health care; an additional $948 million for long-term care; an addi-tional $25 million to restore the Spi-nal Cord Injury program; an additional $76 million to help homeless veterans. Efforts over the past few years to increase VA veterans’ health care have helped to reverse the damaging effects of years of flat-lined VA budgets. We have an opportunity to continue this progress by adopting our amendment to increase funding for VA veterans’ health care by $1.718 billion over the Chairman’s level in the budget resolu-tion. With our amendment, we will fund veterans’ health care at the level requested in the Independent Budget.

I urge my colleagues to support the Johnson-Wellstone amendment on vet-erans’ health care. At this time, I ask unanimous consent to have printed in the RECORD letters of support for our amend-ment from veterans organiza-tions.

There being no objection, the mate-rial was ordered to be printed in the RECORD, as follows:

THE INDEPENDENT BUDGET.
A BUDGET FOR VETERANS BY VETERANS.

DAVID E. WOODBURY,
April 5, 2001

Although this new benefit has not yet been either implemented or publicized, Senator Wellstone and I urge the VA to begin planning now to make this important benefit available to all veterans who are eligible.

Medical inflation and wage increases, factors beyond VA's control, have been estimated to offset nearly $1 billion of VA's budget annually. At the same time, more and more veterans are turning to the VA for health care. In my own state of West Virginia, the number of veterans seeking care from VA has increased, despite a declining total number of veterans statewide. As an example, the Martinsburg VAMC saw its new enrollees decrease by 24.7 percent over the last 2 years. Rapidly expanding enrollment at all four West Virginia VA medical centers has jeopardized their ability to provide high quality care in a timely fashion. Unfortunately, similar examples can be found throughout the Nation.

Between new initiatives—long-term care and emergency care coverage, and simply maintaining current services, to secure an increase of $1.8 billion for health care is more necessary.

Unfortunately, maintaining current services will not be enough to ensure that VA can meet veterans' health care needs. The aging veterans population faces chronic illnesses and newly recognized challenges, such as the disproportionate burden of hepatitis C, that will further strain VA facilities. We must anticipate the difficulties of treating complex diseases and ensure that we do not neglect the needs of veterans with multiple, coincident medical problems.

If we simply maintain current services, can we expect VA to restore the capacity for PTSD and spinal cord injury treatment to the levels legislatively mandated level? In West Virginia, many veterans not only wait for specialty care, they have to travel hundreds of miles to get it. We can depend on community outpatient clinics to provide veterans' primary health care, but we must also ensure that the many veterans who require more intensive, specialized services can turn to adequately funded inpatient programs.

VA research not only contributes to our national battle against disease, but enhances the quality of care for veterans by attracting the best and brightest physicians. The Budget Resolution allows, at best, for a stagnant research budget. Not only will this slow the search for new and better medical treatments, it could weaken efforts to protect human subjects in VA-sponsored studies. An increase of $75 million will be needed to offset the costs of inflation and to monitor compliance with increasingly stringent research guidelines.

The $2.6 billion increase proposed by Senators Wellstone and Johnson in the amendment before us will ensure that VA has the resources required to provide veterans with the high quality health care that they need.

CONGRESSIONAL RECORD—SENATE 5643
Savings may be gained through more resourceful management of VA hospitals and clinics, a possibility that VA is pursuing through its Capital Asset Realignment and Enhancement Studies, CARES. In the meantime, efficiency should not come at the expense of veterans who turn to the VA health care system for needed treatment, nor should VA neglect essential repairs and maintenance of its infrastructure while awaiting the outcome of the CARES process. Accommodating the backlog of urgently needed construction projects will require an increase of $230 million. A shortsighted focus on immediate gains, by delaying essential projects or neglecting existing facilities, may compromise patient safety and prove even more costly to VA and veterans in the long run.

The Veterans Benefits Administration also faces challenges that require additional funding for staffing. One of these challenges results from an aging workforce. Projections suggest that 25 percent of current VBA decisionmakers will retire by 2004. These losses would be in addition to the staff that has already left service. It takes 2-3 years to fully train a new decisionmaker. Therefore, it is critical that VBA hire new employees now to fully train them before the experienced trainers and mentors have retired.

In addition to this looming succession crisis, extensive new legislation enacted in 2000 will severely affect VBA's workload. Sweeping enhancements to the Montgomery GI Bill are expected to double VA's education claims work. New legislation reestablishing the “duty to assist” veterans in developing their claims, regulations presumptively connecting diabetes to Agent Orange exposure in Vietnam veterans, and other software systems intended to improve the quality of decisionmaking have severely affected VBA's workload and slowed output. West Virginia veterans are already receiving letters from the VA regional office warning them to expect a 9-12 month delay for even initial consideration of their new claims.

If VBA is unable to hire new staff, the increasing backlog of claims—which is already unacceptable—would reach alarming levels. Without an increase in staffing, the backlog of claims is expected to grow from the current 400,000 claims (up from 309,000 in September 2000) to 600,000 by March 2002. VBA will need a minimum increase of $332 million to acquire the tools, staffing and technology, to avert this escalating disaster.

The mission of the National Cemetery Administration, NCA, providing an honorable resting place for our Nation's military and its families, is particularly difficult as we face the solemn task of memorializing an increasing number of World War II and Korean War veterans. It is estimated that 574,000 veterans died last year. The aging of the veterans population is placing additional demands on NCA in interments, maintenance costs, and constructing new facilities. NCA has attempted to meet this demand by opening four cemeteries over the last 2 years and planning construction of the six new cemeteries authorized by Congress in 1999. It is estimated that an increase of $21 million will be required to develop these cemeteries.

Increases are also required to maintain the VA's National Shrine Commitment. We must preserve our national cemeteries so that they do not dis honor those who died serving their country. Sunken graves and damaged headstones cannot be tolerated. We applaud VA's commitment to this initiative and encourage VA to continue the project. In order to rise to this task and others, NCA will require an increase of at least $13 million for a total appropriation of $123 million.

If we fail to amend the Budget Resolution before us, we tacitly place the needs of affluent Americans before our obligations to our veterans. While we consider the best way to cut taxes responsibly, we mustn't lose sight of our obligations. We all need to agree on how much should go to tax cuts and how much should be saved to strengthen Medicare, invest in education, and fully address the needs of the men and women who have served our country. I urge you all to support this amendment so that we can fulfill our Nation's promise to our veterans.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk read as follows:

The amendment reads as follows:

To provide for tax relief

SEC. 2. RECONCILIATION OF REVENUE REDUCTIONS IN THE SENATE.

The Committee on Finance of the Senate shall report to the Senate a reconciliation bill—

(1) not later than May 18, 2001; and
(2) not later than September 14, 2001.

That consists of changes in laws within its jurisdiction sufficient to reduce the total level of revenues of fiscal years 2001 through 2011 by not more than the sum of the totals set out in Section 101(c)(B) of this resolution and increase the total level of direct outlays by not more than $50,000,000,000 for the period of fiscal years 2001 through 2011.

Mr. DOMENICI. Mr. President, as I understand it, we have 3 hours to debate this reconciliation instruction,
one-half hour for the distinguished Senator BYRD, or his designee, and one-half hour for the Senator from New Mexico, or his designee; is that right?

The PRESIDING OFFICER. That is correct.

Mr. DOMENICI. Mr. President, since Senator Gramm wants to speak in the way that people are sitting up with reference to tax cuts earlier, I will yield on our side 10 minutes to the distinguished Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. GRAMM. Mr. President, I thank the distinguished chairman of the Budget Committee. This has been a long, hard process and we are only part way through it. Senator Domenici and I don’t always agree at every single moment, but my admiration for him constant. Just want to say that.

Mr. President, the last 6 months of last year, where we spend $697 billion over the next 3 years, we have had amendments offered by Democrat Members of the Senate to propose that level of spending. In my knowledge, have we ever had a conference—

The PRESIDING OFFICER. That is not a question; you may proceed.

Mr. GRAMM. Since I haven’t got anything changed out of this conflict. When you have the opportunity to work with him more.

We are getting ready to have a serious debate, and I don’t want to in any way infringe on it by getting into any kind of partisan bickering, but I did want to respond to one point that was made earlier when we didn’t have time to respond. I can be brief about it.

Some of our colleagues lamented the lack of bipartisanship on the budget. I want to respond, with all due respect, that bipartisanship is a two-way street. Since we started considering the budget, we have had amendments offered by Democrat Members of the Senate to spend another $697 billion over the next 10 years. This is coming on top of the last 6 months of last year, where we added $561 billion to the underlying spending projections of the Federal Government over the next 10 years. I just want to say that never in that short a period in American history, to my knowledge, we have ever had a Congress or a Senate propose more spending in a shorter period of time. I guess I would say that you can’t have it both ways. You can’t have the bipartisanship you seek and, at the same time, propose that level of spending.

Having gotten all that out of my system, let me turn to the issue before us.

Mr. President, and the tax cut that was part of reconciliation in 1997, we decided that any time you could accommodate the concern of another Member without undoing your ability to have a chance to achieve what you want to do, that you ought to do it.

So we undertook what I call a fairly extensive negotiation. We met three or four times of and on. We submitted a proposal in writing. Just to refresh my colleagues’ memory, we have about four or five people who work with this law every day. Senator Byrd wrote most of it. But to most Members, and almost everybody else in America, it is all gibberish.

Basically, under reconciliation, we have a very powerful tool that allows you to have special privilege in implementing your budget. You are going to hear a lot of debate about that and what it was intended to do today.

The point is, it does exist. It is part of the law. Under that procedure, it would mean that the tax bill we bring to the Senate would be subject to these special procedures. This would be 20 hours of debate equally divided. The majority could yield back its 10 hours. So we could end up with 10 hours of debate. We have a strict generality rule on amendments. When the debate is over, we have an up-or-down vote.

In naming conferees, we have a time limit on debate. We have an up-or-down vote. That is the procedure that exists in the budget process.

What we had sought to do in trying to work out an accommodation—and I am sorry it did not work, as I know Senator Byrd is. I want people to understand there was a good-faith effort to work this out. We proposed that rather than having 20 hours, we have 50 hours equally divided.

We proposed that first-degree amendments there would be no more than 2 hours, unless the managers yielded more time, that is, if there was real debate, and on second-degree amendments, only 1 hour; that all first- and second-degree amendments be germane; that at the end of the process, we have an up-or-down vote; that on naming conferees, we have a time limit on debate and then have an up-or-down vote; and the same procedure would apply to the conference report.

Some concern was raised that even with this agreement, we could come back and use reconciliation again. It was clear from our intent at the time that if we agreed to a unanimous consent agreement there would be no need to use reconciliation.

In any case, with the best of intentions, we got together. Differences existed at the end of the process, and no agreement was reached. So we are here basically on a debate and with a vote coming that no one wanted, but here it is.

Mr. President, how much time do I have?

The PRESIDING OFFICER. The Senator has 3 minutes remaining.

Mr. GRAMM. Mr. President, I want to give a very brief synopsis of my argument for the use of reconciliation. We have had an extensive debate on the floor of the Senate. We are going to adopt a budget at some point. I hope it will be in my liking, but we are going to adopt one whether it is to my liking or not. We are going to go to conference. I hope to be a conferee, and I am confident the conference report will be more to my liking if this bill is not.

In any case, we want to be sure we have an opportunity to have an up-or-down vote on the President’s tax cut or something very close to it. Obviously, there is no way we can make people vote for it, but we want to be sure that a new President with a new agenda gets an opportunity to have his program voted on.

We obviously are at an impasse as a Senate on naming conferees. When we worked out this particular agreement—an extraordinary agreement, in my opinion, and a very generous agreement from the majority leader, in my opinion—one of the things that was not worked out is what do we do about conferees.

We believe if we pass a tax bill in the Senate and it requires a conference, we do not want to get into a position where we simply try to pass the House bill. It may not be the final product we want. That does not make for good law to do something like that. We ought to be able to name conferees, and on a tax bill we adopt, obviously we believe we should have a majority on the conference committee.

Unfortunately, since we could not work out a unanimous consent agreement, the only way we can be assured that we have this opportunity to make the case and have an up-or-down vote is through reconciliation.

When reconciliation was used to raise taxes in President Clinton’s first year in office, not one Republican voted for that tax increase, but no one challenged the right of our colleagues who were in the majority then to use reconciliation. No one challenged that right. It was used.

In 1997, in the budget where reconciliation was used to adopt a bipartisan tax cut, that was a hammered-out agreement between the Republican majority then in both Houses and President Clinton. No one challenged our right to use reconciliation for that process.

Now we have a situation where we are trying to do for our new President what President Clinton did. We are trying to follow a procedure that we followed in 1997 when no objection was made. We understand strong feelings. We are sorry we could not work this out, but in the end, we believe the process is the right process, and given our inability to work out an agreement, we want to use it. That is why I
urge my colleagues to vote to allow us to use the same process that has been used over and over since the budget process first started.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I thank Senator GRAMM for his succinct summary of where we are and what we are about.

The reason this is a serious debate is because it did not take me 28 years being a Senator to learn—in fact, probably in the early years, I learned from my opponent who has been in the Senate and are about 43 years—there are some things very special about the Senate that everybody should know. It has a couple of qualities that are rather incredible for parliamentary bodies.

One of those is freedom to debate. Sometimes people call that the right to filibuster. Filibuster does not sound so good, so of late we call it freedom to debate. That really means if you want to delay things or if you want to get your way or you want to make some changes your colleagues do not want to make in the Senate, you can get the floor and can talk as long as you can talk and nobody can stop you until you stop yourself. It even means more than that.

Essentially, it is the right to debate as long as you want and as long as you can.

The second quality that makes this a very different Institution is the right to offer amendments. It takes some people a while to know what that really means.

I can recall during the Vietnam war there was a Senator from the west coast who used to sit at one of the desks in the back. I am going to explain and honest about it as I can. Come 8 o’clock at night, it was 5 o’clock in the Senator’s State. At about that time in the afternoon, regardless of what we were debating, that Senator would try to get the floor and try to offer either an amendment or an early and I did not choose to ever get off because I could see myself moving up, never thinking it would be the right of the chairsman. I could see myself moving up and being ranking member. All of a sudden, the Republicans took over the Senate, and I got a call from Senator Baker who said: Hi, Mr. Chairman, you are chairing the Budget Committee. If I was not in that position, I was in the position of lead Republican.

I found out very quickly those two qualities—the right to filibuster or debate as long as you want and the right to amend—are cherished by a law that changed the rules of the Senate. I am holding it up.

This is the law. It was adopted 25 years ago. It changed, for as long as this law is operative, the rules of the Senate. It use if there is a reconciliation instruction under this Budget Act, which changes the rules of the Senate, that reconciliation instruction no longer carries with it on the floor of the Senate those two cherished privileges.

It has a limited debate because this law says the debate is limited. It says only 50 hours of debate on a resolution and only 20 hours of debate on a bill that comes forward from this document and a resolution called reconciliation.

Guess what else it did. You do not have a right to amend a bill that is a creature of a reconciliation instruction. So you Amendments. It has a limited debate because this law says it has a limited debate.

I know my good friend, Senator BYRD, is going to attempt to draw a distinction between what we are doing in this budget resolution because we have a surplus and what we did other times—either by increasing the taxes, as we did for President Clinton in a reconciliation instruction, which meant that he could act on, for all intents and purposes, no amendments. We were in the minority, and every single Democrat voted to give the Finance Committee that authority, and then every Democrat voted to pass the bill that was the creature of that reconciliation—split exactly down party lines. But taxes were increased under the process created by this act, in derogation of the normal rules of the Senate.

I happened to have been here through almost every reconciliation, and my friend from West Virginia frequently calls it “reconciliation,” and we have agreed that both pronunciations are correct.

Mr. BYRD. Will the Senator yield?

Mr. DOMENICI. I am happy to yield.

Mr. BYRD. The pronunciation by the distinguished Senator from New Mexico is the correct one. I have just gotten into a habit for a long time of saying “reconciliation.” I think it is reconciliation. I am liable to stay in the same old habit.

Mr. DOMENICI. Mr. President, I believe the budget resolution before the Senate today is like other budget resolutions. And I have been a party to everybody. If I try to write the history of what has happened that is most significant to the Senate in the past 25 years, they can start off with this bill. This has caused the most significant changes that the Senate has passed by virtue of a reconciliation instruction that has, in some cases, reduced spending. On other occasions, it has increased taxes. On other occasions—and if we get around to the details I will list them for everyone—we have used it to cut taxes or reduce taxes.

Those who will write the history of the past 25 years will probably say that no other document has caused more changes in the tax laws up and down, in the changing of entitlements up and down, without full debate and without the right to amend, than this document over this 25 years.

I was thinking I would come to the floor and tell the Senators the reconciliation bill of which I have been a part. But the list is too long. There have been many. You can tell if you read statutes of the U.S. Congress and you find something that says Omnibus Budget Reconciliation Act of 1976 or 1981, almost without except they are the creature of a reconciliation instruction done on the floor of both Houses ultimately to their respective committees.

Frankly, I don’t see any difference between what we have done in the past and what we have done here. As a matter of fact, there was an occasion in 1996 when the other side of the aisle challenged a proposal in a budget resolution to reduce taxes. They actually raised the point of order that it wasn’t right, it wasn’t permitted under this act. The Parliamentarian agreed that it was. We had a vote where the other side challenged that and sought an appeal of that ruling of the Chair. The Chair was sustained. The Chair was sustained by a partisan vote. We had the majority by three then. We had 53 Senators then. The Senate decided you could use reconciliation to reduce taxes, as they were in 1976. I might suggest they were done again in 1997 and 1999 and no challenge was made to them.

In two instances we did it, and the President vetoed the bills anyway. So you don’t find an omnibus reconciliation tax bill for those years. But one did pass the Congress, both Houses.

All I have sought in the budget resolution and all I seek here is to use the same process we have been using since the Budget Act of 1974. There are many experts, but in order to become what it has become, because it still works, it had to have some knowledgeable input when it was written.

What did they need? They needed to make sure that nothing stood in the way of getting a budget resolution, No. 1, including that rules of the Senate could not stand in the way of the
I am quite sure that I have not made this interesting for those out there listen- ing; it is pretty hard to make this interesting. But neither do I hope that I appear anything but serious.

A little while ago one of my good friends asked me to smile. I smiled in response, so big that I couldn’t talk. Then I said I have to either quit smiling or I can’t talk anymore.

In any event, it is serious. I think we should all try very hard to make the average person listening to this understand it is important to their business. The public’s business is really affected by the rules and rights created by this Budget Impoundment Act of 1975. I did not help write it. I voted for it. I think it passed overwhelmingly. I don’t know if there were any negative votes for it. I remember Senators such as Chuck Percy from Government Operations playing a part in it, coming to the floor, saying it was the biggest change we will ever effect.

It took me 5 or 6 years to understand it really was a big change. All we want to do now on our budget is make sure the changes permitted by this law be carried over to this President’s tax proposals so we can get a start, as he would say, toward letting the people of this country get back some of their money and also to create a kind of tax policy that will be good for the future.

I am going to read this. I will not go into any detail. I would say reconciliation has been used by the Senate—with reference, Senator Gramm, to tax law changes—not 1 time, not 5 times, 15 times—one-five times it has been used—10 times to increase taxes and all became law, 5 times to cut taxes, 2 became law, 2 were vetoed, and I did not vote for them. But the President did, and President Reagan used reconciliation to enact tax changes not for spending, not for tax cuts or substantive policy changes. It was a device to make small changes. It was in that context that Senators were willing to limit their right to debate and offer amendments, because it was so narrowly to be applied.

By the early 1980s, reconciliation had evolved into a mechanism for deficit reduction. For example, in 1981, Congress used reconciliation to enact the spending cuts that President Reagan called for. It was not used for the tax cuts that President Reagan proposed and that were passed precisely for the reasons I have given. It was for deficit reduction, not for spending, not for tax cuts.

In 1985, Congress passed the Gramm-Budman-Hollings Balanced Budget Emergency Deficit Control Act and, in separate legislation, the Byrd rule. Both proposals served to limit the focus of reconciliation solely to deficit reduction. What's being proposed now is precisely the opposite, a $1.6 trillion tax cut with limited debate, limited time for amendment, the rights of each Senator sharply curtailed. That was never the intention of the Founding Fathers of our Nation—never.

There have been attempts in recent years to dramatically alter reconciliation to implement major tax cuts instead of to achieve deficit reduction, but not once have those changes been enacted. No reconciliation package that did not reduce the deficit has ever been enacted—not one.

The President has called for a broad, balanced budget that will reduce the deficit. The Senate has acted to implement his proposals and has passed two budget resolutions. The President’s budget is consistent with the Senate’s budget resolutions. The Senate’s budget resolutions call for tax relief for the American people. They provide for a reduction in the tax rate and the simplification of the tax laws. They are consistent with the President’s proposals.

The Senate’s budget resolutions call for a reduction in spending, which is essential to restoring fiscal responsibility. The Senate has adopted measures to reduce government spending, including cuts in domestic programs, defense, and entitlement programs. The Senate has also called for the reduction of the federal debt, which is essential to ensuring the fiscal stability of the country.

The Senate’s budget resolutions are consistent with the President’s proposals and the principles of fiscal responsibility. They are a step forward in restoring fiscal responsibility to our government. The Senate is working to implement the President’s proposals and to ensure the fiscal stability of our country.

I urge my colleagues to support the President’s proposals and the Senate’s budget resolutions. Together, we can work to implement a broad, balanced budget that will reduce the deficit and ensure the fiscal stability of our country.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, this is a critically important debate. This is not fundamentally a question of the issue of the President’s proposal for a tax cut. This is a far bigger issue than that. This is the fundamental question of the role of the Senate in our Government.

Our Founding Fathers had a genius. They created this structure of government to protect the rights of the American people. They built a House of Representa-
that included reconciliation. Precisely so, because that was a deficit reduction package.

In example after example that has been given by my colleagues on the other side, they have neglected to point out that when reconciliation actually was used and law was enacted, those were deficit reduction packages.

Every one that involved tax cut was never enacted—not once.

That is why this debate is so consequential, so profound, and will set a very important precedent.

In 1981, a colloquy occurred during consideration of the reconciliation bill. Majority leader Howard Baker, the Republican leader, and the Democratic leader, Senator BYRD, underscored the belief that the intent of reconciliation was limited to deficit reduction.

According to Rep. Richard Baker, the revered Republican leader:

Reconciliation was never meant to be a vehicle for an omnibus authorization bill. To permit it as such is to break faith with the Senate, to hollow out our traditions and make this body into a second House of Representatives.

The Senator from New Mexico, our President, it vitiates those two significant characteristics that we have grown to respect and admire. Some think it is a marvelous institution of democracy, and if you lose those two qualities, you just about turn this Senate into the United States House of Representatives, our other parliamentary body.

That is what this debate is about. Are we going to have a Senate that functions as our forefathers intended, as the Framers of the Constitution intended, or are we going to turn this body into a second House of Representatives?

That would be a profound mistake—a mistake for our country, a mistake for this Chamber, and a mistake for the future.

I hope very much that cooler heads will prevail, that we will vote to reject reconciliation for this purpose, and that we will reserve it for deficit reduction.

This is a profoundly important decision. We have just a few hours before it will be resolved. I hope very much that we understand and appreciate that we can consider tax cuts in this Chamber without using the reconciliation process that limits the rights of Senators and that changes the role of the Senate.

Massive tax cuts were considered without reconciliation in 1981. They can be considered without reconciliation in the year 2001.

That is what we should do. That is what we must do.

I thank the Chair. I yield the floor. I ask my colleague from West Virginia to proceed.

The PRESIDING OFFICER (Mr. SMITH of Oregon). The Senator from West Virginia is recognized.

Mr. BYRD. Mr. President, Herodotus, the Father of History, instructs us that when the Persian monarch, Xerxes, the Great, the Persian monarch, ascended on his way to Salamis, Xerxes the Great, the Persian monarch, ascended a hill because he had a longing to behold his mighty army, which was probably the largest army that was ever assembled in the history of the world. And arriving there, he paused to look upon all of his mighty hosts.

As there was a throne of white marble, which had been prepared beforehand at his bidding, Xerxes the Great, son of Darius and grandson of Cyrus the Great, took his seat upon it, and he gazed thence upon the shore below, beheld at one view, all of his mighty land forces and all of his ships, which he had assembled for this great battle, which would soon occur in the Sea of Aegina, and which is recalled to us as the battle of Salamis in 480 B.C.

As he looked and saw the whole Hollesport covered with the vessels of his fleet, all the shores and every plain about him as full as possible of men, Xerxes congratulated himself on his great power and fortune, but after a little while, he wept.

Then, Artabanus, the King's uncle, when he saw Xerxes in tears, said to Xerxes: “How different, Sire, is what thou art now doing from what thou didst little while ago? Then thou didst congratulate thyself; now, behold, thou weepest.”

Replied Xerxes: “There came upon me a sudden pity when I thought of the shortness of man's life, and considered that all of this mighty host, which has gathered from the many provinces under my control as King of Persia, so numerous as it is, not one—not one—will be alive 100 years from today.”

So, Mr. President, as I stand today and gaze upon this Chamber, I, like Xerxes, consider that of the 100 Senators—when I came here there were 96; and there were 100 Senators in the original Roman Senate—of the 100 Senators who will cast their votes today, not one will be alive when 100 years are gone. And their posterity—look back upon us and our works. And may our children, oh, God, have cause to bless the memory of their fathers, as we have cause to bless the memory of ours.

Posterity will see fit to look back upon us, whether it be 100 years from today or whether it be 10 years from now, and will have reason to judge us, in considerable measure, by whether we, in our time, so serve as to perpetuate the blessings that have come down to us from our forefathers, the greatest blessing of all being the Constitution of the United States—I hold it in my hand—and the perpetuation of the rights of men and women, the perpetuation of the constitutional principles laid down in that document, the perpetuation of the freedom to debate and amend that have been handed down to us as Senators by our forefathers.

Will our posterity thank us for perpetuating a Senate founded upon the bedrock principles of freedom of debate and amendment? Will they remember us as having so acted as to hand down to them unblemished, untaimed, and unstained the right and freedom to speak, to debate, and to amend? The rights of Senators to debate and amend at length are being denied. And such a denial is a denial of due process—due process. And that denial is not only a denial of our rights to amend and to speak freely in this Chamber at length, but a denial to our constituents who send us here.

These rights go back hundreds of years. They did not originate in 1787 in Philadelphia. They did not originate there. They were recognized centuries ago. And their roots are buried deep in the roots of antiquity.

I will read just a few words from the Magna Carta, which was signed at Runnymede, in the meadow at Runnymede,
on June 15, 1215, when the King was compelled by his subjects to sign that great document. Let me read briefly therefrom:

No scutage nor aid shall be imposed on our kingdom, unless by common counsel of our kingdom.

What was an aid? An aid was a revenue, a kind of revenue that vassals of the King were compelled to pay him.

No scutage nor aid shall be imposed on our kingdom, unless by common counsel of our kingdom.

That means everybody.

Chapter 14:

And for obtaining the common counsel of the kingdom anent the assessing of an aid (except in the three cases aforesaid) or of a scutage, we will cause to be summoned the archbishops, bishops, abbots, earls, and greater barons, severally by our letters [under seal]; and we will moreover cause to be summoned generally, through our sheriffs and bailiffs, all others who hold of us in chief. And, on the next date, namely, after the expiry of at least forty days, and at a fixed place; and in all letters of such summons we will specify the reason of the summons. And when the summons has thus been made, the business shall proceed on the day appointed, according to the counsel of such as are present, although not all who were summoned have come.

Now what was King John saying? He was saying: No tax, no aid, no revenue will be imposed upon my vassals, my people, except by the common consent of the kingdom, not just by the common consent of a few. And he indicated in writing, by the way he defined the various groups of people—meaning all of his people would be represented: the archbishops, the bishops, the earls, and so on—that they would gather and that they would pass upon the revenues that he requested.

So as we deal with the matter before us, which involves revenue, let us remember that our rights, our people’s rights to be represented by us in full, the roots of those rights go back centuries ago. At Runnymede, at Runnymede.

What say the reeds at Runnymede? At Runnymede.

Your rights were won at Runnymede!

No freeman shall be fined or bound, except by the common consent of his peers; and in all letters of such summons we will specify the reason of the summons. And when the summons has thus been made, the business shall proceed on the day appointed, according to the counsel of such as are present, although not all who were summoned have come.

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debate, to speak, to criticize the commonwealth."

Reconciliation was established only for reducing deficits. In 1999, the reconciliation process was used by the Republican leadership to allow for a $792 billion tax cut to be brought to the Senate using fast-track procedures, taking away the right to debate fully and amend that tax cut bill. I believe this was the first time—or at least one of the rare times—that reconciliation instructions were issued that mandated a worsening of fiscal discipline for the Federal Government. Unlike the fiscal year 1987 budget resolution, I do not believe that the budget reconciliation instructions in 1999 resulted in improving the fiscal status of the Federal budget. Again, in the year 2000, the reconciliation process was used to allow for any other purpose to be brought before the Senate in reconciliation bills. In short, we have, in my view—and I think my view is based upon facts. I am not interested in who wins, whether it is Democrats or Republicans, as far as that is concerned. I am interested in maintaining unblemished, unearntarnished, and unstrained the fundamental principles on which this Senate rests, and they are involved here. In short, we have, in my view, abused and distorted beyond all recognition the original, very limited purpose of the reconciliation procedure.

Now let those who wish to contest that do so. It is obvious that the Republican majority will, for the third straight year, attempt ultimately to fashion a budget resolution that will contain reconciliation instructions to the Senate Finance Committee and House Ways and Means Committee, directing them to bring forth the Bush administration’s $1.6 trillion tax cut bill.

Taking advantage of the reconciliation procedure in this way would be the latest in what has become a steady degradation of the congressional budget process. Reconciliation, which was created to make it easier to impose budget discipline, is instead being used to make it easier to get around the Senate’s rights to debate and amend. Reconciliation, therefore, is being turned on its head.

Henry Clay said, “That my tongue were in the thunder’s mouth, then with a passion would I shake the world!” There is no reason whatsoever to consider the President’s tax cut proposal as a reconciliation bill. The Senate should take up this massive tax cut proposal as a freestanding bill. That is the way we have always done it. It is a tax cut bill. It should be fully debated and amended. That is what was done in 1981 when President Reagan sent to Congress his tax bill. On that occasion, Congress used the reconciliation process to accomplish the spending cuts in the Omnibus Budget Reconciliation Act, but the Reagan tax cuts were brought before the Senate as a freestanding bill and were fully debated, without depending on reconciliation instructions. More than 100 amendments were disposed of, and the Reagan tax cut bill was debated for 12 days prior to its passage. The Senate Republican leadership in that instance chose to do the right thing by bringing the Reagan tax cut on that fiscal year’s 12 days prior to its passage. The Senate, as a freestanding measure rather than use fast-track reconciliation procedures. It was thoroughly aired.

Taking the easy way and doing the expedient thing rarely requires much leadership. The former Senate Majority leader, Howard Baker, was the majority leader—I was the minority leader—did the right thing for the Senate, for the President, and for the country.

In 1985, my own Democratic leadership and my own Democratic leadership pleased with me. How many of my friends on the Republican side today would stand as firm as the Rock of Gibraltar as I did on that occasion? The Democratic leadership pleaded with me at length to agree to support the idea that the Clinton health care bill should be included in that year’s reconciliation package. They came to my office on the floor below. Not only did Majority Leader George Mitchell and others of my colleagues attempt to persuade me to go along and not raise a point of order under the Byrd rule, which would require 60 votes to waive, President Clinton got on the phone and called me also and pressed me to allow his massive health care bill to be insulated by reconciliation’s protection. He called me on the telephone. Here is the President of the United States calling this lowly former coal town boy and asking me to let his huge health bill come before the Senate. I could not, in good conscience, however, look the other way and not make that point of order and allow what would clearly have been an abuse of congressional intent to occur.

How many others would do that today on that side of the aisle, stand against their President. Well, perhaps that is not too important. I felt that changes as dramatic as the Clinton health care package, which would affect every man, woman, and child in the United States, should be subject to scrutiny. I said: Mr. President, I cannot in good conscience turn my face the other way. That is why we have a Senate—to amend and debate freely—and that health bill, important as it is, is so complex, so far reaching that the people of this country need to know what is in it and, moreover, Mr. President, we Senators need to know what is in it.

He accepted that. He accepted that, thanked me, and we said goodbye.

I could not, I would not, and I did not allow that package to be handled in such a cavalier manner. It was the threat of the use of the Byrd rule—and my how that Byrd rule has been maligned and excoriated and criticized by my friends across the aisle, no one more than the leadership of the other body who should be thanking the Senate for it. It was the threat of the use of the Byrd rule that bolstered my position. My view prevailed then; my view is the same today. It is time for the abuse of the reconciliation process to cease. We should not be using tight, expedited procedures to take up measures that worsen the fiscal situation of the Nation and that have far reaching, profound impacts on the people. Reconciliation was never, never, never intended to be a shield, to be used as a shield for controversial legislation by depriving Senators of their rights and their duty to debate and to amend.

I want the Senate to have an opportunity to work its will and to apply its considered judgment to the massive tax cut that is being proposed by the Bush administration. I strenuously object to having such a far-reaching, critical matter swathes in the protective bandages of a reconciliation process and ramrodded through this body like a self-propelled missile. Nobody who has listened to the testimony of witnesses before the Budget Committee could possibly claim that the right choices are clear. There is vast uncertainty and disagreement about nearly every aspect of the Bush tax cut.

The President’s proposal is not an edict, and the Senate is not a quivering body of humble subjects who must obey. Come one, come all! this rock shall fly from its firm base as soon as I. This is the Senate. Reliance on reconciliation as the torpedo with which to deliver a knock-out punch for the President is a tactic that ought to be abandoned. It is not fair, it is not a wise course. It is not right to enforce this reconciliation gag rule upon the Senate. It is wrong. We must not shackle the intellects of 100 Members of the Senate in this way. We should not fear the wisdom of open and free-ranging debate about a proposal which is, at best, risky business. Now is no time to circle the wagons. Now is the time to hear all of the voices on both sides of the aisle. Now is the time to build consensus among ourselves and among the people among the people. There will be no victory if we make the wrong choices and plunge this Nation back into a deficit status. There will be no victory. We will have plenty of time to regret and to weep.

The President has said that he wants bipartisanship. He has said that he has faith in his plan. I believe, therefore, that there is no need to hide behind the iron wall of reconciliation. This would be bad for democracy, indeed, for the President, and for the majority leadership in this body.

As to the tax cut itself, the Bush proposal is pretty stale bread. It probably
come from last year’s campaign wars that blew up in the snows of winter in New Hampshire. If it ever was a good idea, it probably isn’t now. The economic picture has changed since then and changed radically. The type and size of the tax cut proposed in the President’s budget—and we have not seen his budget. Why haven’t we seen his budget or a brief on it? Monday of this week, but now we know that it will be Monday of next week before the budget comes here.

I have been among those who have urged that we just wait a little bit and, before we cross that railroad crossing where the lights are flashing, have the budget before us. We can have it by Monday. It is within 3 blocks of the Capitol right now being printed. So it is around. Why can’t we have it?

The economic picture has changed, as I say, and it has changed radically. The type and size of the tax cut proposed in the President’s budget obviously bears rethinking. The size of the proposed surplus has already been diminished by the storms in the economy or the projected surpluses that go out to the far end of 10 years. That would be like claiming that your size 42 pants still fit fine after you have dropped 25 pounds. The economy has lost some weight since the President’s plan was created.

I can understand the desire to win one for the new President. I can understand my good friend from Texas, of whom I am very fond and whom I consider a friend. I live with him here 5 days a week, 4 days a week in many of the weeks of the year. I live with the chairman of the Budget Committee who is an extremely able chairman. He is of the true Roman stock, and I admire him. I admire him. I am sorry that on this occasion we have to disagree. We will disagree, but disagreement, as far as I am concerned, lasts only for a day and then it is all in the past.

On the other hand, it is always well to remember that the Senate is an equal branch, with Members having decades—decades—of experience which is their duty, their responsibility to apply. The Senate should not behave like some eager puppy taking slippers to its master for a good word and a pat on the head.

We do this new President no favors to let him have exactly his way if that way is not good for the country. President Bush will be blamed if this budget turns out to be a disaster for the American people. And we might be able to avoid some mistakes if the Senate is given a chance to debate and amend the tax proposal in a separate and free-standing bill.

The President would still get the credit if the amount was cut, but why would it not be better if it were handed to him after a freestanding debate?

What is a Republic? Madison in the Federalists No. 14 answered this question:

In a democracy, the people meet and exercise the government in person; in a Republic, they assemble and administer it by their Representatives and agents.

Madison answered that question. Consequently, to whatever degree that Senators, the elected representatives of the people, are prevented from debating and amending the legislation of that Congress or the Senate, to that same degree the people are denied their rights to be heard and to make decisions through their elected representatives in the Senate.

Benjamin Franklin was asked by a lady following the Constitutional Convention’s close on September 17, 1787: Mr. Franklin, what have you given us? The answer: A republic, madam, if you can keep it.

Now, in this regard, let’s listen to one of the complaints enunciated in the Declaration of Independence against King George III of England. In this little book is contained the Constitution and the Declaration of Independence. At the beginning of the Declaration of Independence, Thomas Jefferson enunciated the complaints that the people had against King George III and the reasons why the colonialists were going to sever those bonds forever. Listen to this:

He [meaning King George III] has refused to pass any laws for the accommodations of large districts of people, unless those people would relinquish the Right of Representation in the legislature, a Right inestimable to them, and formidable to tyrants only. He has dissolved representative houses repeatedly.

One of their major complaints was that the King had refused to pass laws unless the people would give up something, would give up their right of representation in the legislature.

That really, in essence, is what is happening here. A budget plan for 10 years is about to be passed and, as a result of that budget, unless the Senate votes otherwise today and/or tomorrow, the people, through their elected representatives, will be relinquishing their rights to have full freedom of debate and amendment when it comes to the Bush tax cut.

I say to Senators, the ranking member of the Budget Committee said only a little while ago that this is the most important legislation the Senate will act upon in this session. Why? Not only would it authorize a huge tax cut, the ramifications of which we cannot clearly see because we have no budget before us, but also because it goes to the root, the very marrow of the bone of Senators’ constitutional rights on behalf of their constituents to fully debate and amend.

In the Senate, our ancestors fought a war with England because of the denial of representation in the legislature where taxation was concerned. When the reconciliation process is employed to curtail debate and amendments on bills making huge tax cuts, the people are being denied true representation in the Senate because their elected representatives here, who happen to be in the minority, are being gagged by the fast-track procedures of the reconciliation process.

When a majority of Senators—and keep in mind, this is the largest minority that it is possible to have in this Chamber; there are 100 Members in the Chamber, 100 Members have been sworn in, 100 Members are represented by that minority as large a minority as the Senate could possibly have. A majority of Senators are being denied by the reconciliation process the right to debate at length and the right to freely amend. The people of the United States, who are represented by that minority in the Senate, are, in essence, being forced to relinquish the right of representation in the legislature.

How much time remains?

The PRESIDING OFFICER. The time remaining is 26½ minutes.

Mr. BYRD. Let me briefly respond to the distinguished chairman of the Budget Committee. A chairman of any committee could be no more distinguished than the chairman of the Budget Committee. Anent the chairman’s statement that what we are doing today is fully in accord with the intent of the Budget Act, I am saying that it absolutely is not.

Mr. CONRAD. Will the Senator yield?

Mr. BYRD. Yes.

Mr. CONRAD. I inquire as to the time remaining on our side and the time remaining on the Republican side.

The PRESIDING OFFICER. The minority has 25½ minutes and the major- ity has 5½ minutes.

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clear that the purpose of reconciliation was for deficit reduction.

Section 319 of the act was amended by the Balanced Budget and Emergency Deficit Control Act of 1985, Gramm-Rudman-Hollings, to prohibit amendments to reconciliation bills that reduced revenues, if the amendment caused a committee to fail to meet its reconciliation instruction. This prohibition would make no sense if committees could be instructed to reduce net revenues. It only makes sense if a committee could be instructed to increase revenues. Furthermore, the Byrd rule was added as section 313 of the Budget Act. It prohibits as extraneous any provision reported by a committee that reduces revenues if that committee failed to meet its reconciliation instruction. The Byrd rule also prohibits as extraneous a provision that results in net revenue losses in the years beyond the budget resolution, the outyears, unless those losses are compensated for by outlay reductions.

Again, these provisions make no sense if committees could be given a reconciliation instruction to reduce net revenues. They only make sense if committees could only be instructed to increase revenue.

It should also be noted that section 319 was amended in 1990 to specifically authorize a reconciliation instruction “to achieve deficit reduction”. Thus, there is explicit and there is implicit language standing for the principle that the purpose of reconciliation is for deficit reduction. There is nothing in the Congressional Budget Act stating that reconciliation can be used to reduce revenues. The only conclusion that can be drawn is that this process is for deficit reduction.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. Chaffee). The Senator from North Dakota.

Mr. CONRAD. Mr. President, I inquire of the chairman of the Budget Committee if he would prefer to go at this point.

Mr. DOMENICI. I understand the distinguished Senator wanted to speak for 4 minutes. I am delighted to have him do that, if it is all right with Senator Conrad.

Mr. CONRAD. I am delighted to yield 4 minutes to the Senator from Florida.

Let me say to my colleagues, we have very little time left on this side. It is our intention, after the Senator from Florida has spoken, to allow those on the other side of the aisle to take an extended period of time to express their view before we come back to our side.

With that, I yield 4 minutes to the Senator from Florida.

Mr. DOMENICI. Mr. President, I am happy to hear the Senator’s intention, but I do not know what the intention is on our side. We are going to do our very best to be fair. We had to sit through a very lengthy discussion that I thought was very powerful. We would like a little bit of time to make our rebuttal. I am suggesting you can go another 4 minutes if that is all right with you all.

Mr. CONRAD. Yes. We thought we would go to the Senator from Florida and yield 4 minutes to him.

Mr. DOMENICI. I failed to mention that we have a whole series of votes on amendment. I might say to Senator Reid, that might occur tonight after the 6:30 commencement of the vote on the Domenici reconciliation amendment. I hope Senators do not run off after this next vote, I think there could be 3 hours' worth of votes tonight just on what we have already agreed to do. My friend from Florida, if he will yield, the staff is working to see if any of those eight amendments can be accepted. But whatever, there is going to be a lot of voting starting at 6:30.

Mr. DOMENICI. That is correct. I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON of Florida. Mr. President, I am moved to speak because of the eloquence of the Senator from West Virginia and what he has taught us today by his statements as the author of the Byrd rule, as the author of the reconciliation act, and how he has woven the importance of this body being able to freely debate and freely amend into the course of history.

He talked about Runnymede. He talked about Xerxes. As he was speaking so eloquently, it recalled to my mind Athens in the fifth century before Christ, one of the greatest golden times in the civilized history of planet Earth. But Athens had a problem in a small grocery business. He never learned how to write English, he could not read well, but he could speak three languages. He did all right with a small grocery business. He took care of five children; it looks like all of them went to college; it looks like he left enough for his wife, to take care of her; and that is all he worried about.

But I, too, have been challenged by a President. You were challenged by one. I will explain about that challenge in just a moment. I was challenged by Ronald Reagan. You weren't on the Budget Committee then. I wish you would have been. We were marking up after an Easter recess, having asked the President's Defense Secretary to negotiate with us for 2 months on two different occasions. This Senator from humble beginnings, son of the Italian immigrants, was called by the President, called out from a committee meeting to an office, and he said: Adjourn the meeting. I need to discuss things with you.

Let me tell you that we marked up the bill that afternoon. We finished because I had my job to do and he had his job to do. We gave him more defense.
money. He ended up getting more when Congress was finished, which is interesting.

Let me suggest to the President, and to those who are quite impressed tonight by the remarks given by the senior Senator from West Virginia—and I remind everyone that he has had 43 years to learn about this Senate; I have only had 29. I feel very strongly about the Senate, just as he does, except I don’t have any history to quote. That is just because I am not a history person, be it ancient, modern. Whatever the history, I am just not very good at it.

But I can tell you that Senator BYRD’s argument tonight is 27 years too late. In fact, he should have made that argument before we adopted the Senate Budget and Impoundment Act. He helped a little bit. It didn’t help them. I voted for it. But my recollection is that not a single Senator voted against it. Let me tell you that Senator BYRD should have made an argument then. This bill was filled with all the risks he endorses. This bill was not policy neutral, which the Senate stands for. If that wasn’t the case, Senator BYRD should have made an argument then.

This bill was filled with all the risks he endorses. The truth is, 3 years before and after that, my good friend had prevailed in the Senate with a statute—not a ruling, a statute—that created the Byrd budget rule carrying his distinguished name. We did it around here for 3 years before that. And we finally said: You are right. Let’s pass the Byrd rule.

Let me tell you. The truth is, 3 years before we adopted the reconciliation instructions to the Budget Act, that argument before we adopted the Senate Budget and Impoundment Act, any Senator could have raised a point of order under that rule, the Byrd rule. Any Senator would have gotten a ruling from the Chair that it was subject to a point of order.

But me tell you a little bit about the origins of reconciliation. I remember very vividly because we were in the minority. The other side was in the majority by quite a healthy margin. The chairman of the Budget Committee was Senator Ed Muskie when the first reconciliation was used. The other side of the aisle was getting close to election time. There was a concern about a deficit. So a reconciliation instruction was used—$8 billion for all intents and purposes, something we almost round off these days.

Guess what one of the committees was that was reconciled in that instance to raise a few dollars. I know it sounds not right, but it is right. The Agriculture Committee was reconciled to change the School Lunch Program costs to impose an extra 5 cents on the school lunches across America. How do I know that? Because this man right here, the Chief of staff to the majority side, was then at the Department of Agriculture. He was asked to enforce that after it was passed. I believe the reason he is with the Senate is because they made him the scapegoat over there for passing the measure that was reconciled by the Congress to them.

Mr. GREGG. Mr. President, will the Senate from New Mexico yield for a question?

Mr. GREGG. In listening to the presentation of the Senator from West Virginia, as I understood it, the Senator from West Virginia was essentially saying you could use the reconciliation for the purposes of raising taxes in order to reduce the deficit but you cannot use it for the purposes of cutting taxes that do not involve addressing a deficit.

Mr. DOMENICI. Yes.

Mr. GREGG. At the same time, the Senator from West Virginia argued reconciliation was an inherently inappropriate concept because it cut off debate here in the Senate and therefore it was
inappropriate in the sense that it limited the ability of this Senate to exercise its due privileges on an issue. Aren’t those two arguments inconsistent: To say that reconciliation could be used in one instance, no matter what the instance is, but, on the other side, it is inappropriate to use reconciliation at any time because of the nature of the Senate and its need to have debates?

Mr. DOMENICI. Senator, let me say, I think they are. But I believe implicit in the Senator’s argument is that he does not think so. But maybe he should answer that.

Mr. GREGG. Will the Senator yield for a question?

Mr. DOMENICI. Maybe the Senator from West Virginia would like to answer that. I am not asking now. I was trying to make the point that if you say “he” but “the Senator from West Virginia,” I try very hard. I slip sometimes.

Mr. GREGG. Will the Senator yield for another question?

Mr. DOMENICI. Please.

Mr. GREGG. In reviewing the RECORD of the Senate, I noted that when the ruling was made in 1996, the question asked by Senator DASCHEL to the Chair was:

Is it the opinion of the Chair that this resolution would continue to be a budget resolution if it directed the creation of that third reconciliation bill—the one that solely worsens the deficit—

And I underline and emphasize those words, “the one that solely worsens the deficit”;

even under circumstances when the Congress had failed to enact the prior two reconciliation bills?

And the Chair ruled:

If the Senator’s question is, can the budget resolution direct the creation of a reconciliation bill which lowers revenues, the answer is yes.

Can this language be any clearer, I would ask the chairman of the Budget Committee, that the Chair has ruled that reconciliation can be used to reduce taxes even if it worsens a deficit and therefore is not a deficit issue?

Mr. DOMENICI. No question about it. I say to the Senator. As a matter of fact, you might know that the Senator from New Mexico in preparing the budget resolution, had that in mind. And it was so clear to me that I put the reconciliation in the budget bill because it seemed to me we already decided that—the Chair had already decided that. And unbeknownst to me, even though that is what you read, and that is what I think it says, we had to go around and do what we are doing tonight, even with that interpretation because there was a parliamentary understanding that was somewhat different from that. So that is the case.

I think you are right. But I think you should understand that we asked for that ruling, and we would have been involved in not getting a debate on the budget resolution it would have been freely debateable if we had tried that.

Mr. GREGG. I understand that. I guess my question is, Hasn’t the Chair, in fact, ruled on this issue? Is it not the precedent of the Senate, as defined by this language at least, which is fairly clear?

Mr. DOMENICI. I do not think there is any question. That is my interpretation. I thank you for it. I do not think there is any doubt whatsoever.

Mr. SARBANES. Will the Senator yield for a question?

The PRESIDING OFFICER (Mr. HUTCHISON). Does the Senator from New Mexico yield?

Mr. DOMENICI. I say to the Senator, I am not one who is fearful of questions, but I really want you to know I very much would like to answer a few more thoughts because I paid very close attention, and I don’t think the Senator from Maryland, in all deference to him, was ever here when I listened to most of this distinguished Senator’s remarks. I would like to finish my remarks.

Mr. SARBANES. If the Senator would yield on that point.

Mr. DOMENICI. I will be happy to.

Mr. SARBANES. I was here for a good part of it.

Mr. DOMENICI. Yes, sir.

Mr. SARBANES. I think the Senator from New Mexico was here for all of it.

Mr. DOMENICI. That is correct.

Mr. SARBANES. I cannot claim that. And I respect the Senator from New Mexico for that. But I was here for a good part of the time. Does that qualify me to ask the Senator a question?

Mr. DOMENICI. It does, I say to the Senator. I am glad to answer a question. It qualifies. You do not have to make that statement. You are qualified.

The PRESIDING OFFICER. Does the Senator from New Mexico yield?

Mr. SARBANES. It seems to me what Senator BYRD is underscoring is that the Senate, when they first passed the Budget Act, made a great exception to the process of unlimited debate in order to try to bring the deficit under control. The guiding rationale for making that exception was limited to accomplishing deficit reduction. No one, in their wildest dreams, ever imagined we were going to be out here trying to deal with reconciliation instructions which would lower the surplus or potentially increase the deficit.

Mr. DOMENICI. I say to the Senator. I believe if you are going to make a speech, it ought to be charged to their time.

The PRESIDING OFFICER. The Senator from New Mexico has the floor.

Mr. SARBANES. Does the Senator disagree with the initial purpose of the Budget Act?

Mr. DOMENICI. I am very glad to answer. I totally disagree. I do not think that was the initial purpose. The Budget Act simply allows us to use reconciliation to carry out the fiscal policies outlined in the budget.

Now if Congress wanted to run deficits with policies it enacted, they could decide to do so with the laws it passed and that were outlined in its budget. In other words, if Congress, if Congress wanted to create deficits, it could do so under the act. Also under the Act, it could also reduce them. So that is my interpretation. And I want to finish my remarks.

Now, Mr. President, I note the presence of Senator GRASSLEY who I really want to speak on taxes. But I do want to say, underlying a very large quantity of the arguments here tonight is inherently an anti-give-the-people-back-their-money attitude—to wit, tax cuts.

The truth is, there are some who just do not want to have tax cuts. I understand that. I do understand that very clearly. There are Senators who would rather spend the money than give it back. I am not saying every Senator, some Senators.

Frankly, I do not believe those feelings ought to enter this debate. But if a Senator wants to have those feelings, then he ought to be right on this debate because it does not have anything to do with those feelings. It has to do with the Budget Act—a Budget Act that, I repeat, changed the rules of the Senate for so long as we apply that Budget Act.

I want to repeat, we have used that act for small and large tax increases. How do you think the Senators on the Republican side feel who want to do tax cuts? I am standing up here telling them it is somebody’s interpretation that you can surely increase taxes with reconciliation, I say to Senator GRASSLEY, chairman of the committee, but you cannot decrease taxes. You cannot reduce taxes. I believe you would have to have a strong, absolute determination in this act that that was the case, or the Senator from Iowa would claim it was discriminatory against whom? The taxpayers, the average person. You can surely get them for increases, but you cannot give them a decrease, right? At least not under this act, if you are going to interpret it as some choose to interpret it tonight.

So I know this is a historic argument. And I don’t know. I appreciated its historical significance when we started tonight, but I have been reminded of it.

So if there was any lesser thought on my part, I am right there. It is an historic argument, except that it isn’t a very new argument. It isn’t a very new use of reconciliation that is being argued tonight; it is a very old use of reconciliation.

With that, how much time does the Senator desire? I ask Senator GRASSLEY.

Mr. GRASSLEY. I would like to have 25 minutes.
Mr. DOMENICI. I yield 25 minutes to Senator GRASSLEY.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. The Federal Government is collecting too much in taxes. That is what is at the basis of the tax reduction package we hope to get through the Senate in a couple of months. The Federal Government will accumulate over $3.1 trillion in excess tax collections over the next 10 years. Federal tax receipts are at one of their highest levels in our Nation's history. The bulk of these excess collections comes from the individual taxpayer, mostly the individual income-tax payer. Individual income tax collections are currently near an all-time high, even higher than they were at some levels imposed during World War II.

So I have a series of charts I would like to have my colleagues review with me to illustrate our present situation. The first chart shows total Federal tax receipts as a percentage of gross domestic product over the last 40 years. Tax receipts have fluctuated frequently since 1960, but the most shocking spike in tax receipts began in 1993. The Congressional Budget Office's January 2001 report to Congress shows that in 1992, total tax receipts were around 17.2 percent of GDP. By the year 2000, Federal receipts had exploded to an astronomical 2.6 percent of gross domestic product. The significance of this percentage can only be appreciated by its historical comparison.

In 1944, at the height of World War II, taxes as a percentage of GDP were 20.9 percent, only one-half percent higher than they are this very day. By 1945, those receipts dropped to 20.4 percent of GDP, which is actually lower than collection levels today. It is unbelievable that in a time of unprecedented peace and prosperity, the Federal Government should rake in taxes at a wartime level. The sorriest part of this whole story is that this huge increase in taxes has been borne almost exclusively by the individual American taxpayer.

As this next chart shows, over the past decade, tax collection levels for payroll taxes, corporate taxes, and all other taxes have been relatively stable. Collections of individual income taxes, however, have soared. As this chart shows, in 1992, tax collections from individual income taxes were 7.7 percent of GDP. By 1999, the percentage had risen steadily each year and, as of the year 2000, was an astounding 10.2 percent of GDP. Individual income taxes now take up the largest share of GDP in history. Even during World War II, collections from individuals were 9.4 percent of GDP, nearly a full percentage point below the current level.

As we can see, the source of the current and future surpluses is from the huge runups in a single tax, the individual income collections. These excess collections are attributable to the tax increases forced through by President Clinton in 1993. Since 1992, total personal income has grown an average of 5.6 percent per year. Federal income tax collections, however, have grown an average of 9.1 percent a year, outstripping the rate of personal income tax growth by 64 percent.

The Joint Committee on Taxation, at the request of their parent committee, estimated that just repealing the revenue-raising provisions of President Clinton's 1993 $1.6 trillion tax relief of more than $1 trillion over the 10 years. Democrats and Republicans alike can agree that individual taxpayers deserve relief from the Federal Government's overtaxation.

President Bush has offered a plan to reduce individual income taxes across all tax rates, all brackets, and to reduce the number of brackets as well. This benefits taxpayers all across America.

Now we hear, however, a hue and cry from some on the other side of the aisle that not all taxpayers should receive rate reductions. They say the President's plan disproportionately benefits upper income-tax payers and does not provide enough relief at the lower end of the income scale. There is some good news out there for those who believe that: None of those allegations are true.

We need to first understand the current distribution of the tax burden in America. We have a highly progressive income tax system. According to the Congressional Budget Office, the top 20 percent of income earners pay over 75 percent of all individual income taxes. By contrast, households in the bottom three-fifths of the income distribution pay 7 percent of all individual taxes. The President's plan not only preserves this progressive system but—surprise—actually makes those top income people pay more of the percentage of income coming into the Federal Treasury, if the President's plan is adopted.

To all those who are trying to engage in class warfare over the President's tax proposals, I invite them to pay attention to the next two charts. As the first of these two charts demonstrates, the President's marginal rate reductions, when combined with his increase in the child credit, the additional deduction for the lower earning spouse, and his refundable tax credit for individuals with insurance, provides the greatest reduction in tax burden for lower income-tax payers.

Look at the levels of reduction in tax burden shown on this chart. The upper income-tax payers receive an 8.7 percent reduction in their burden. Those at the lower end of the income scale, however, receive a $1.6 trillion targeted reduction in their taxes. This is because 4 million taxpayers will be taken off the income tax rolls. A four-person family earning $35,000 a year will no longer have any income tax burden.

As this chart also shows, a large reduction in tax burden is targeted towards taxpayers making between $30,000 and $75,000 a year. These taxpayers will experience relief ranging from 20.8 percent to 38.3 percent of their current tax burden.

Now, I also said the President's plan, when passed, actually makes the tax system more progressive. Look at the next chart to get the proof of that. This is a very important chart for those who will demagogue the President's proposal on the basis of income differences.

As this chart demonstrates, under the President's proposal, the overall tax burden goes down for all taxpayers earning below $100,000. For taxpayers making $100,000 or more, however, their share of Federal tax burden will actually increase under the President's plan.

For example, the share of the tax burden for taxpayers earning between $30,000 and $40,000 a year will drop from 2.5 percent to 1.8 percent. Similarly, for those earning between $50,000 and $75,000, the burden share drops from 12.2 percent to 11.3 percent.

This is not the case, however, for taxpayers earning $200,000 or more. Their share of the overall burden will actually increase, and increase by a full 3 percent.

As we can see, then, the President's plan not only retains the progressivity of our tax system, that progressivity is actually enhanced. The President's plan gives tax relief to all taxpayers, and it does so in a fair manner, one that requires more from those who are able to pay and provides the greatest relief for those most in need.

There are several Members of the Senate who belong to a group called the Centrist Coalition. There is nothing wrong with that group; they are good people. They are out there to try to find compromise and to promote bipartisanship. In a time of a 50-50 Senate, you cannot knock that, and I do not. However, they have a plan on which I will comment.

The Centrist Coalition is concerned that $1.6 trillion is not the right amount of tax reduction and argue that the right number is somewhere between the Democrat's number of $900 billion and the President's number of $1.6 trillion. I thank Senator Breaux, the head of the Centrist Coalition, for his efforts to find, as he says, a middle ground.
Mr. CONRAD. Mr. President, I have an amendment. Before Senator Breaux and I take up Medicare legislation later this year, earlier this year, I accepted the centrist's invitation to join their meetings. I attended a meeting in a recent week on tax options and found it to be a very useful discussion.

Senator Breaux suggests that the middle ground is splitting the difference between the President's number of $1.6 trillion and the Democratic alternative of $900 billion. If those were the only two numbers to consider, I would probably agree that his number of $1.25 trillion is pretty close to middle ground. But the reality is that the numbers range, as Senator Conrad has said, all the way up to $2.2 trillion down to $800 billion, some of my colleagues on this side really like that $2.2 trillion number better, and I have to put water to dampen their desires, because we have to be realistic in this game.

In comparing the numbers, I like Senator Breaux, am not comfortable with either the Democrat number of $900 billion or the $2.2 trillion being thrown around by some on my side of the aisle. Unlike Senator Breaux, however, I am comfortable with the $1.6 trillion number, and this is why. I am going to run through a hypothetical calculation of a tax cut agenda and look at each number to see if it accommodates the agenda of its proponents.

I want to look at Senator Conrad's number of $900 billion. Now Senators Daschle, Conrad, and the Democratic leadership have been talking a lot about their stimulus and rate cut package. Under Joint Tax scoring, that proposal loses around $506 billion over 10 years. That leaves $394 billion out of the $506 billion for other tax cuts that Senator Conrad and other Democrats say they support.

The Democrat alternative on marriage tax relief, which was offered in the Finance Committee last year, contained a revenue loss of $197 billion over 10 years, without a sunset.

The Democratic alternative on death tax relief contained a revenue loss of $64 billion over 10 years.

So using Democratic proposals and last year's revenue loss estimates, the Democrat budget is less than $135 billion in surplus left.

You have to keep in mind that these are only the Democrat proposals we are talking about. We have to consider that there are bipartisan tax cuts that passed both Houses of Congress during the last year.

There is the retirement security bill that Senator Baucus and I will soon be introducing. A similar bill passed the House almost unanimously. That bill will run about $32 billion.

There is the small business and agricultural tax relief that everyone supports. That package totals over $17 billion.

The education tax relief that unanimously passed the Finance Committee last month runs about $20 billion.

You now have to add up all these bipartisan tax cuts and, when you do, we have now exceeded the $133 billion that was left in the Democrat budget. It is all gone. And we haven't even factored in their greatest objection to the President's plan, that is the problem with the alternative minimum tax.

We have heard a lot of pointed criticism of the President's tax plan from Senators on the other side of the aisle on the issue of the alternative minimum tax. Senator Conrad has said that it takes $200 billion to $300 billion to fix the AMT problem under the Bush plan. Senator Conrad is correct that the President's plan could make the problem worse. As I have said, I intend to address that problem.

The Senate Democratic stimulus and rate reduction package does nothing about the AMT problem that they have addressed and found fault with in the President's program. In fact, their legislation will make this problem worse. According to the Joint Tax Committee, the Democrats' package will subject an additional 7 million taxpayers to the AMT.

So if Senator Conrad and other Senators on the other side of the aisle in good faith put their cut candidates to accommodate the bipartisan tax cut priorities before us.

Senator Baucus and I will need the full $1.6 trillion to make the tax cuts for all of you, through these votes and through these proposals, have indicated that you are interested in, and to make it work.

The Democrat side has said they want bipartisan legislation. So I think that it will allow us to accommodate the bipartisan tax cut priorities before us.

Mr. GRASSLEY. Mr. President, I think the Senator for what he thinks is a clarification. But he, I think, makes my point. They have reserved some money, but when you add all of their proposals, and when you take into consideration the AMT, and when you also take into consideration their votes on bipartisan tax proposals, there is no way that you are going to squeeze that into their numbers.

Let me tell you, we have had problems on this side of the aisle. Even if we go at $1.6 trillion, there is going to be a difficulty squeezing everything in. But we have a problem of having the greatest amount of flexibility that we can.

Now, as has been said, the Democratic budget number of $900 billion does not even accommodate their own tax priorities. I believe Senator Breaux knows that.

I think those who have proposed numbers in the range of $2 trillion to $2.4 trillion are also pushing the wrong number.

That tax cut number doesn't balance our priorities in paying down debt and targeted spending increases.

Senator Breaux's number is better than the Democratic number because it allows more tax cuts to be addressed. However, it does not have enough room. Unlike the Democratic number, Senator Breaux's number might be enough to cover Democratic priorities, plus a little bit more; but it would ignore the President's priorities.

So I believe the number that the President has proposed is appropriate but not just because he proposed it. It is appropriate because it will allow us to accommodate bipartisan tax cut priorities before us.

Senator Baucus and I will need the full $1.6 trillion to make the tax cuts for all of you, through these votes and through these proposals, have indicated that you are interested in, and to make it work.

The Democrat side has said they want bipartisan legislation. So I think that it will allow us to accommodate the bipartisan tax cut priorities before us.

Mr. CONRAD. Mr. President, I have great respect for the chairman. He and I have worked on many matters together. I want to take this moment to advise the Senator that we have $125 billion of our $750 billion tax cut unallocated. We have specifically not allocated it all so that some of it could be used to address the alternative minimum tax problem. So we have not done what we have criticized the other side for doing.
worked very hard to try to defeat the President’s tax cut. All the amendments we have been voting on take money from the tax cut, which indicates that is their strategy.

We ought to look at the numbers in terms of the tax cut agenda, including the President’s proposal, the bipartisan and the bicameral proposals and, of course, the Senate proposal.

Senator Breaux’s amendment, while well intentioned, does not provide the Finance Committee with the tools necessary to do the job of delivering bipartisanship.

I want to bring this down State by State. All politics is local, we are told. The Treasury Department has released data showing the number of individual tax returns on a State-by-State basis that will benefit from the President’s tax relief plan. These returns are a mix of married couples filing jointly, single return filers, and heads of household.

The data is significant for all Senators. For example, in my home State of Iowa, over 1 million individual returns would benefit from the President’s plan. If over half of these returns are married filing jointly, that means over 1.5 million people in my State will receive a tax benefit from the President’s plan. The numbers are even greater for larger States. For example, the number of individual returns that would receive a tax benefit under the President’s plan in: Arkansas, 787,000; California, 11 million; Florida, 5.5 million; Georgia, 2.7 million; Illinois, 4.5 million; Louisiana, 1.3 million; Missouri, 1.9 million; Nebraska, 631,000; New Jersey, 3.2 million; New York State, 6.5 million; North Carolina, 2.7 million.

Keep in mind that these numbers I just listed are the number of individual tax returns. South Dakota has only 236,000 returns. Texas has half a million, and Pennsylvania has over a million. Each of these States was married filing jointly, the number of taxpayers benefiting under the President’s plan could nearly double.

The number of individual taxpayers benefiting under the President’s proposal is simply too big to ignore; unless, of course, we focus on the smaller States that do not file as many individual tax returns. For example, North Dakota has only 230,000 individual returns. South Dakota has only 236,000 returns; Maine, 465,000; Rhode Island, 385,000; Vermont, 232,000.

Perhaps the tax benefits offered by the President’s plan are not relevant to these smaller States. Those taxpayers do not really count, but they certainly count in my State, and I suspect they count in many of the other States as well.

An interesting study was recently released by the Tax Foundation, a nonpartisan organization.

I yield myself 5 more minutes.

The PRESIDING OFFICER (Mr. Bennett). The Senator has yielded 5 more minutes and is recognized.

Mr. GRASSLEY. I am not going to go through this chart, but one can see we list the benefits of the households in the States has gone. But it is the tremendous benefit and savings to the people living in these States.

Just think what these families can do with those dollars if we let them keep their hard-earned money instead of taking it away to squander in Washington. For example, I know the cost-of-living in California is high, but $15,800 in the pockets of the average household in that State would buy quite a bit. If they decide to pay down early on their 30-year mortgage, the interest saved would save them a tremendous number of household payments. It can buy kids clothes, family vacations. Let the family decide how to spend it.

The tax savings offered to the residents of each State is laid out in these charts, and I hope our constituents in each of these States hold us accountable to provide tax savings.

It is time for the debate on whether the Finance Committee will have an opportunity to cut taxes up to $1.6 trillion over 10 years. I underscore the word “opportunity” because that is what this debate is all about: the opportunity for a tax cut.

This vote is not about what the tax cut contains. That debate and vote will come later. That debate and vote comes when the Finance Committee marks up tax cut legislation. This vote is about whether we will consider the tax cut under reconciliation.

Reconciliation plain and simple, as we sit here today, is the only way we are going to get a tax cut for the American people in a timely manner.

There have been strong statements made by some on the other side about tax cuts and reconciliation. From the tone of the statements, one would think that a reconciled tax cut is a new idea. We have talked about this history of it, and I do not want to repeat that history. It has been discussed between the Senator from New Hampshire and the Senator from New Mexico to a great extent, but I think it boils down to the question of cooperation and shared responsibility. A 50-50 Senate means shared power and, just as important, shared responsibility.

The Senate today is operating under a historic powersharing arrangement reached on January 5, 2001. Republicans following our leader yielded a significant concession to the Democrats. What did we get in exchange? What we got was, as Senator Lott put it, a good-faith promise on the part of Democrats to govern.

In the Senate Finance Committee, I have had this sort of cooperation from Senator Baucus, and we will continue to do it. However, the opponents of Senator Domenici’s amendment depart from the spirit of that historic agreement.

In 1993, with a new President and majorities in both Houses, Democrats used reconciliation to raise taxes. Democrats in 1993 used reconciliation within their right to further their President’s agenda, including the partisan-designed major tax increase.

Eight years later, we are faced with a similar situation, though I am hopeful more than one Member of the other side will support us. Republicans, by a razor-thin edge, have control of Congress and the Presidency. The core of President Bush’s program, much as President Clinton’s program 8 years ago, involves taxes. The difference is that President Bush wants to return a portion of the record level of income taxes to folks who pay them. Republicans did not object to use of reconciliation in 1993; Democrats should not object to Republicans’ use of reconciliation today.

For those of us on this side of the aisle, this is a very compelling point, especially in the context of our concession in powersharing. I want to quote Senator Byrd from West Virginia on this point. He made this point on January 4, 2001, when this agreement was reached.

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

Mr. GRASSLEY. May I do this one quote and then I will quit.

Mr. DOMENICI. I yield whatever the Senator needs.

The PRESIDING OFFICER. The Senator is recognized.

Mr. GRASSLEY. Senator Byrd said:

I know it has been difficult for Members, particularly on the Republican side to come to an agreement such as has been reached here, but they have been willing to give up their partisanship for the moment in the interests of the Nation.

Also, it is exceedingly important—I have already mentioned it here—to George Bush.... It is vitally important to him, if he is going to be successful, to have a bipartisan agreement. And hopefully, from his standpoint, certainly, and from the standpoint of many others, if he is to see those programs succeed, he

Meaning President Bush—

I am going to have to have help. He can’t depend on all of it coming just from his side—

Meaning the Republican side of the aisle.

He is going to have some help over here—

Meaning the Democrats side of the aisle.

As always, Senator Byrd said it very well. At this point in history, the President’s agenda, including the cornerstone of his proposed tax relief for working men and women, is tied in with his powersharing agreement. With this power-sharing agreement that govern the operation of this Senate, this year, certainly from the perspective of those on this side of the aisle.

Therefore, it strikes us as particularly unfortunate that in the context of power sharing a new obstacle is raised to the use of the reconciliation
process. It is particularly disappointing to this side of the aisle that this argument on reconciliation is forthcoming now. Domenici’s amendment is not a vote for a tax cut; it is a vote to give the Senate the opportunity we ought to have to consider such tax relief for working men and women.

Mr. CONRAD. Mr. President, I remind the Senate form Iowa it was entirely appropriate to use reconciliation in 1993 because that was a deficit reduction piece of legislation. That is the difference. This is not deficit reduction.

Mr. LEVIN. Mr. President, I cannot support including reconciliation instructions in this resolution. This is a very important issue for the Senate as an institution and a very important issue for the future economic well-being of the nation. The Senate is a great legislative body, a deliberative body unique in the world. The central feature of the unique role the Senate plays is the fullness of debate and the openness of the amendment process.

The reconciliation process is a feature of the Budget Act which was adopted in 1974. When it was adopted, it was contemplated that the reconciliation process would be used as a tool of fiscal restraint. That is, that reconciliation process would be used in order to reduce, or increase, the amount of fiscal restraint. This is not the case. This is not deficit reduction.

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CONGRESSIONAL RECORD—SENATE

April 5, 2001

VIRTUALLY EVERY MEMBER HAS ALSO VOTED FOR THE FLOOR.

The Chairman of the Finance Committee—I who enjoy the prerogatives of the chairman of the Finance Committee, mentioned. That is what that argument means.

I ask my good friend from Iowa, the chairman of the Finance Committee, who enjoys the prerogatives of the chairman of the Finance Committee—I plead the tax into law, a process where the Finance Committee has more opportunity to write more legislation in the committee and also on the floor.

The central point is, we have an opportunity tonight to do what is right. There have been a lot of red herrings. For example, the point has been made that Senator BYRD should have made the argument 27 years ago. That is irrelevant. We are the Senate. We can vote on what we want to vote on. Tomorrow we can vote again on a different matter. It is up to us to decide what is right.

What is right is to use reconciliation where it should be used, in reducing deficits. It should not be used to craft anything else under the sun. Because the latter approach disenfranchises, literally, a majority of Americans. The right to offer amendments on the floor of the Senate and the right of unlimited debate are essential. Under reconciliation, where constraints on unlimited debate—which disenfranchises voters—

It is wrong for this amendment to pass. It is undermining why we came here. I urge Senators to vote against the pending amendment.

Mr. CONRAD. I yield 3 minutes to the Senator from Florida.

Mr. GRAHAM. Mr. President, the issue is not whether we are going to have a tax cut or what the specific details of the tax cut will be. The question is, Are we going to take this historic opportunity with over $5.5 trillion of surplus available in the next 10 years and make decisions on how to allocate that surplus in the most rational manner?

One of the issues, I am afraid, that will be trumped upon if we do not defeat this amendment, and deny us the opportunity for full debate, is the question of how we will finance a prescription drug benefit through Medicare. Virtually every Member of the Senate, on both sides of the aisle, has voted in favor of a prescription drug benefit. Virtually every Member has also voted that that benefit should be in the range of $300 billion to $311 billion over the next 10 years. Where we disagree is how we should pay for it.

This side of the aisle has voted to pay for it in the traditional manner, general revenue and premiums paid by the beneficiaries. The other side of the aisle has voted to pay for it by taking the excess funds that are in the hospital trust fund.

For 35 years, there has been a contract between the people of the United States and their Federal Government. That contract has said: You pay me every month 1.5 percent of your salary, and when you reach retirement age, we will provide you a range of benefits that includes hospital, skilled nursing home, and home health care.

The PRESIDING OFFICER. The Senator has 1 minute remaining.

Mr. GRAHAM. That contract is now about to be broken. We should have a full debate in the Senate before we engage in that unilateral abolition of a 35-year commitment by the American people. Before I yield the remainder of my time to the Senator from Michigan, I ask unanimous consent that a letter from the American Hospital Association dated today be printed in the RECORD, which states:

We believe the Part A Trust Fund should be used for the purpose for which it was intended.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AMERICAN HOSPITAL ASSOCIATION,

Hon. BOB GRAHAM,
U.S. Senate,
Washington, DC.

Dear Senator Graham: On behalf of the American Hospital Association (AHA), I would like to express our strong support of your amendment to H. Con. Res. 83, the fiscal year (FY) 2002 budget resolution requiring a “super majority” of 60 votes in the Senate in order to spend Hospital Insurance (HI) Trust Fund dollars for non-Part A services.

The AHA represents nearly 5,000 hospitals, health systems, networks and other health care provider members.

The Medicare program is expected to experience very rapid growth over the next decade as our nation’s 78 million “baby boomers” begin to retire. The Part A Trust Fund, its inception, has been projected to see its obligations exceed its income by 2015, and its assets could be exhausted by 2029.

We believe that the Part A Trust Fund should be used for the purpose for which it was intended: to provide beneficiaries with the highest quality hospital acute care services. Congress must be careful not to divert the trust fund or divert dollars currently in the trust fund for other purposes. It is imperative that Congress avoids legislation that accelerates the insolvency of the Medicare Part A Trust Fund. We need to ensure that Medicare Part A services are there when our seniors need them.

Since its inception, the Medicare program has ensured seniors access to high quality affordable health care. It is incumbent upon all of us to ensure that the program is preserved, protected and strengthened for future generations.

Sincerely,

RICK POLLACK,
Executive Vice President.
MEMORANDUM FOR SENATOR DORGAN

From: Alan Blinder, Princeton University, Gene Sperling, Inst. for Budget Studies, Jason Furman, Harvard University

Subject: Analysis of the impact of recent economic conditions on the 10-year projection of the surplus

Summary

Many observers have questioned whether or not the most recent surplus projections would be altered by the recent slowdown in economic activity and fall in the stock market. Although many of the fundamentals of the economy remain strong—with unemployment near 30 year lows, productivity growth still high, and many indications that consumer demand is holding up—other weaker indicators have led many forecasters to lower their growth projections for 2001. In assessing the impact of recent economic trends on the surplus, we have chosen not to offer our own economic projections, but simply to examine how changes in the 51 leading private-sector forecasters who make up the Blue Chip consensus would impact surplus projections.

The analysis is informative for at least a couple of key reasons. First, this analysis highlights the degree of uncertainty surrounding the projection of the surplus. Indeed, altering only the 2001 growth forecast, leaving all the other projections unchanged, would result in a roughly $215 billion reduction in the unified surplus relative to the CBO baseline projection. It should be noted that this change is result of taking into account only three months of new information, representing just 2 1/2 percent of the 10-year period. Second, the recent fall in the stock market further highlights the uncertainty of budget projections that are based not only on economic growth projections, but on projections of revenues from taxation of capital gains, stock options, and taxable withdrawals from retirement accounts—all of which are highly dependent on the level of stock market. Indeed, if individual income tax receipts as a share of GDP fell back slightly from the very high levels achieved in 2000, the unified surplus could be lowered by $1 trillion or more. Standard & Poor DRI, for example, project that stock market factors could reduce the unified surplus by more than $1 trillion over the next decade.

While we remain optimistic about the future of the American economy, such significant swings in just three months show why even optimists should exercise prudence when making ten-year policy commitments based on ten-year projections. Over the next ten years, there are likely to be many other periods in which economic activity departs substantially from the current projections, resulting in substantial deviations of the actual surplus from the projections that are being made today. CBO estimates that, based on their track record, the unified surplus in 2002 could be anywhere from $69 billion to $556 billion. The uncertainty grows so that in 2006, with no tax cuts or spending increases in the interim, the budget balance could be anywhere from a $92 billion deficit to a $1.1 trillion surplus. After setting aside the Social Security and Medicare surpluses, the probability of running into deficits increases substantially: the Center for Budget and Policy Priorities (CBPP), relying on CBO analysis, has estimated that there is a 20 percent chance under current law, the budget excluding Social Security and Medicare will be in deficit in each year from 2002 through 2006.

These reductions in the projected surplus and uncertainty come on top of the predictable factors that will reduce the surplus over the next decade, including the likelihood that real discretionary spending will grow with population, several popular tax credits will be extended, and the Alternative Minimum Tax (AMT) will be reformed so that it does not affect a growing share of middle-class families. These factors will likely reduce the available surplus by an additional $800 billion.

Based on the latest Blue Chip projections, the slowdown would reduce GDP growth by 0.5 percentage point relative to the current CBO forecast—reducing the unified surplus by about $215 billion over 10 years.

The actual revision to the surplus forecast based on the latest outlook for aggregate economic activity could be more or less than this $215 billion prediction which is based on the assumption that the level of real GDP remains 0.5 percent lower from 2002-11. On the one hand, the reduction to the surplus would be even larger if the future growth rate of real GDP were slower. CBO estimates that if the GDP growth rate were 0.1 percentage point lower per year, the unified surplus would be reduced by an additional $244 billion. On the other hand, the reduction to the surplus would be less than $215 billion if the current slowdown is followed by a period of stronger growth that returns the economy to potential GDP. In its recent Economic and Budget Outlook CBO presents a “recession scenario” in which a sharp slowdown in 2001 is followed by a substantially stronger growth, leading to only a $133 billion reduction in the unified surplus from 2002-11. CBO’s scenario, however, would be less likely if the economy in 2000 was well above potential, if the recent slowdown causes economists to revise down their estimate of the level of potential GDP, or if the adjustment back to potential is very slow.

Uncertainty from the short-term economic outlook

The key point from examining the impact of recent economic changes on the long-run surplus projections is the large amount of uncertainty that is increased, not only by the uncertainty over the short-run outlook. The bottom 10 Blue Chip forecasters project growth of 1.3 percent in 2001—compared to the 2.6 percent GDP growth projection of the top 10 Blue Chip forecasters. Taking the range of Blue Chip projections for GDP growth in 2001 and 2002 would lead to a range in projections of the unified surplus of roughly $730 billion more than CBO’s current forecast to roughly $730 billion less than CBO’s current forecast.

CONGRESSIONAL RECORD—SENATE
April 5, 2001

Revisions to GDP Growth and Their Impact on the Surplus

The Congressional Budget Office (CBO) finalized its economic forecasts underlying the latest budget projections in December 2000. Both CBO and the Administration project 2.4 percent GDP growth in 2001.

When CBO made its economic forecast, 2.4 percent GDP growth was consistent with the Blue Chip consensus of leading forecasters. Since December, however, the Blue Chip consensus has been revised down and now stands at 1.9 percent growth for 2001. The Blue Chip forecasters have also revised down their predictions for growth in 2002 to 3.4 percent, the same rate predicted by CBO, and left their growth predictions essentially unchanged thereafter.

Estimating the budget impact of the latest Blue Chip short-run macroeconomic forecast provides an example of how just three months of data might lead to revisions in the projected surplus. It is important to note that although the Blue Chip forecast is slightly more pessimistic than CBO, it is still relatively optimistic compared to the recessionary projections of some Blue Chip forecasters. Nevertheless, even this relatively small change in the outlook would result in a substantial reduction in the projected surplus over the next decade.

To estimate the likely magnitude of this reduction we have relied on Table 1-6 “Sensitivity of the Budget to Economic Assumptions” from the Analytical Perspectives volume of the Administration’s FY 2001 budget. We updated these estimates to reflect a GDP slowdown in 2001 and projected them forward to cover the period 2002-11 (the Analytical Perspectives table only covers 2000-06). Based on this, every one percentage point reduction of GDP growth in 2001—with unchanged growth projections in 2002-11—will reduce the unified surplus by about $430 billion over 10 years.

IMPACT OF A 1 PERCENTAGE POINT REDUCTION IN GDP GROWTH IN 2001 ON THE UNIFIED SURPLUS

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Source: Authors’ calculations based on Table 1-6 of FY 2001 Analytical Perspectives

The level of economic activity is not the only factor that affects the surplus. A major factor in the recent rise in the surplus is the increase in individual income tax receipts from 8.1 percent of GDP in 1995 to 10.2 percent of GDP in 2000. Although legislation in 1997 reduced taxes, several factors contributed to tax receipts growing more quickly than the economy. CBO estimates that half of the recent increase has been due to rising capital gains realizations and higher income for high-income taxpayers. The strong stock market has clearly played an important role in these strong tax receipts.

Going forward, CBO projects that individual income tax receipts will stay above 10.2 percent of GDP for the next decade. Part Blue Chip consensus of leading forecasters. Since December, however, the Blue Chip consensus has been revised down and now stands at 1.9 percent growth for 2001. The Blue Chip forecasters have also revised down their predictions for growth in 2002 to 3.4 percent, the same rate predicted by CBO, and left their growth predictions essentially unchanged thereafter.

Estimating the budget impact of the latest Blue Chip short-run macroeconomic forecast provides an example of how just three months of data might lead to revisions in the projected surplus. It is important to note that although the Blue Chip forecast is slightly more pessimistic than CBO, it is still relatively optimistic compared to the recessionary projections of some Blue Chip forecasters. Nevertheless, even this relatively small change in the outlook would result in a substantial reduction in the projected surplus over the next decade.

To estimate the likely magnitude of this reduction we have relied on Table 1-6 “Sensitivity of the Budget to Economic Assumptions” from the Analytical Perspectives volume of the Administration’s FY 2001 budget. We updated these estimates to reflect a GDP slowdown in 2001 and projected them forward to cover the period 2002-11 (the Analytical Perspectives table only covers 2000-06). Based on this, every one percentage point reduction of GDP growth in 2001—with unchanged growth projections in 2002-11—will reduce the unified surplus by about $430 billion over 10 years.
In assessing these projections, CBO writes $525 billion deficit to a $6.2 trillion surplus. 

On this basis the projected 10-year timistic scenario' and a 'pessimistic scenario.' On this basis the projected 10-year optimistic scenario' and a ‘pessimistic scenario.’ In addition to the uncertainties about the future, there are several ways that policies are likely to deviate from the interpretation of ‘current law’ that is used by CBO and the administration in putting together their budget baselines. Independent groups and experts like the Concord Coalition, the Center on Budget and Policy Priorities, and William Gale and Alan官员 have all estimated that the available surplus is about $900 billion to $1.4 trillion lower than the projected on-budget surplus. The elements of this predicable reduction in the surplus are:

Medicare off-budget. Virtually the entire House and a majority of the Senate have voted to make the Medicare HI surplus unavailable for tax cuts or spending increases—taking $392 billion off CBO’s projection of the non-Social Security surplus.

Real discretionary spending rising with population. The current projections do not incorporate the impact that increasing population has on the cost of maintaining a constant level of government services. This could reduce the surplus by much more.

Alternative Minimum Tax. The Alternative Minimum Tax will affect an increasing number of middle-class families over the next decade; policymakers are likely to fix this provision so that it serves its historic intent which is to ensure a minimum level of taxation for upper-income taxpayers. This reform would cost about $80 billion.

Expiring tax provisions. Several popular tax provisions are set to expire at the end of this year; extending them, as is likely, will cost $112 billion over 10 years according to CBO.

Taking into account these realistic expenditures reduces the available surplus to about $2 trillion over 10 years—without even taking into account the recent changes in the outlook for the economy. Taking recent economic developments into account, it is more than likely that less than $2 trillion will be available for tax cuts, spending increases, or additional debt reduction.

Mr. CONRAD. How much time is remaining on the clock?

The PRESIDING OFFICER. There is 4 minutes 44 seconds.

Mr. CONRAD. I yield 3 minutes to the Senator from Maryland.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. SARBANES. I hope all of our colleagues were listening very carefully to Senator BYRD as he made that very powerful statement about the Senate as an institution. The reconciliation process, this great exception to Senate rules, was allowed and adopted in order to bring down the deficit. It has been twisted all out of shape. This amendment proposes to use it for a purpose that is not relevant to reducing the deficit.

They talk about taxes going up, taxes going down—the end objective is supposed to be reducing the deficit. That is absent in this situation. Recconciliation is not the issue, in effect, for any purpose whatsoever.

I very much hope the Senate will reject this amendment. I thank Senator BYRD for a very powerful statement. I also want to commend the very able Senator from North Dakota for his leadership on the budget. I think he has often said, it is a matter of balance. It is a matter of prudence. It is a matter of restraint. We can do a tax cut to help working people, we can strengthen Social Security and Medicare, we can pay down the national debt, and we can invest in the future of our country, in education, in health, in environment, in infrastructure. All of this can be done if we use prudence and caution. But we cannot do it if we go to excess. That was demonstrated yesterday when we adopted an important education amendment. But in order to do it, we had to bring down the amount of the tax proposal.

Mr. DOMENICI. I yield 3 minutes to my good friend, Senator Sessions from Alabama.

Mr. SESSIONS. Mr. President, I thank Senators DOMENICI and GRASSLEY for their courageous effort to make sure this body has a full chance to vote on the President's tax cut proposal. It has been objected to by a host of procedural objections in a desperate effort to throw it off track, but we are going to get that vote up, I believe, and have a chance to let the American people fully consider the issue.

The question I want to raise is why do we have this extraordinary surplus? Why are we having big surpluses this year? In fact, we were told recently, within the last week, that even though we have had a slow-down and a smaller economy, our projection of last year understimates the surplus we will have this year—maybe by 20 or more billion dollars. We will see how it turns
out. But even with this slowdown, we have more coming in than we projected and we have had more coming in for the last 3 years than has been projected by the CBO or OMB.

Why is it happening? It is because the Federal Government not only is taking in more, and not only are the American people making more, the Federal Government is taking a larger percentage. It is taking a larger percentage of America’s wealth—too much.

In 1992, the Federal Government took 17.6 percent of the total gross domestic product, all that we make and manufacture in the United States. Today it has hit 20.7 percent, a monumental increase. That is the highest percentage of the economy taken by the Federal Government since the height of World War II. The American people are entitled to not see that continue upwards.

In fact, this tax reduction, if passed, would not really reduce that tax rate. The tax rate has hit 20.7 percent, a monumental increase. That is the highest percentage of America’s wealth—too much.

The American people are entitled to not see that continue upwards. In fact, this tax reduction, if passed, would not really reduce that tax rate. The tax rate has hit 20.7 percent, a monumental increase. That is the highest percentage of America’s wealth—too much.

I say let it go. Let the Senators vote, it from going up.

If that was too early, we have adopted 15 tax bills under this Budget Act—10 were tax increases; 5 were tax decreases. If 27 years ago was too long ago to raise the objection, we had 15 different budget resolutions that came to the floor that had taxes in them. Some might have objected. But the truth is, the strongest arguments have been made on this particular reconciliation instruction. I believe it is because the powerful want to let the President have a chance to have his taxes voted on—plain, pure, and simple. I think that is going to fail tonight. He is going to get his chance. I think eventually, his tax plan will get taken care of in the Finance Committee and the Ways and Means Committee. Those members will pass the bill out of their committee and it will come to the floor under this Budget Act, which is now 27 years old.

I yield the floor. Whatever time I have remaining, I yield to the majority leader. However, he doesn’t need my time.

The PRESIDING OFFICER. The Senator from New Mexico for his effective leadership.

Mr. DOMENICI. Mr. President, I note the presence on the floor of Senator Clinton. I want to say if I referred to the distinguished Senator in the first person an hour or so ago, I apologize.

The PRESIDING OFFICER. The Senator from New York.

Mrs. CLINTON. Thank you very much.

Mr. President, I say to the chairman of the Budget Committee, on which I am honored to serve, that I appreciate those words. I came down to the floor after hearing that to say just two quick things.

One, in 1993, we made a considerable effort to reform health care. I learned a lot from that experience. I learned that we had to go in a step-by-step, progressive way to try to achieve quality, affordable health care. I also learned that we needed to have an open, spirited debate about what needed to be done for the good of our country.

I appreciate the chance to rise and state my objections to adding reconciliation instructions to the budget resolution because I think the lesson we learned is a lesson we should apply.

I thank the distinguished Senator for his remarks.

Mr. DOMENICI. I am glad to do that.

Mr. President, to all of those on the other side who have spoken eloquently about the Senate rules and the fact that we ought to have free and open debate, I want to say one more time that the simper protests were 27 years ago. When the bill, the Budget Impoundment Act, was adopted, it essentially permitted reconciliation instructions. And if they were given by majority vote of the Senate and the House, then a committee had to adopt that reconciliation instruction. We did that.

If that was too early, we have adopted 15 tax bills under this Budget Act—10 were tax increases; 5 were tax decreases. If 27 years ago was too long ago to raise the objection, we had 15 different budget resolutions that came to the floor that had taxes in them. Some might have objected. But the truth is, the strongest arguments have been made on this particular reconciliation instruction. I believe it is because the powerful want to let the President have a chance to have his taxes voted on—plain, pure, and simple. I think that is going to fail tonight. He is going to get his chance. I think eventually, his tax plan will get taken care of in the Finance Committee and the Ways and Means Committee. Those members will pass the bill out of their committee and it will come to the floor under this Budget Act, which is now 27 years old.

I yield the floor. Whatever time I have remaining, I yield to the majority leader. However, he doesn’t need my time.

The PRESIDING OFFICER. The majority leader.

Mr. LOTT. Mr. President, I yield myself such time as I might need off the leader time for the opportunity to sort of go over what is going to be the process at this point. The chairman and ranking member might want to be prepared to comment or respond.

For the information of all Senators, we are about to start a series of votes, which has been unfortunately referred to correctly as the “vote-arama.” The first of these votes will be in relation to the Domenici amendment regarding reconciliation. Following that vote, we will have votes on the remaining pending amendments in the order in which they have been offered. I believe Senators have access to those amendments in their order and, therefore, will know when they will come up.

I also announce that in order for us to be able to bring this to some conclusion, it is going to be necessary to move forward into the night, and we will shorten the voting period from 15 minutes after the first vote to 10 minutes on the subsequent amendments.

There are approximately, as I understand it, 160 amendments that have been filed. I hope Senators will show restraint, not offer the amendments, and work with the chairman and the manager to identify the amendments we really do want to consider. If we did all of the amendments on the list that are available here tonight, assuming we could do about three votes an hour, we would be here until I guess until 9 o’clock doing nothing but that.

I know the chairman, the manager, and the sponsors will work with them. Maybe they can work through some of those amendments to reduce them. Of course, tomorrow morning we will continue with the so-called vote-arama every 15 minutes to vote on other amendments that would be pending or would be necessary to be voted on, with the idea that we would get conclusion of voting sometime and final passage tomorrow around 2:30.

I know it is going to take a lot of patience to get to that point. But that is our goal. I believe that is the way it is presently lined up. Is that correct?

Mr. REID. Mr. President, will the Senator yield for a question?

Mr. REID. Mr. President, one of the things that would help tremendously and which would help the staff is when we have a 10-minute vote, it should end at 10 minutes. These votes take forever. Members walk off, go back to their offices, or go have dinner, whatever it is. I think if you called the vote to an end at 10 minutes and set an example, some Members would simply miss the votes, but I think we can move this along.

Mr. LOTT. I think we need to do that. We quite often have legitimate requests. Senators are stuck in elevators, are in the area and we can’t find them, or whatever. After the first vote I will remind Senators again, if you will join me and remind them that we need them to stay in the Chamber, we can get through at a more reasonable hour and still be able to complete the list of amendments tomorrow and get to final passage at a reasonable time tomorrow after the vote.

Senator DASCHLE I see just came on the floor. I was just going over the process of how we will proceed tonight and tomorrow.

With that, I believe we are ready to proceed to the first vote.

Mr. DOMENICI. Mr. President, will the distinguished leader yield to me for a couple of observations? I believe both the ranking member and I have agreed on sense-of-the-Senate resolutions that are nongermane, both of us will object to them, which I believe means that they are going to fall. I think that is the rule now if they are not germane. We will make a point of order, which means they will fall. There are a lot of sense-of-the-Senate proposals.

But I would like to yield to my ranking member of the committee for his observations on those kinds of amendments that are pending.

Mr. CONRAD. Mr. President, it should sober us up to understand that if we don’t show some restraint and self-discipline, we face 50 hours of straight voting. That is the harsh reality of what confronts us tonight—50
Mr. CONRAD. I ask unanimous consent to have the record extended.

Ms. REID. Reserving the right to object, I move to reconsider the vote.

The PRESIDING OFFICER. The amendment (No. 345) was agreed to.

Mr. GRAMM. Mr. President, I move to reconsider the vote.

Mr. Reid. Mr. President, I move to reconsider the vote.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

The Senator from Oklahoma is recognized.

Mr. NICKLES. Mr. President, I thank my colleague, the Senator from Nevada, as well as the Senator from North Dakota for their willingness to work with the majority leader and me and others to try to reduce the amount of amendments and the time and try to get through this process as best we can. These vote-aromas are not pretty or very pleasant.

Mr. President, I ask for the regular order with respect to the amendment so that we will vote on the remaining amendments in the order offered and, further, that the next votes in this series be limited to 10 minutes in length.

Mr. REID. Reserving the right to object—how about all votes rather than just the next vote?

Mr. NICKLES. All the votes in this series.
CONGRESSIONAL RECORD—SENATE

The PRESIDING OFFICER. Is there an objection? Without objection, it is so ordered.

Mr. REID. We have some problems we need to work out before the first vote. With everybody’s cooperation, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

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

AMENDMENT NO. 202

Mr. REID. Mr. President, on the Durbin amendment, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. There are 2 minutes equally divided in favor and in opposition to the amendment.

The Senator from Illinois.

Mr. DURBIN. Mr. President, I rise in support of the amendment. This is the economic stimulus amendment that provides an immediate rebate to the taxpayers of America, both income-tax payers and payroll-tax payers, of at least $300 per person, $600 per family. It also provides a permanent rate reduction of the lowest rate from 15 percent to 10 percent. It will cost us $60 billion. It will go into effect immediately. It will help families across America this year.

This also provides that the total tax cut in addition to this will be $745 billion. This has been mischaracterized as a tax increase. We do not have a tax cut in place. We are debating the size of the tax cut.

We think a third of the surplus should go to a tax cut, a third to deficit reduction, and a third to crucial priorities, such as Social Security, Medicare, and investments in education. I urge my colleagues to support the amendment.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I want to correct the record. The pending amendment provides additional tax relief in the year 2002, $31 billion, and in 2003, $11 billion, but it also has over $400 billion in tax increases compared to the resolution before us.

If we adopt this amendment, the net tax cut will boil down to not $1.6 trillion, not $1.1 trillion, which is where we ended up last night, but a total of $746 billion. That means the President gets less than half the tax cut he proposed.

There is a lot of spending. My colleagues on the Democratic side have offered $697 billion in new spending and higher taxes, now $1.3 trillion.

The pending amendment raises taxes $418 billion over and above the tax increase we passed last night, which was $448 billion.

If my colleagues want a tax cut that is less than half of what the President proposed, adopt this amendment. I urge my colleagues to vote no on the underlying amendment.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 202. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 39, nays 61, as follows:

[Rollcall Vote No. 76 Leg.]

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. DOMENICI. Mr. President, we have the concurrence of the distinguished Senator from Tennessee and the ranking member of our committee that we set this amendment aside temporarily. I ask unanimous consent that be the status of the amendment.

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

Mr. DOMENICI. I thank the Chair.

Mr. CONRAD. Mr. President, if I might just say to our colleagues, please understand. We are set up to have 50 straight hours of voting unless people show a little restraint, a little discipline, and a little courtesy towards our colleagues. Please, let’s not get into a circumstance in which we spend the next 50 hours in this Chamber voting every 10 minutes.

The PRESIDING OFFICER. The question is now on the Corzine amendment.

AMENDMENT NO. 346

Mr. DOMENICI. Mr. President, I understand the situation is such that Senator MURKOWSKI wants to offer a second degree. But I understand that we want to handle that as we have handled other second-degree amendments.

Is that correct?

Mr. CONRAD. That is correct.

Mr. DOMENICI. That means they will have an amount of time to debate between amendments. Should be 2 minutes. It was going to be 1. Then we will be able to vote on the two amendments side by side.

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

The clerk will please report the amendment.

The legislative clerk read as follows:

The Senator from Alaska (Mr. MURKOWSKI) proposes an amendment No. 346.

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

(The text of the amendment is printed in today’s Record under “Amendments Submitted.”)

Mr. MURKOWSKI. Mr. President, I believe the fact that none of us have seen the amendment of the Senator from Alaska, that it would be appropriate to give him another minute to explain his amendment, and another minute on the side of the Senator from New Jersey in response. We ask unanimous consent for an additional minute for the Senator from Alaska and an additional minute for the Senator from New Jersey.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. MURKOWSKI. Mr. President, I yield time to the Senator from Texas on the amendment that I have offered.

Mr. GRAMM. Mr. President, the Corzine amendment spends another $6 billion, adding to total spending in a budget which is now already grossly bloated. Our Democrat colleagues in the last 2 days have in the process of adding spending, added $697 billion of new spending in their amendments. That is more than the entire Government has spent in the first 150 years of our great Republic.

If anybody has any doubt as to what the two parties are about, all they have to do is look at this spending orgy.

I urge my colleagues to vote no on the Corzine amendment.

The PRESIDING OFFICER. The Senator from New Jersey is recognized for a minute.

Mr. CORZINE. Mr. President, I yield 1 minute to the distinguished Senator from Nevada.

Mr. REID. Mr. President, in the short time we have had to look at the amendment of the distinguished Senator from Alaska, we recognize that it is quite good. It has $200 million to help fund CARA. It is “CARA-lite,” though.

What the Senator from New Jersey has done is recognize that there have been tremendous cuts in this underlying budget in programs in which we all believe, not the least of which is arsenic in the water and all these things we talked about during the day.

We believe the amendment of the Senator from Alaska is very weak. It is about $50 billion weak. It does nothing to address the real problems this country faces, and it does not reduce the debt.

Mr. MURKOWSKI addressed the Chair.

The PRESIDING OFFICER. All time has expired.

The question is on agreeing to the amendment of the Senator from Alaska.

Mr. DOMENICI. Mr. President, I ask the distinguished ranking member if we could let Senator CORZINE have the first vote.

The PRESIDING OFFICER. Is there objection?

Mr. CONRAD. Mr. President, the amendment of the Senator from Alaska was an amendment in the second degree. Normally that would be the first vote.

Mr. MURKOWSKI. That is correct.

Mr. CONRAD. So the amendment of the Senator from Alaska would normally be considered as the first vote.

Mr. DOMENICI. Senator, that isn’t true. Just a while ago we agreed to a unanimous consent that they would be side-by-side amendments. That is not a second-degree amendment.

Mr. REID. No. No.

Mr. CONRAD. But it is in the form of a side- by-side amendment.

I think we have also in every one of these circumstances but one——

Mr. DOMENICI. I am not going to argue. We are going to vote for Senator
Mr. DOMENICI. I ask for the yeas and nays.

Mr. CONRAD. Might I ask that we take the Senator’s vote on a voice vote? Would the Senator accept a voice vote?

Mr. MURKOWSKI. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. CONRAD. We believe we have an agreement to go to a voice vote on the amendment by the Senator from Alaska.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 346.

The amendment (No. 346) was agreed to.

Mr. DOMENICI. I move to reconsider the vote.

Mr. GRAMM. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 257

The PRESIDING OFFICER. The question is on agreeing to Corzine amendment No. 257.

Mr. REID. Have the yeas and nays been ordered?

Mr. CONRAD. The yeas and nays have not been ordered.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 46, nays 54, as follows:

(Rollcall Vote No. 77 Leg.)

YEAS—46

Akaka
Baucus
Bayh
Biden
Bingaman
Boxer
Byrd
Cantwell
Carnahan
Carper
Clinton
Conrad
Corzine
Daschle
Dayton
Dodd

NAYS—54

Allard
Allen
Bennett
Chafee
Cleland
Cooper
Collins
C roc
DeWine
Domenc i
Ensign
Fitzgerald
Frist
GRASSLEY
Gregg

Hagel
Hatch
Helms
Hitchcock
Hooley
Inhofe
Jeffords
Kerry
Landrieu
Latte
Lugar
McCain
Mccormick
Miller
Mikulski

Nickles
Roberts
Santerum
Sessions
Shelby
Smith (NH)
Smith (OR)
Snow
Specter
Stevens
Thomas
Thompson
Thurmond
Voinovich
Warner

MURKOWSKI’s first. I hope they vote for it because the alternative is going to be the Corzine amendment. I yield the floor.

The PRESIDING OFFICER. The time has expired.

Mr. DOMENICI. I ask for the yeas and nays.

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

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

Mr. CONRAD. We believe we have an agreement to go to a voice vote on the amendment by the Senator from Alaska.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 346.

The amendment (No. 346) was agreed to.

Mr. DOMENICI. I move to reconsider the vote.

Mr. GRAMM. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 211

The PRESIDING OFFICER. There are 2 minutes now on the Bond amendment.

Mr. DOMENICI. Mr. President, I suggest that as to the Bond amendment, which is going to be discussed, and the Dodd-Collins amendment which follows, we accept those two amendments. They are bipartisan. I am willing to accept them, and we won’t have to have votes. That means the next vote will be on the Voinovich amendment, which is an appeal.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, we are willing to accept those mentioned amendments as well, the Bond-Mikulski amendment and the Dodd-Collins amendment.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, this amendment, cosponsored by Senators MIKULSKI, LIEBERMAN, ALLEN, BINGA-LAN, and DOMENICI, adds a very important $1.4 billion to function 250, the general science function.

Basic science research in this country is suffering because we have not adequately funded the National Science Foundation in recent years. The funding in this function leverages the research done in NIH and other areas. We believe it is extremely important. We expect that we are on a path for doubling the NSF budget in 5 years. This will put us back on the path.

I yield to my colleague from Maryland.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, the United States of America every year wins Nobel Prizes. We want to be sure that every year we win the global markets, as well as the Nobel Prizes. By doubling the National Science Foundation by increasing funding for NASA and increasing funding for the Department of Energy, we are making public investments in great core science and engineering laboratories.

This is where we create the new ideas that lead to new products as well as educate the next generation of Sally Rides, of other great scientists, the Dr. Varmus as who go on and lead our Nation. If we don’t increase the funding for the National Science Foundation, we are not going to have the mathematicians, the physicists, and the engineers we need.

We are the greatest country in the world because we are willing to take risks. We are the greatest country in the world because we are inventors and we are discoverers. Why don’t we put our public money where our national values are? Let’s pass the Bond-Mikulski amendment and take America right into the 21st century.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I want to proceed with the first of those amendments, the Bond amendment No. 211.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 211.

The amendment (No. 211) was agreed to.

Mr. DOMENICI. Mr. President, I move to reconsider the vote.

Ms. MIKULSKI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 322, AS MODIFIED

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. DODD. Mr. President, on behalf of myself and the Senator from Maine, we offer this amendment which restores some funding that is being cut for children’s hospitals, as well as for the child care development block grant and the child abuse prevention programs. These moneys total around $270 million, which gets us back to the level of funding for this year. It is not beyond that at all. It just brings these numbers up to the present year level.

I thank my colleague from Maine, who has worked tirelessly over the years on this issue.

I urge my colleagues’ support. I thank the chairman of the Budget Committee for his support, as well as my own ranking Democrat on the Budget Committee.

Mr. DOMENICI. Mr. President, we are prepared to vote.

The PRESIDING OFFICER (Mr. THOMAS). The question is on agreeing to the amendment.

The amendment (No. 322), as modified, was agreed to.

Mr. DOMENICI. Mr. President, I move to reconsider the vote.

Mr. DODD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 288

Mr. DOMENICI. The next amendment is Senator Voinovich’s appeal of the ruling of the Chair.
I yield the floor.

Mr. VOINOVICH. Mr. President, I am offering this amendment with my colleague Senator FEINGOLD, Chambliss, and DOMENICI. This amendment we are offering helps to refine the procedures in the budget process that are designed to control spending. It is clear from the egregious levels of spending in the past couple of years that the existing process needs reinforcement. That is what this amendment does.

Our amendment is designed to tighten the enforcement of existing spending controls. To do this, we create an explicit point of order against the emergency spending that doesn’t meet the definition for emergency spending as laid out by OMB.

The amendment also closes budget loopholes by creating a point of order against actions that raise the discretionary spending caps; creating a point of order against efforts to waive sequesters, which is a budget enforcement mechanism; and last, creating a point of order against directed scoring—in essence, telling OMB and CBO how to treat spending that others use in order to dodge spending limits. Any waiver of these measures will require 60 votes. I urge my colleagues’ support. It will guarantee that the budget process is more transparent.

I ask unanimous consent that Senators DOMENICI and GRAMM be added as cosponsors.

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

Mr. CONRAD. Mr. President, this is a nongermane amendment. As a result, this is subject to a 60-vote point of order. This amendment has some parts that are good, but, unfortunately, it also contains a fatal flaw. It would establish a 60-vote point of order against all emergency designations, both defense and nondefense. I don’t think we want to set a precedent here that we require supermajority points of order to respond to a defense emergency or a natural disaster emergency.

I urge colleagues to defeat the amendment.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I say to the Senate we thank you very much for the way things are going. We very much appreciate your attention. We haven’t had much disturbance or much talking on the floor. For that, I thank each Senator on both sides of the aisle. We thank you very much for your cooperation.

The PRESIDING OFFICER. The question is on agreeing to the motion to table.

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

The yeas and nays resulted—yeas 54, nays 46, as follows:

[Rollcall Vote No. 78 Leg.]

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The PRESIDING OFFICER (Mr. ALLEN). On this vote, the yeas are 54, the nays are 46. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained and the amendment falls.

Mr. CONRAD. Mr. President, I move to reconsider the vote.

Mr. DOMENICI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, we laid aside the amendment of the distinguished Senator from Tennessee, Mr. Frist. He will accept a voice vote. If we can proceed to that now, he will not ask for a rollcall.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID, Mr. President, I want to publicly apologize to my friend from Tennessee for raising my voice to him and the rest of the Senate. I recognize being unreasonable is not only on one side of the aisle. I apologize to the Senator.

AMENDMENT NO. 215

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. FRIST. Mr. President, it is time for the world to wake up. We are confronted today with the worst international health crisis in history. The international scourge of HIV/AIDS; 8,000 people died today, 15,000 new infections today.

In Africa, the life expectancy in more than a handful of the countries has been cut in half.

Currently, the United States spends about $500 million annually. Our amendment increases that by $200 million next year, ultimately doubling our commitment.

The goal is simple: Reduce the devastation of the most significant moral, humanitarian, and developmental challenges of our time.

Mr. KERRY. Mr. President, a year ago we joined together in the Senate with Senator HELMS as leader, and others in the Foreign Affairs Committee, to make a major effort with respect to the international AIDS program. President Bush and his security team the other day joined what President Clinton and his security team had found, which is that this is an international security issue. It is a national security issue for the United States. I hope all of our colleagues will join together in restoring this critical funding that will deal with prevention, care, and treatment across the globe.

The PRESIDING OFFICER. Without objection, the yeas and nays are vitiated.

The question is on agreeing to the amendment of the Senator from Tennessee.

The amendment (No. 215) was agreed to.

Mr. SANTORUM. I move to reconsider the vote by which the amendment was agreed to.

Mr. DOMENICI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 225

Mr. DOMENICI. I understand the next amendment is amendment No. 225 offered by the distinguished Senator HOLLINGS. We have a second-degree amendment we will offer, but we would like to treat them side by side as we have other amendments. Senator HUTCHISON of Texas will offer it.

I yield the floor.

Mr. HOLLINGS. I didn’t know about the second degree. I thought there would not be a second-degree amendment.

Mr. DOMENICI. It is a simple amendment. It is an amendment about which the Senator feels strongly.

Mr. HOLLINGS. I think the real point here is to send a message to the marketplace, the consumers, and to the people of this country that we feel their pain. As the old expression goes around this town, we know that we need an immediate stimulus to the economy to stop this downturn. This is divorced entirely from the tax cut, divorced entirely from budgets for 10-year considerations. It is a 1-year immediate repayment to the 95 million income-tax payers and another $500 to the 25 million payroll-tax payers who do not pay income tax for a total of $120 million, as recommended by Harvard Business School, Lester Thurow, the Concord Coalition, Business Week, former Secretary of the Treasury Bob Rubin, the Economic Policy Institute, and others.
CONGRESSIONAL RECORD—SENATE  April 5, 2001

Mr. CONRAD. The Senator had 1 minute.

Mr. DOMENICI. Will the Chair explain this to Senators?

Mrs. HUTCHISON. Mr. President, I ask for 30 seconds to respond to the Senator from North Dakota.

The PRESIDING OFFICER. The Senator from Texas spoke for 1 minute in opposition to the Hollings amendment. She is allowed 1 minute to speak in favor of her own amendment.

Mrs. HUTCHISON. Mr. President, I respectfully disagree with the numbers that my colleague from North Dakota has given. We did not raid the Medicare trust fund when we had $1.6 billion in revenue reductions for the period of fiscal years 2002 through 2011.

Mrs. HUTCHISON. It would add $69 billion to assure that there is a marriage penalty elimination for this country. We have said we want to eliminate it. Now is the time to do it. We want to add the amount we believe it will cost to fully eliminate the marriage penalty in this country.

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

Mr. CONRAD. Mr. President, I ask unanimous consent that the order for the question on the amendment from Texas be rescinded.

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

Mr. CONRAD. Mr. President, I rise in opposition to the amendment of the Senator from Texas because after doing an analysis of the amendments previously agreed to and passed, it is very clear that this amendment will raid the Medicare trust funds. We can’t accept an amendment that would do that. I am asking colleagues to oppose this amendment because it raids the Medicare trust fund in the years 2004, 2005, 2006, 2007, 2008, and 2009.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CONRAD. Parliamentary inquiry: On whose time is the Senator from Texas proceeding?

The PRESIDING OFFICER. There are 2 minutes allotted before each vote. Mr. CONRAD. The Senator from Texas already spoke.

Mr. DOMENICI. Would the Senator like another minute?

Mrs. HUTCHISON. I don’t think we exhausted the time. I spoke, but I did not speak for 2 minutes.

Mr. CONRAD. The Senator had 1 minute.

Mr. DOMENICI. Will the Chair explain this to Senators?

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

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The PRESIDING OFFICER. The Senator from Texas.

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Mr. DOMENICI. Would the Senator like another minute?

Mrs. HUTCHISON. I don’t think we exhausted the time. I spoke, but I did not speak for 2 minutes.
The motion to lay on the table was agreed to.

The PRESIDING OFFICER (Mr. ENSIGN). The Senator from New Mexico.

Mr. DOMENICI. Mr. President, may I just inform Senators where we are. People would like to go home this evening. The next amendment is that of Senator ALLEN from Virginia. We have a minute; whoever opposes him has a minute. The next amendment will be Senator WELSTONE with reference to veterans spending, and we have a second-degree amendment to that. They will be voted side by side. If we can get those finished, that is all we have lined up by way of votes.

We have an amendment on vote-arama and streamlining the process so we won’t get into these problems next year.

We should proceed with the votes we have: Senator ALLEN, to be followed by WELSTONE and a second degree.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I want to indicate to our colleagues and to the manager of the bill that there will be a second-degree amendment to Senator ALLEN’s amendment as well, so everybody is on notice with respect to how that amendment will be treated.

AMENDMENT NO. 21

The PRESIDING OFFICER. The Senator from Virginia has 1 minute.

Mr. ALLEN. Mr. President, on behalf of Senators BROWNBACK, HUTCHISON, CRAIG, WARNER, and myself, the tax cut accelerator ensures that unexpected on-budget surpluses are used to accelerate tax cuts rather than accelerate more Government spending. The tax relief accelerator provides a tax relief insurance policy so that the Federal Government will fulfill its promise to return excess tax collections to the taxpayers. The tax cut accelerator does not touch Social Security or Medicare. It does not threaten funding for current programs. It allows us to set priorities in education, national defense, and scientific research.

It does hold the Government accountable to the American people, setting priorities, determining the amount and type of tax relief, taking action, and justifying our decisions to the American people.

I respectfully ask my colleagues to please say yes to the taxpayers of America and improve our economic vitality.

The PRESIDING OFFICER. The Senator’s time has expired. The Senator from North Dakota.

Mr. CONRAD. Mr. President, this amendment is a nongermane amendment. It is subject to a 60-vote point of order. We have brought that order under the Budget Act. I hope my colleagues will support that point of order.

This would require fully expedited procedures beyond even what reconciliatory provisions provide. I hope our colleagues will reject this amendment on a point of order.

The PRESIDING OFFICER. The question is on agreeing to the motion to waive. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER. The yeas and nays resulted—yeas 45, nays 55, as follows:

YEAS—45

Allard—Frist—Miller

Allen—Gramm—Markowski

Bennett—Grasso—Nickles

Bond—Gregg—Sessions

Brownback—Hagel—Roberts

Baucus—Hatfield—Santorum

Burns—Helms—Sessions

Campbell—Hutchison—Shelby

Cochran—Hutchison—Smith (MI)

Craig—Inhofe—Smith (OK)

Crapo—Kyl—Thomas

Domenici—Leahy—Thompson

Ensign—Lugar—Thurmond

Roth—McCain—Voinovich

Fitzgerald—McConnell—Warner

NAYS—55

Akaka—DeWine—Lieberman

Baucus—Dodd—Lincoln

Bayh—Dorgan—Mikulski

Biden—Durbin—Murkowski

Bingaman—Edwards—Nelson (FL)

Boxer—Feinstein—Reed

Breaux—Feingold—Reed

Byrd—Graham—Rockefeller

Cantwell—Harkin—Sarbanes

Carnahan—Holmes—Schumer

Carper—Inouye—Snowe

Chafee—Jeffords—Specter

Cleland—Johnson—Speier

Clinton—Kennedy—Stabenow

Collins—Kerry—Stevens

Conrad—Kohl—Terrelli

Corzine—Landrieu—Wellstone

Dayton—Leahy—Wyden

The PRESIDING OFFICER. On this vote, the yeas are 45, the nays are 55.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained, and the amendment fails.

Mr. CONRAD. I move to reconsider the vote.

Mr. BROWNBACK. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent the order for the quorum call be dispensed with.

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

Mr. LOTT. Mr. President, we have been consulting on both sides of the aisle as to how to complete action tonight and how we will begin in the morning. I think everybody understands the best way to proceed at this point. I ask consent the Wellstone amendment be laid aside and the Senator from Louisiana be recognized to offer a first-degree amendment; that it be laid aside and the Senator from Maine, Mr. COLLINS, offer a first-degree amendment; that no amendments be in order to these amendments prior to the votes, and votes occur in relation to these amendments, also in a stacked sequence, first in relation to the Brunau amendment and then in relation to the Collins amendment.

I further ask consent the first vote tomorrow morning occur in relation to the Wellstone amendment beginning at 9:30.

The PRESIDING OFFICER. Is there objection?

Mr. WELSTONE. I object.

Mr. LOTT. To clarify that, on the two I just outlined, the Collins and the Brunau amendments, those votes would occur tonight. Then tomorrow, of course, we would have the Wellstone amendment which would have the parallel second-degree amendment to it also.

The PRESIDING OFFICER. Did the Senator from Minnesota object?

Mr. WELSTONE. Mr. President, I object for right now. I want to try to understand a little bit further how we are proceeding.

The PRESIDING OFFICER. Objection is heard.

Mr. DASCHLE. Mr. President, I suggest the absence of a quorum.
The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the Senator from Louisiana.

Mr. WELLSSTONE. Mr. President, I ask unanimous consent the order for the quorum call be dispensed with.

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

Mr. WELLSSTONE. Mr. President, I do not object.

Mr. LOTT. I renew my request, Mr. President.

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

Mr. LOTT. I believe we are ready to proceed, then, with the two amendments. Of course, they would be 10-minute votes with a brief explanation of the two amendments, a minute each. I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

AMENDMENT NO. 348
Mr. BREAUX. Mr. President, I have an amendment at the desk. I ask it be reported.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows: The Senator from Louisiana [Mr. BREAUX], for himself and Mr. JEFFORDS, proposes an amendment numbered 348.

Mr. BREAUX. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To increase funding for IDEA amendment)

At the appropriate place add:

SEC. 2. Notwithstanding any other provision of this resolution, the spending aggregates, functional totals, allocations, and other levels in this resolution shall be adjusted to reflect an additional $70 billion in budget authority and outlays for function 500 for fiscal years 2002 through 2011, and a reduction of $70 billion in revenue reductions (and an increase of $70 billion in total revenues) for the period of fiscal years 2002 through 2011.

Ms. COLLINS. Mr. President, first let me make clear that the amendment I am offering does not change the amendment offered by the distinguished Senator from Louisiana. What it would do instead is add to the tax cut $70 billion in order to cover the following: A tax credit for small businesses to help them purchase health insurance for their employees and to provide for the deductibility of health insurance for the self-employed and those who don’t receive health insurance from their employers and for long-term care.

At the appropriate place, insert:

SEC. 2. Notwithstanding any other provision of this resolution, the revenue levels and other aggregates in this resolution shall be adjusted to reflect an additional $70 billion in revenue reductions for the period of fiscal years 2002 through 2011.

Ms. COLLINS. Mr. President, first let me make clear that the amendment I am offering does not change the amendment offered by the distinguished Senator from Louisiana. What it would do instead is add to the tax cut $70 billion in order to cover the following: A tax credit for small businesses to help them purchase health insurance for their employees and to provide for the deductibility of health insurance for the self-employed and those who don’t receive health insurance from their employers and for long-term care.

This is based on legislation that the Senator from Louisiana—the other Senator from Louisiana, Ms. LANDRIEU—and I recently introduced to address the problem of small businesses having a difficult time in affording health insurance for their employees. It would provide for full deductibility of health insurance for the self-employed, an issue that I know is something the Senate from Illinois, Mr. DURBIN, and the Senator from Missouri, Mr. BOND, have worked on. And it would provide for long-term care insurance above the line deduction to help people and encourage them to purchase long-term care insurance.

The combined total of those provisions would be approximately $70 billion over the next 10 years. That would bring the total tax cut to approximately $1.3 trillion.

I reserve the remainder of my time.

Mr. BREAUX. Mr. President, how much time is left in opposition to the amendment of the Senator from Maine?
The result was announced—yeas 54, nays 46, as follows: [Roll Call Vote No. 82 Leg.]

YEAS—54

Akaka  Dayton  Levin  Carnahan  Pease  Finkenauer
Baucus  Dodd  Lincoln  Carper  Graham  Mikulski
Bayh  Dorgan  Hobbs  Chafee  Hollings  Murray
Begala  Durbin  Inouye  Conrad  Johnson  Reed
Bingaman  Edwards  Johnson  Corzine  Kennedy  Rockefeller
Boxer  Feingold  Murray  Daschle  Kennedy  Rockefeller
Breaux  Feinstein  Nunn  (FL)  Dayton  Kerry  Sarbanes
Brown  Feingold  Nunn (NC)  Biden  Kohl  Schumer
Brownback  Dorgan  Nunn (ND)  Durbin  Lugar  Stemwedel
Bennett  Edwards  Nunn (RI)  Edwards  Leahy  Torricelli
Allard  Enzi  Nunn (GA)  Enzi  Levin  Wyden

NAYS—46

Allard  Pirtle  Nickles  Carper  Graham  Roberts
Allen  Gramm  Roberts  Carper  Grassley  Santorum
Bennett  Grassley  Santorum  Bond  Gregg  Sessions
Brownback  Hagel  Shelby  Brown  Hatch  Smith (NM)
Bunning  Harkin  Smith (RI)  Burns  Hutto  Smith (OR)
Campbell  Hutchinson  Specter  Craig  Inhofe  Stevens
Craig  Inhofe  Thomas  Crapo  Kyl  Thompson
DeWine  Lott  Thompson  Domenici  Lugar  Thurmond
Ensign  McConnell  Voinovich  Ensign  Miller  Warner
Fitzgerald  Murkowski 

The amendment (No. 349) was agreed to.

Mr. CONRAD. I move to reconsider the vote.

Mr. DASCHLE. I move to lay that motion on the table.

The amendment to the table was agreed to.

AMENDMENT NO. 349

The PRESIDING OFFICER. The question is agreeing to the amendments. Mr. GRAMM, I ask for the yeas and nays.

Mr. GRAMM. For the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second. The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 49, nays 51, as follows: [Roll Call Vote No. 83 Leg.]

YEAS—49

Allard  Pirtle  Nickles  Allard  Gramm  Roberts
Allen  Gramm  Roberts  Bennett  Grassley  Santorum
Bond  Gregg  Sessions  Brownback  Hagel  Shelby
Bunning  Hatch  Smith (NM)  Burns  Hutto  Smith (OR)
Campbell  Hutchinson  Specter  Craig  Inhofe  Stevens
Craig  Inhofe  Thomas  Crapo  Kyl  Thompson
DeWine  Lott  Thompson  Domenici  Lugar  Thurmond
Ensign  McConnell  Voinovich  Ensign  Miller  Warner
Fitzgerald  Murkowski  

NAYS—51

Akaka  Breaux  Byrd  Bayh  Boozman  Cantwell
Baucus  Bingaman  Byrd  Bayh  Boozman  Cantwell

CARNICER

The amendment (No. 349) was rejected.

Mr. REID. Mr. President, I move to reconsider the vote.

Mr. DASCHLE. I move to lay that motion on the table.

The amendment to the table was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. DOMENICI. Mr. President, we are working on a UC. We are going to try not to delay the Senate. We have four amendments that have been approved on both sides. I may call them up and ask that they be adopted en bloc.

Mr. CONRAD. What is the chairman’s intention about how we proceed? Does the Senator want to do them one at a time?

AMENDMENT NO. 289

Mr. DOMENICI. Mr. President, we will just do these one at a time. I will call up 208.

I send the amendment to the desk.

The motion to lay on the table was agreed to.

AMENDMENT NO. 289

The PRESIDING OFFICER. The amendment (No. 289) was agreed to.

Mr. CONRAD. I move to reconsider the vote.

Mr. DASCHLE. I move to lay that motion on the table.

The amendment to the table was agreed to.

AMENDMENT NO. 289

The PRESIDING OFFICER. The amendment (No. 289) was agreed to.

Mr. CONRAD. I move to reconsider the vote.

Mr. DASCHLE. I move to lay that motion on the table.

The amendment to the table was agreed to.

AMENDMENT NO. 289

The PRESIDING OFFICER. The amendment (No. 289) was agreed to.

Mr. CONRAD. I move to reconsider the vote.

Mr. DASCHLE. I move to lay that motion on the table.

The amendment to the table was agreed to.

AMENDMENT NO. 289

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Mr. CONRAD. What is the chairman’s intention about how we proceed? Does the Senator want to do them one at a time?

(Purpose: To foster greater debate of amendments.)

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Mr. DASCHLE. I move to lay that motion on the table.

The amendment to the table was agreed to.

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(Concealed.)

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Mr. CONRAD. What is the chairman’s intention about how we proceed? Does the Senator want to do them one at a time?
CONGRESSIONAL RECORD—SENATE
April 5, 2001

The Senator from New Mexico [Mr. DOMENICI], for Mr. Reid of Nevada and Mr. HUTCHINSON, Mr. WARNER, Mr. LEAHY, Mr. JOHNSON, Ms. COLLINS, and Mr. LEVIN, proposes an amendment numbered 256.

Mr. DOMENICI. I ask unanimous consent to dispense with the reading of the amendment.

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

The amendment is as follows:

(Purpose: To establish a reserve fund for the Family Opportunity Act.)

At the appropriate place, insert the following:

SEC. 7. RESERVE FUND FOR FAMILY OPPORTUNITY ACT.

If the Committee on Finance of the Senate reports a bill or joint resolution, or if an amendment is offered, or a conference report is submitted which provides States with the opportunity to expand Medicaid coverage for children with special needs allowing families of disabled children with the opportunity to purchase coverage under the Medicaid program for such children (commonly referred to as the Family Opportunity Act of 2001’), the Chairman of the Committee on the Budget of the Senate may revise committee allocations for the Committee on Finance and other Appropriations Committees for the corresponding period of fiscal years 2002 through 2011, subject to the condition that such legislation will not, when taken together with all other previously-enacted legislation, reduce the on-budget surplus below the level of the Medicare Hospital Insurance Trust Fund surplus in any fiscal year covered by this resolution.

Mr. DOMENICI. It is acceptable on our side.

The PRESIDING OFFICER. Is there objection?

Mr. CONRAD. No objection.

The PRESIDING OFFICER. The amendment is agreed to.

The PRESIDING OFFICER. The amendment (No. 256) was agreed to.

MORNING BUSINESS

Mr. DOMENICI. Mr. President, I ask unanimous consent that there now be a period for morning business, with Senators permitted to speak up to 10 minutes each.

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

INTERNATIONAL ROMA DAY

Mr. CAMPBELL. Mr. President, in my capacity as chairman of the Helsinki Commission, I take this opportunity to let my colleagues know that on Sunday, April 8, Roma from around the world will commemorate the 30th anniversary of the inaugural meeting of World Romani Congress. In countries across Europe as well as in North America, Roma will gather together to demonstrate solidarity with each other and to draw attention to the human rights violations they continue to face. Roma are a dispersed minority, present in virtually every country in

committed to doing. Most of us think we are going to have to do it in any event. This makes it clear that we have the money to do that.

Mr. CONRAD. Mr. President, we are willing to accept this amendment.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 229) was agreed to.

Mr. DOMENICI. Mr. President, I move to reconsider the vote.

Mr. CONRAD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 210

Mr. CONRAD. Mr. President, we have cleared for another amendment on the list, No. 210, the Bond amendment.

Mr. DOMENICI. Mr. President, we have been willing to do that. Senator Bond has graciously told us he would not insist on a roll call vote. He said that to us an hour ago.

I send the amendment to the desk.

The PRESIDING OFFICER. The amendment clerk read as follows:

The amendment reads as follows:

(Purpose: To provide funds for consolidated health centers under section 330 of the Public Health Service Act and for children’s hospitals graduate medical education programs under section 340E of such Act.)

On page 28, line 23, increase the amount by $136,000,000.

On page 28, line 24, increase the amount by $136,000,000.

On page 43, line 15, decrease the amount by $136,000,000.

On page 43, line 16, decrease the amount by $136,000,000.

On page 48, line 8, increase the amount by $136,000,000.

On page 48, line 9, increase the amount by $136,000,000.

At the appropriate place, insert the following:

SEC. 2. SENSE OF THE SENATE ON CONSOLIDATED HEALTH CENTERS.—It is the sense of the Senate that appropriations for consolidated health centers under section 330 of the Public Health Service Act (42 U.S.C. 254b) should be increased by 100 percent over the next 5 fiscal years in order to double the number of individuals who receive health services at community, migrant, homeless, and public housing health centers.

Mr. DOMENICI. Mr. President, we accept the amendment.

Mr. CONRAD. We have no objection.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 210) was agreed to.

AMENDMENT NO. 256

Mr. CONRAD. Mr. President, we have good news. We have another amendment on which we have agreement, and that is amendment No. 237. We just received clearance on amendment No. 237, the Grassley-Kennedy amendment.

Mr. DOMENICI. It is OK on our side.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI], for Mr. GRASSLEY, for himself and Mr. KENNEDY, proposes an amendment numbered 237.

The amendment is as follows:

(Purpose: To establish a reserve fund for the Family Opportunity Act)

At the appropriate place, insert the following:

SEC. 2. RESERVE FUND FOR FAMILY OPPORTUNITY ACT.

If the Committee on Finance of the Senate reports a bill or joint resolution, or if an amendment is offered, or a conference report is submitted which provides States with the opportunity to expand Medicaid coverage for children with special needs allowing families of disabled children with the opportunity to purchase coverage under the Medicaid program for such children (commonly referred to as the Family Opportunity Act of 2001’), the Chairman of the Committee on the Budget of the Senate may revise committee allocations for the Committee on Finance and other Appropriations Committees for the corresponding period of fiscal years 2002 through 2011, subject to the condition that such legislation will not, when taken together with all other previously-enacted legislation, reduce the on-budget surplus below the level of the Medicare Hospital Insurance Trust Fund surplus in any fiscal year covered by this resolution.

Mr. DOMENICI. It is acceptable on our side.

The PRESIDING OFFICER. Is there objection?

Mr. CONRAD. No objection.

The PRESIDING OFFICER. The amendment is agreed to.

The amendment (No. 237) was agreed to.

Mr. DOMENICI. Mr. President, I move to reconsider the vote.

Mr. CONRAD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The motion to call up amendment No. 256, the Reid-Hutchinson amendment.

The PRESIDING OFFICER. The motion to lay on the table was agreed to.

Mr. DOMENICI. We call up amendment No. 256.

Mr. CONRAD. We have no objection.

The PRESIDING OFFICER. The amendment is agreed to.

The amendment (No. 256) was agreed to.

Mr. DOMENICI. Mr. President, I ask unanimous consent that there now be a period for morning business, with Senators permitted to speak up to 10 minutes each.

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

S E C. 2 RESERVE FUND FOR FAMILY OPPORTUNITY ACT.

If the Committee on Finance of the Senate reports a bill or joint resolution, or if an amendment is offered, or a conference report is submitted which provides States with the opportunity to expand Medicaid coverage for children with special needs allowing families of disabled children with the opportunity to purchase coverage under the Medicaid program for such children (commonly referred to as the Family Opportunity Act of 2001’), the Chairman of the Committee on the Budget of the Senate may revise committee allocations for the Committee on Finance and other Appropriations Committees for the corresponding period of fiscal years 2002 through 2011, subject to the condition that such legislation will not, when taken together with all other previously-enacted legislation, reduce the on-budget surplus below the level of the Medicare Hospital Insurance Trust Fund surplus in any fiscal year covered by this resolution.

Mr. DOMENICI. It is acceptable on our side.

The PRESIDING OFFICER. Is there objection?

Mr. CONRAD. No objection.

The PRESIDING OFFICER. The amendment is agreed to.

The amendment (No. 237) was agreed to.

Mr. DOMENICI. Mr. President, I move to reconsider the vote.

Mr. CONRAD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

VITIATION OF ACTION ON AMENDMENT NO. 257

Mr. DOMENICI. I ask unanimous consent that we vitiate the adoption of the amendment numbered 237 because it has technical problems we have to work out. We will work them out over night.

The PRESIDING OFFICER. Without objection, the amendment is so ordered.

AMENDMENT NO. 257

Mr. CONRAD. We have now cleared on this side amendment 256, the Reid-Hutchinson amendment.

Mr. DOMENICI. We call up amendment No. 256, Reid-Hutchinson.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

Mr. CONRAD. Mr. President, we are willing to accept this amendment.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 256) was agreed to.

Mr. DOMENICI. Mr. President, I move to reconsider the vote.

Mr. CONRAD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The motion to call up amendment No. 256, the Reid-Hutchinson amendment.

The PRESIDING OFFICER. The motion to lay on the table was agreed to.

Mr. DOMENICI. We call up amendment No. 256.

Mr. CONRAD. We have no objection.

The PRESIDING OFFICER. The amendment is agreed to.

The amendment (No. 256) was agreed to.

MORNING BUSINESS

Mr. DOMENICI. Mr. President, I ask unanimous consent that there now be a period for morning business, with Senators permitted to speak up to 10 minutes each.

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

INTERNATIONAL ROMA DAY

Mr. CAMPBELL. Mr. President, in my capacity as chairman of the Helsinki Commission, I take this opportunity to let my colleagues know that on Sunday, April 8, Roma from around the world will commemorate the 30th anniversary of the inaugural meeting of World Romani Congress. In countries across Europe as well as in North America, Roma will gather together to demonstrate solidarity with each other and to draw attention to the human rights violations they continue to face. Roma are a dispersed minority, present in virtually every country in...