I remember the debate on the Elementary and Secondary Education Act. We have had that debate. I regret that it did not result in the passing of the act, but one of the reasons it did not result in the passing of the act was because of blocking efforts on the part of the Democrats to a Republican proposal that would have given States, on an experimental basis, the opportunity to try something new. There was no dictating in the position of the Senator from Washington, Mr. GORTON, that said States have to try this. His amendment said if a State thinks the present system is wonderful, the State can continue to receive money with the present system. They can continue to accept those 60 percent of the strings. They can continue to do exactly what they are doing.

What if a State does not want to do it quite that way? What if a State wants to experiment in a very tentative fashion with something new? Let's give them the opportunity to try it. The senior Senator from Massachusetts was one of the first to take the floor and roar that we must not allow that kind of experimentation. We must not allow anyone to try anything different.

Look at the States that are making progress. And, yes, look at the State of Texas. Look at the progress that has been made among Hispanic students, the progress that has been made among black students—the progress that has been made among minorities generally in the State of Texas. It leads the national average. It is a record of extremely beneficial accomplishment, and it is taking place in the early grades where it needs to take place because if you wait until the time they get to the SAT scores, it is too late.

If you want to look at SAT scores, you are looking at high school students, and the high school students in Texas were cheated by the administrations in Texas that were there prior to the time Governor Bush took over. It is in the lower grades where they are seeing the fruits of the activities in Texas where they are trusting people, trusting the locals, giving the opportunities that need to be given to those who need education the most.

The white middle-class suburban kids do pretty well in this country in almost every State in which they live. The real educational crisis is among the minorities. The real educational crisis is among those people who live in the inner cities and do not have the opportunities that come to the white middle-class suburban kids. Let's be honest and straightforward about that.

It is very interesting. Who has led the fight, which seems to upset the senior Senator from Massachusetts more than any other, for experimentation with vouchers? It has been Polly Williams, an inner-city representative of a minority, a black member of the State legislature. She comes from Milwaukee, and she has led the fight not for the rich, not for the upper 1 percent, not for the other groups that have been demonized in this political campaign. She has led the fight for poor inner-city kids. She has won the fight, and the fight in Milwaukee is over. If you run for an educational position in Milwaukee now, you better be for vouchers because the public has seen it and has embraced it, and it is now the strong majority position.

It comes down to this fundamental question when we talk about money: Do you want to fund the individual or do you want to fund the system? We say let's fund the individual and let the individual take the money wherever he wants to go. They say: Oh, no; that's terrible. He might take it to a—dare we say it?—religious school. He might take the money in such a way that violates the separation of church and State. We can't have that.

In what is considered the most successful social program since the Second World War, we did exactly that. We gave the money to individuals, and we said to them: We don't care what you do with it; just use it to get an education. I am talking, of course, about the GI bill. When we said to the GIs who came home from World War II, ''We are going to give you money to go to school,'' we did not say, ''We are going to pick the institutions that will receive this money and then you go petition for it.'' We just said if they served in the Armed Forces, they have the money under the GI bill of rights. And if they wanted to go to Notre Dame and study to be a Catholic priest, they could do that and nobody was going to claim that was somehow a violation of the separation of church and State.

We said if they want to take the money and go to Oral Roberts University, they could do that. It may well be Oral Roberts University did not exist under the GI bill—I am not sure—but the principle still holds. If they wanted to go to Harvard, if they wanted to go to Wellesley, if they wanted to go to Ohio State University, or if they wanted to go to Baylor or Southern Methodist—they pick the school and the money follows the individual, giving the individual power, and America is the better for it. That is what we are talking about here. The money should go where it will do the individual the most good and not be controlled out of Washington that puts up 6 cents out of every educational dollar and then wants to make 60 percent of every educational decision.

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

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

RECESS

The PRESIDING OFFICER. Under the previous order, the hour of 12:30 p.m. having arrived, the Senate will now stand in recess until the hour of 2:15 p.m.

Thereupon, at 12:29 p.m., the Senate recessed until 2:17 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. VOINOVICH).

The PRESIDING OFFICER. The Senator from Missouri.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT APPROPRIATIONS ACT, 2001—CONFERENCE REPORT

Mr. BOND. Mr. President, I ask unanimous consent that the Senate now begin consideration of the conference report to accompany H.R. 4635, the VA–HUD appropriations bill, notwithstanding the receipt of the papers, and it be considered as having been read and the conference report be considered under the following agreement: 30 minutes under the control of Senator GRAHAM of Florida, 10 minutes equally divided between Senators BOND and MIKULSKI, 20 minutes equally divided between Senators DOMENICI and REID, and 10 minutes equally divided between Senators STEVENS and BYRD. I further ask consent that at the conclusion or yielding back of time, the Senate proceed to vote on adoption of the conference report without any intervening action, motion, or debate.

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

The Senate proceeded to consider the conference report.

(The report was printed in the House proceedings of the RECORD of October 18, 2000.)

Mr. BOND. Mr. President, for the information of all Members, let me point out that at the request of the leadership on both sides of the aisle, we are moving forward and hope to have a vote, certainly no later than 3:30 this afternoon, because we do need to get this measure passed, as well as several others.

I will take just a few minutes of my time now. I am pleased to present to the Senate the conference report to H.R. 4635, the VA–HUD appropriations bill for fiscal year 2001. As I indicated previously, this has been a very unusual year. The conference report represents the compromise agreement reached with Senator MIKULSKI, Congressman WALSH, Congressman MOLLOHAN, and myself, in consultation with the administration.

Certainly it is not a perfect situation. It is not the way I would like to do the bill. I would prefer to proceed

with passage of the VA–HUD appropriations bill in a more customary manner. Nevertheless, with the assistance of the leaders of the committee, and the leadership, we have brought the bill to the floor. I think it is a good and balanced compromise that I believe addresses the concerns of our colleagues, both in the House and the Senate, while striking the right balance in funding programs under the jurisdiction of the VA-HUD appropriations subcommittee.

The conference report totals approximately $105.8 billion, including $24.6 billion in mandatory veterans benefits, some $1 billion over the Senate committee-reported bill and almost $1 billion less than the President's budget request. Outlays are funded at roughly $110.8 billion for the current fiscal year, $540 million over the Senate committee-reported bill.

We did our best to satisfy priorities of Senators who made special requests for high-priority items, such as economic development grants, water infrastructure improvements, and the like. Such requests numbered several thousand, demonstrating the high level of interest and demand for assistance provided in this bill.

We also attempted to address the administration's top concerns, including funding for 79,000 new housing vouchers, as well as record funding for EPA at roughly $7.8 billion.

I am not going to summarize the bill today. We have done that before when the Senate passed the identical bill on October 12. The conference between the House and Senate has now confirmed that legislation.

I think everyone has had an opportunity to review the bill.

I offer my sincerest thanks to my ranking member, Senator MIKULSKI, and her staff for their cooperation and support throughout the process. Particularly, I thank Paul Carliner, Sean Smith, and Alexa Mitrakos from Senator MIKULSKI's staff. I obviously could not have done it without the good leadership and hard work of my team: John Kamarch, Carrie Apostolou, Cheh Kim, and Joe Norrell.

Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time be charged equally to all those allocated time.

The PRESIDING OFFICER. The time will be charged to all sides. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BOND. 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. BOND. Mr. President, I now wish to use time allotted to Senator STEVENS under the agreement just reached. He has agreed to delegate that time to me.

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

IMPROVING EDUCATION

Mr. BOND. Mr. President, I rise to speak on another very important appropriations bill that has been addressed on this floor and is being considered. That is the debate on education in the Labor-HHS bill. We want to see that important bill moved forward, get passed and signed by the President.

It is clear that the two sides of the aisle have very differing views on how we ought to go about improving education. Let us all agree that improving education should be our national priority. We on this side happen to think it is a local and State responsibility, but it is a national priority, the top national priority.

Now, one side of the aisle trusts the Federal Government to make the decisions. The other side of the aisle, our side, trusts the parents and teachers, the school districts, the school board members, to make those decisions. This side of the aisle seems to base its decision on whether we are successful in education on the total dollars spent. Our side would judge success on academic achievement of students. This side of the aisle believes accountability comes in successfully filling out paperwork, jumping through the hoops that Washington lays out for school boards and teachers. Our side believes accountability is based on academic achievement.

Our friends on the other side of the aisle believe that the Olympians on the Hill—Capitol Hill, that is—know what is best for the folks down in the valley. Our side believes that the great ideas, accomplishments, and actions occur on the local level and that the Olympians on the Hill should watch and learn.

My colleagues on the other side of the aisle and the Vice President talk a good game. Let me give you my view on what is going on. First, they have talked about the 100,000 teachers program, the school construction program. They have proposed to set aside billions of dollars for these programs alone and not allow flexibility that we strongly believe should be rested in the hands of the local schools, the parents who are served by them, and their children, and the people who run them.

I support reduced class size. I campaigned for Governor on that basis. I know there are many school districts around the country that need new school buildings. However, as one of my colleagues on the other side of the aisle said, I want to do the right thing. I agree with that. I know our children and parents and schools are counting on us, in my view, to get out of the way and let them do the job they are not only hired to do but they are dedicated to do.

We saw in the first debate what happens when Washington tries to make decisions for what is best in local schools. Vice President GORE told a terrible tale about this young girl who had to stand up in class. After the debate, we found out that she had to stand up or she had to have a chair brought in for 1 day because they had $100,000 worth of new computers. The school superintendent said that getting a place for her to sit was not really the problem. I understand he mentioned something about school lunches in another school district, and very quickly some of the folks from that school district said that is not the problem at all. That is not to say—and I am not saying here—that the Vice President didn't hear real concerns, that he made them up.

I am just saying: How are we here in Washington, how is the Federal bureaucracy, how is the Department of Education, and how are those of us who are sitting here in this room trying to make decisions for local schools all across the country supposed to know what the problems are in the Sarasota School or the Callaway County R–6 school in Missouri or a school district in California or a school district in Washington or a school district in Maine?

There is a lot of talk about 100,000 new teachers. That proposal sounds good. It is a great slogan to use when you are trying to gain national headlines. But when you look at the formula, trying to find out whether it works, it doesn't work.

I traveled around to school districts and talked to school boards and teachers and administrators. Let me tell you how that formula works in Missouri. The Gilliam C–4 School District would get $384; the Holliday C–2 School District would get $608; the Pleasant View R-VI School District would get $846.

I first heard about this problem from a small school district when someone in that room said: We would get enough money for 11 percent of a teacher. One other person in the room said: We would get enough money for 17 percent of a teacher. They haven't quite figured out how to use 11 percent of a teacher or 17 percent of a teacher or how to spend $846 on a teacher.

Over 175 school districts in the State of Missouri would receive less than $10,000 under this program. Surely you don't think they are going to be able to hire a teacher to reach that 100,000 new teacher goal for less than $10,000.

Many of the schools have already addressed classroom size at the expense of other things.

Yet my colleagues on the other side of the aisle oppose giving them the flexibility to utilize these resources in another manner which may suit their needs but which doesn't fall into the dictates of the one-size-fits-all solution that Washington is being pushed to propose by the administration and by my colleagues on the other side of the aisle.

They are saying that we are not providing the school the resources to do what they need to do because Washington is trying to tell them what their priorities should be without knowing why that girl had to stand up or sit on a stool brought in for that one classroom.

Our colleagues on the other side of the aisle and Vice President GORE advocate taking billions of dollars off the

table for thousands of schools across the country. To me, the issue is simple. We must give our States and localities the flexibility to use the resources to improve our public education system and to make decisions at the local level.

UNANIMOUS CONSENT AGREEMENT

Mr. BOND. Mr. President, on behalf of the leader, I ask unanimous consent that following the debate on the HUD-VA conference report, notwithstanding the receipt of the papers, the Senate proceed to the continuing resolution and that it be considered under the following agreement, with no amendments or motions in order: 20 minutes under the control of Senator DORGAN; 10 minutes equally divided between Senators STEVENS and BYRD.

I further ask unanimous consent that at the conclusion or yielding back of time the Senate proceed to vote on adoption of the joint resolution, without any intervening action, motion, or debate.

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

Mr. BOND. Mr. President, in light of this agreement, two back-to-back votes can be expected to occur sometime between 3:30 and 4 o'clock this afternoon.

I yield floor.

The PRESIDING OFFICER. Who yields time?

Mr. KERREY. Mr. President, what is the order of business?

The PRESIDING OFFICER. The time is reserved.

Mr. KERREY. Mr. President, I ask unanimous consent to speak as if in morning business for 10 minutes.

Mr. BOND. Mr. President, I must object to speaking in morning business. We reached an agreement to utilize this time. Perhaps my colleague could gain time.

All right. I am advised by the staff that Senator DORGAN might be willing to yield some of his 20 minutes to the Senator. If that is agreeable with my colleague from Nebraska, I would be happy to give up Senator DORGAN's time.

Mr. KERREY. I thank the Senator.

Mr. President, I revise my unanimous consent to ask unanimous consent to speak for up to 10 minutes under Senator DORGAN's time.

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

IRAQ

Mr. KERREY. Mr. President, at Pier 12 in the Norfolk Navy Base, along with the Presiding Officer in Norfolk, VA, I joined 10,000 others to mourn and to pay our respects to the families of 17 U.S. Navy sailors who were killed or who are missing following the explosion that ripped into the portside of U.S.S. *Cole* as she was preparing to set anchor in the Yemen Port of Aden.

It was one week ago today at fifteen past midnight that a routine port call became a violent killing of 17 Americans, the wounding of 34 more, and the disabling of a billion dollar destroyer.

In attendance at the ceremony to honor those lost on the *Cole* were many Members of Congress, Attorney General Janet Reno, National Security Adviser Sandy Berger, the Secretaries of Defense and the Navy, and the uniformed commanders of the Navy and the Marine Corps. In a gesture of Yemen's cooperation, their Ambassador to the United States, Abdulwahab A. al-Hajjri, was also present.

As I sat and listened to the powerful words of President Clinton, Secretary of Defense Cohen, Chairman of the Joint Chiefs Shelton, and others, I looked at the solemn faces of the Naval officers and enlisted men who stood on the decks of the aircraft carrier U.S.S. *Dwight D. Eisenhower* and two of the *Cole*'s sister ships, the destroyers *Ross* and *McFaul* and wondered how long the unity we felt would last? How long would the moving stories of the lives of these 17 young Americans bind us together?

Their stories define what makes America such a unique place. President Clinton captured it perfectly:

> In the names and faces of those we lost and mourn, the world sees our nation's greatest strength. People in uniform rooted in every race, creed and region on the face of the earth, yet bound together by a common commitment to freedom and a common pride in being American.

They were bound together by other common characteristics. Sixteen were enlisted men and women; the lone officer was an ensign who had served more than a decade in the enlisted ranks. None were college graduates, though many saw the Navy as a means to that end. They were from small towns and Navy towns, the places where patriotism burns bright and crowds still form to remember on Memorial Day and Veterans Day.

I watched young widows and brothers and fathers cry without restraint or shame when President Clinton read the rollcall of the fallen heros. Sadness gripped me as once more I thought of lives that ended too soon knowing their dreams would not now come true.

Chief of Naval Operations Admiral Clark appropriately reminded us that risk is a part of all sailors' lives. When going out to sea, there is never certainty of a joyous homecoming. Death is a frequent visitor in Navy households. Loss is never a complete surprise.

However, in this instance it was not the unpredictable ways of the ocean or the violence of a storm that ended these American lives. No, in this instance the killer was a highly sophisticated, high-explosive device set and detonated by as yet unknown villains.

There were words from our leaders that addressed the anger we feel in the aftermath of this tragedy. From President Clinton: ''To those who attacked them we say: you will not find a safe harbor. We will find you, and justice will prevail.'' From Secretary of Defense Cohen: ''This is an act of pure evil.'' And from General Shelton: ''They should never forget that America's memory is long and our reach longer.''

Yet, this desire for vengeance is as misplaced as it is understandable. Vengeance is one of the things a terrorist hopes to provoke. Such acts of vengeance—especially when carried out by the United States of America—are bound to provoke sympathy for our enemies. If we are to give meaning to the sacrifice of these men and women, we must take care not to allow the bitter feelings to govern our action.

While we await the results of a combined U.S.-Yemeni effort to find out who was responsible for this attack, let me challenge the idea that the attack on the *Cole* was a pure act of terrorism or criminal action. In my opinion it is not. In my opinion, it is a part of a military strategy designed to defeat the United States as we attempt to accomplish a serious and vital mission.

This is the third in a series of violent attacks on the United States dating back to the car bombing of Khobar Towers in Saudi Arabia at 10 pm, on Tuesday, June 25, 1996, that killed 19 United States Air Force Airmen and wounded hundreds more. The second attack occurred on August 7, 1998, when U.S. Embassies in Dar es-Salam, Tanzania, and Nairobi, Kenya were bombed. These attacks wounded more than 5,000 and killed 224, including twelve Americans who were killed in the Nairobi blast.

I believe all three of these incidents should be considered as connected to our containment policy against Saddam Hussein's Iraq. The *Cole* was heading for the Persian Gulf to enforce an embargo that was authorized by the United Nations Security Council following the end of the Gulf War in 1991.

In order to evaluate this incident and put it in its larger context, I had to relearn the details of the action of Gulf War and its aftermath. The Gulf War began on August 8, 1990, when United States aircraft, their pilots, and their crews arrived in Saudi Arabia. Two days earlier the Saudi King Fahd had asked Secretary of Defense Cheney for help. Saudi Arabia was afraid that Iraq's August 2 invasion of Kuwait would continue south. Without our help they could not defend themselves. Desert Shield—a military operation planned to protect Saudi Arabia—began.

At that time, General Norman Schwarzkopf was Commander-in-Chief of Southern Command. On September 8, 1990, he ordered Army planners to begin designing a ground offensive to liberate Kuwait. His instructions from President Bush were to plan for success. We were not going to repeat the mistakes of the Vietnam War. On November 8th, President Bush announced that a decision had been made to double the size of our forces in Saudi Arabia. On November 29, the UN Security Council voted to authorize the use of ''all means necessary'' to drive Iraq from occupied Kuwait. On January 12, 1991, Congress authorized the President to use American forces in the Desert Storm campaign.

The campaign began at 2:38 AM on January 17 with Apache helicopters equipped with anti-tank ordnance. The next day Iraq launched Scud missiles against Israel. The first U.S. air attacks, flown out of Turkey, were launched and were continued until February 24 when the ground war began. The ground war was executed with swift precision and was ended at 8 AM on February 28 when a cease fire was declared.

The purpose of the Gulf War—to liberate the people of Kuwait—had been accomplished in an impressive and exhilarating display of U.S. power and ability to assemble an alliance of like-minded nations. Afterwards, Iraq was weakened but still led by Saddam Hussein. In their weakened state, they agreed to allow unprecedented inspections of their country to ensure they did not possess the capability of producing weapons of mass destruction. The United Nations Security Council voted unanimously to impose an economic embargo on Iraq until the inspections verified that Iraq's chemical, biological, and nuclear programs were destroyed.

Contrary to popular belief, the military strategy to deal with Iraq did not end with the February 28, 1991, cease fire. It has continued ever since with considerable cost and risk to U.S. forces. In addition to the embargo, the United States and British pilots have maintained no-fly zones in northern and southern Iraq designed to protect the Kurds and Shia from becoming victims of Saddam Hussein's wrath. The purpose of both the embargo and the no-fly zones is to ''contain'' Iraq so that Saddam Hussein does not become a threat in the region again.

Unfortunately, this containment object was doomed from the beginning. And while we have begun to change our policy from containment to replacement of the dictator, change has been too slow. The slowness and uncertainty of change has increased the risk for every military person who receives orders to carry out some part of the containment mission.

There are three reasons to abandon the containment policy and aggressively pursue the replacement of Saddam Hussein with a democratically elected government. First, it has not worked; Saddam Hussein has violated the spirit and intent of UN Security Council Resolutions. Second, he is a growing threat to our allies in the region. Third, he is a growing threat to the liberty and freedom of 20 million people living in Iraq.

As to the first reason, under the terms of paragraph Eight (8) of United Nations Security Council Resolution 687 which passed on April 3, 1991, Iraq accepted the destruction, removal, or rendering harmless of its chemical, biological, and nuclear weapons program. Under the terms of paragraph Nine (9), Iraq was to submit to the Secretary-General ''within fifteen days of the adoption of the present resolution, a declaration of the locations, amounts and types of all items specified in paragraph 8 and agree to urgent, on-site inspection'' as specified in the resolution.

From the get-go, Saddam Hussein began to violate this resolution. Over the past decade, he has slowly but surely moved to a point where today no weapons inspectors are allowed inside his country. As a consequence, he has been able to re-build much of his previous capability and is once again able to harass his neighbors. All knowledgeable observers view Iraq's threat to the region as becoming larger not smaller.

As to the third reason—his treatment of his own people—there is no worse violator of human rights than Saddam Hussein. The people of Iraq are terrorized almost constantly into compliance with his policies. His jails are among the worst in the world. His appeal for ending sanctions on account of the damage the embargo is doing to his people rings hollow as the food and medicine purchased under the Oil-for-Food Program goes undistributed. Desperately needed supplies sitting in Iraqi warehouses while construction continues on lavish new palaces demonstrates that Saddam Hussein has no real interest in the welfare of his people. Rather, he maintains their misery as means to make political points.

If these reasons do not persuade, consider what happened in the other two cases when the United States was attacked. In 1996 we sent an FBI team to Saudia Arabia to investigate Khobar Towers. The investigation led to improving security on other embassies but no other action was taken. In time we have forgotten Khobar. In 1998 following the attack on our embassies in East Africa we sent Tomahawk missiles to bomb a chemical factory in Khartoum, Sudan, and Osama Bin Laden's training compound in Afghanistan. Neither had the decisive impact we sought and may—in the case of Sudan—have been counterproductive.

For all these reasons, I hope we will direct the anger and desire for vengeance we feel away from Yemen and towards Saddam Hussein. I hope we will begin to plan a military strategy with our allies that will lead to his removal and replacement with a democratically elected government. This would allow us to end our northern and southern no-fly zone operations, remove our forces from Saudi Arabia, and cease the naval patrols of the Persian Gulf. I can think of no more fitting tribute to the 17 sailors lost on-board the *Cole* than completing our mission and helping the Iraqi people achieve freedom and democracy.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I understand I have with Senator REID 20 minutes equally divided.

The PRESIDING OFFICER. The Senator is correct.

Mr. DOMENICI. Senator REID is not here, but I understand he might want some time. I yield myself 8 minutes.

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

Mr. DOMENICI. First, I say to the distinguished Senator from Nebraska, I don't know if I will have an opportunity again to be on the floor when the Senator makes a speech on the Senate floor because I don't know where the next 5 or 6 or 8 days will bring us. But I want to tell the Senator thanks for all he has done while he has been here. You have been, as you were in the military, a hero; you have taken some tough stands.

While not a budgeteer, as I am, you have chosen to express yourself many times in terms of the great concern you have for the outyear, the long-term effect of some of our entitlement programs, and actually you have expressed yourself that maybe appropriations are not getting enough money. That is perception, with reference to the Federal Government, of a very, very right kind.

Mr. KERREY. If I could respond to say the Senator from New Mexico and any of my colleagues who are uncomfortable and wish I would not do this, if I had not done this the last 6 or 7 years, it is the fault of the Senator from New Mexico. You and Senator Nunn came repeatedly to the floor, I think, in 1990, 1991, 1992, and 1993. I think in 1990, 1991, and 1992 I voted against you, but in 1993 the light bulb came on. It takes me a while to learn, I say to my friend from New Mexico, but I appreciate very much your leadership on these issues.

Mr. DOMENICI. Mr. President, I rise today to discuss the Energy and Water Development Appropriations Act which is included in this conference report along with the VA-HUD appropriations bill.

The energy and water bill is a very good bill that has unfortunately had a difficult path toward enactment. The bill originally passed the Senate by a vote of 93–1 on September 7. The Senate then approved the original energy and water conference report by a vote of 57–37 on October 2. However, the President vetoed that bill because of a provision intended to prevent increased springtime flood risk on the lower Missouri River—a provision the President had signed the previous 3 years.

Whatever the reason, it was vetoed, it came back to us, and now it is in a conference form. I regret it has taken so much of our time and taken so long to get done but it is a very good bill.

Earlier today, the House passed the conference report by a vote of 386–24, and I hope the Senate will also overwhelmingly support the conference report.

Senator REID and I, along with Chairman STEVENS and Senator BYRD, have worked hard to prepare an outstanding bill that meets the needs of the country and addresses many of the Senators' top priorities.

The Senate and House full committee chairmen were very supportive and have provided the additional resources at conference that were necessary to

address many priority issues for Members. They have allowed the House to come up $630 million to the Senate number on the defense allocation ($13.484 billion), and the Senate nondefense allocation to be increased by $925 million.

I would now like to highlight some of the great things we have been able to do in this bill.

The conference report provides $5.0 billion for nuclear weapons activities within the National Nuclear Security Administration, an increase of $370 million over the request and $580 million over current year.

The additional funds are required to meet additional requirements within the aging nuclear weapons complex, and reflects the conferees' concern about the state of the science-based Stockpile Stewardship Program. As it is now, the program is not on schedule, given the current budget, to develop the tools, technologies and skill-base to refurbish our weapons and certify them for the stockpile. For example, we are behind schedule and over cost on the production of both pits and secondaries for our nuclear weapons. The committee has provided significant increases to these areas.

When we use the term ''Stockpile Stewardship Program,'' we are talking about a program that the United States has put in place to make sure that our weapons systems are indeed safe, reliable, and that we do not have to do underground testing to confirm that. In fact, we have not been doing testing because the Congress of the United States said we should not. To supply the information necessary to keep the stockpile strong, reliable, and safe, this science-based Stockpile Stewardship Program was put in place. It has a few more years before we will have it proved up and then we will look at it carefully and make sure that it does the job.

This does not mean we are making nuclear weapons, for we are not. It will come as a surprise to some who are listening that the United States makes no nuclear weapons and we have not for some time. Nonetheless, we must keep in place the infrastructure and the things that are necessary in the event we have to do that, because of a failure of our program called science-based stockpile stewardship or some other untoward event that might occur in the world.

Furthermore, DOE has failed to keep good modern facilities and our production complex is in a terrible state of disrepair. To address these problems, the mark provides an increase of over $100 million for the production plants in Texas, Missouri, Tennessee, and South Carolina.

But it is not just the physical infrastructure that is deteriorating within the weapons complex, morale among the scientists at the three weapons laboratories is at an all-time low. For example, the last 2 years at Los Alamos have witnessed security problems that greatly damaged the trust relationship between the Government and its scientists. Additionally, research funds have been cut and punitive restrictions on travel imposed. None of this seems to move in the right direction, in fact, they probably did not help.

As a result, the labs are having great difficulty recruiting and retaining America's greatest scientists. To help address this problem, the conference agreement has increased the travel cap from $150 million to $185 million, and increased laboratory directed research and development to 6 percent.

The travel restrictions which have become so burdensome were put in because, somehow, we thought if we didn't let scientists travel they wouldn't go to meetings in Taiwan and China and someplace like that and exchange secret information. Clearly, travel restriction has become a very onerous burden, for good scientists working for universities or otherwise do travel. That is part of their growing up, maturing, and once they are mature and great scientists, they go there to show their fellow scientist what the past has put into their minds.

The conference agreement also includes a compromise proposal that allows work on the National Ignition Facility, a major laser complex to be used for nuclear weapons stewardship work, to continue. That project is funded at $199 million, $10 million below the request of $209 million. Of that amount, $70 million is fenced pending the project meeting a number of milestones by March 3, 2001.

The conference agreement also includes several provisions to strengthen and clarify the operation of the National Nuclear Security Administration. The conference report includes provisions to give the Administrator a 3-year term of office, prohibit the ''dual-hatting'' of NNSA and DOE employees, and limit the authority of the Secretary of Energy to reorganize the statutory structure of the NNSA.

I tell the Senate they have to do some very difficult things by March 15 or they do not get the fenced funding that is in this bill.

For defense nuclear nonproliferation activities within the NNSA, the conference report provides $874 million, which is $8 million above the request and $145 million over current year. This amount of funding again shows the Congress' strong support of a broad variety of efforts to stem the proliferation of nuclear materials and expertise from the former Soviet Union.

For other programs within the Department of Energy, the conference agreement provides $422 million for solar and renewables, which is $33 million below the request but $60 million over current year.

For nuclear energy, the conference report provides $260 million, $28 million below the request. The decrease is due to a transfer of cleanup obligations to the Office of Environmental Management. Nuclear power R&D actually increased significantly over current year.

The conference report provides $6.8 billion for environmental cleanup at DOE sites across the country. That is $56 million over the request and $496 million over current year.

For the Office of Science, the conference report provides $3.19 billion, $24 million over the request and $400 over current year. The conference added over $300 million in order to address significant shortfalls that existed in both the Senate and House bills. The conference agreement includes full funding of $278 million for the Spallation Neutron Source in Tennessee.

On the water side of the bill, the conference report provides $4.5 billion for water resource development activities of the Army Corps of Engineers, including $1.7 billion for construction activities, and $1.9 billion for ongoing operation and maintenance activities. The total Corps number is $461 million over the budget request and $415 million over the enacted level for fiscal year 2000.

The conference agreement includes funding for approximately 40 high priority new construction starts across the country. While the recommendation is a significant increase over both the budget request and fiscal year 2000 level, it should be pointed out that there is a $40 to $50 billion backlog of authorized projects awaiting construction.

Regarding the construction account of $1.7 billion, although it is $350 million above the request, it is within the range of the current year construction level of $1.6 billion.

The conference agreement provides $776 million for activities of the Bureau of Reclamation. That is $25 million below the budget request and $23 million over the funding level for fiscal year 2000. No funding is included for the California Bay-Delta restoration due to the lack of program authorization for fiscal year 2001 and future years.

The conference agreement includes funding to initiate a small number of new water conservation and water recycling and reuse projects. Finally, the conference agreement provides funding for a number of independent agencies.

For the Appalachian Regional Commission, the conference report provides $66.4 million, $5 million below the request but slightly above the current year. For the Denali Commission, the conference report provides $30 million, compared to $20 million provided in the current year. For the Delta Regional Authority, the conference report provides $20 million for the initial year of funding, a reduction from the request of $30 million. For the Nuclear Regulatory Commission, the conference report provides $482 million, the amount of budget request. The conferees have also included a provision extending and revising NRC's fee recovery authority. The revised fee structure will reduce fees gradually over 5 years to address fairness and equity issues raised by licensees.

Overall, this is an outstanding energy and water conference report. We have made a good faith effort to address the concerns raised in the President's veto message and I believe we have a bill that the President will sign.

Suffice it to say, we have been able in this bill to keep the Corps of Engineers moving ahead, to have projects in the States that many Senators requested that we believe feel are very solid projects. Without the extra money given to us in the allocation, we would have been unable to do that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. GRAHAM. Mr. President, the Senate is now considering the combined VA/HUD and Energy and Water appropriations bills. This combined bill follows the pattern established by previous appropriations bills considered by the Senate. Looking first to the VA/HUD appropriations bill, in the fiscal year 2000 that ended September 30 of this year, the appropriation for these accounts was $99.2 billion.

We had committed ourselves to a standard of previous year appropriations plus inflation. The Consumer Price Index has risen 3.5 percent over the past year. Making that adjustment, we would have set as a target for the VA–HUD bill an appropriation this year of $102.7 billion. In fact, the bill we are about to vote on has an appropriation of $105.5 billion, or approximately $2.8 billion over the standard that has been set. This budget represents an increase from fiscal year 2000 to fiscal year 2001, not of the 3.5-percent inflation but, rather, of 6.4 percent.

Looking at the second bill which has been added to the VA–HUD bill, which is the energy and water appropriations bill, again in fiscal year 2000, the appropriation for this budget was $21.2 billion. Adjusting it for the 3.5-percent inflation increase, we would have had a target of $21.9 billion for energy and water. In this conference report, we are being asked to authorize spending of $23.3 billion, or approximately $1.4 billion over the scheduled maximum increase. The increase in the energy and water appropriations bill represents a 9.9-percent growth from fiscal year 2000 to fiscal year 2001.

What is the significance of this? The significance is we started with a budget plan, and the plan was that we would attempt to restrain the growth in spending to the rate of inflation. If we did that, according to the Congressional Budget Office, we would have at the end of 10 years substantial surpluses not only in the Social Security trust fund but also surpluses in general government.

There are many important events which are taking place in the world today: The tragedy of the U.S.S. *Cole*, the crisis in the Middle East and, of course, the heat of fall Presidential and congressional elections. All of these things are fighting for the attention of the American people. In that context, it is easy to understand why most Americans have not focused their attention on what is happening under this dome, but I suggest that in the autumn of 2000, some of the most important decisions for our individual and our national futures are being made in these changes.

The House and the Senate are slowly closing the curtain on the 106th Congress. As the curtain draws to a close, we are in the midst of an orgy of spending and tax cuts, an orgy which threatens the fiscal discipline that many Members of this Congress and the administration have worked so hard to achieve. Worse than the decisions that are being made, however, is the process that is being used to make those decisions.

Long gone is the normal legislative process where we had hearings on ideas in the committees with jurisdiction. We developed legislation on a bipartisan basis with amendments being offered and votes taken; Presidential consideration of individual bills; and, should the President exercise his or her veto power, further debate and congressional action to potentially override the veto; finally, the give and take of negotiation that results in bills which will secure a Presidential signature.

In the place of this normal legislative process, we now have a process—if it deserves that word—where a handful of individuals make far-reaching decisions on legislation. Those decisions are then rushed to the House and Senate floors for final votes, often without the actual language of the measure being considered available to the Members of the House and the Senate.

Lest we be overly critical of October 2000, I say sadly that, with some tactical variations, we were in exactly the same position in the fall of 1999. At that time, I wrote an article for the Orlando Sentinel which outlined my distress with what was occurring a year ago. I ask unanimous consent that this article be printed in the RECORD immediately following my remarks.

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

(See Exhibit 1.)

Mr. GRAHAM. Mr. President, what we are now doing in the fall of 2000 is characterized by some representative examples of our excess. The Transportation appropriations conference report was not available for Members to review the night before the final vote, but at least there had been some debate on the Senate floor on the Transportation appropriations bill when it originally passed the Senate.

In the remaining days, we are going to be asked to approve measures for which there has never been Senate debate. As an example, we are going to be asked to make some significant paybacks to the providers of services through the Medicare program. This add-back legislation was never considered in the Senate Finance Committee, nor has it been considered on the Senate floor, but mark my word, we will soon be asked to vote on this substantial legislation.

The Commerce-State-Justice appropriations bill will also likely come to this body attached to an unrelated conference report without ever having been separately considered by the Senate.

I suggest we all need to grab hold of our aspirin bottles because we are likely to need plenty of those pills when we find out what is in these measures, a disclosure that is likely to occur several weeks after we have adjourned.

I ask unanimous consent to print in the RECORD immediately following my remarks a column which appeared in the October 18 Washington Post by David Broder under the headline ''So Long, Surplus.''

The PRESIDING OFFICER (Mr. L. CHAFEE). Without objection, it is so ordered.

(See Exhibit 2.)

Mr. GRAHAM. Mr. President, it is hard to determine why we have fallen into this legislative abyss. It appears there is a strong desire to avoid the traditional legislative process in order to protect against having to take any votes at all, particularly any votes on controversial issues. In order to achieve that desire to avoid public commitment as to how we stand on various issues, we have abandoned all semblance of fiscal responsibility. Let me provide some large numbers.

In 1997, we passed the Balanced Budget Act which was a key step toward achieving first the elimination of the annual deficits that had become so much a part of our Nation's fiscal life and ushered in this era of surpluses.

In that 1997 Balanced Budget Act, we set a spending target for each of the future years. For the fiscal year 2001, our spending target for domestic discretionary accounts—these are the subject of the 13 appropriations bills, not taking into account expenditure for items such as Social Security, Medicare, interest on the national debt. But focusing on those things for which we in Congress have a responsibility to annually appropriate, we decided in 1997 that the spending limit for this year should be $564 billion. When the Senate passed its budget resolution in the spring of this year, we set a target, a constraint on ourselves, not of $564 billion, not even of $564 billion adjusted for some inflation, but rather $627 billion was the number to which we committed ourselves in the budget resolution.

As of today, with one appropriations bill that is an amalgamation of two bills before us and three more appropriations bills yet to be considered, we have already committed ourselves to appropriations of $638 billion. It is estimated that when those final three bills are voted on, we will likely raise the final tally of total appropriations to as much as $650 billion, or some $85 billion more than the 1997 Balanced Budget Act indicated we should be spending this year.

There has been an attempt to lay the blame for this orgy of spending at the White House step. In the Washington Post of October 13, there was an article under the headline, ''DeLay Urges GOP Showdown With Clinton Over Spending Bill,'' where the majority whip in the House made this statement:

[He] argued that Clinton is ''addicted to spending'' and that Republicans must draw the line if they hope to conclude budget negotiations next week.

Mr. President, I ask unanimous consent that that article be printed in the RECORD immediately after my remarks.

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

(See Exhibit 3.)

Mr. GRAHAM. Mr. President, I would say this is not the case; that we have both Republicans and Democrats alike entered into an enthusiastic, willing, and self-confessed role as coconspirators to the raiding of the surplus.

Our colleague from Arizona, Senator MCCAIN, stated it clearly last week when he chided his fellow Republican colleagues. ''We didn't come to the President with clean hands—we came with dirty hands,'' said Senator MCCAIN.

In another example of the lack of fiscal discipline—and it is part of the bill that we are going to be asked to vote upon this afternoon—the President vetoed the appropriations bill covering energy and water projects because there had been added to the appropriations bill a provision prohibiting, under certain circumstances, the use of funds to revise the Corps of Engineers' Missouri River Master Water Control Manual. This was not an issue of spending; it was an issue of the management of the Missouri River and who should have ultimate responsibility for that management.

Nevertheless, when this bill came back from the President's office with his veto, the response was to revise the bill by excising the provision which had led to the veto and then adding $26 million in additional water projects. This spending spree is not limited to the appropriators. Others have eagerly joined in the party.

Other spending and tax cuts which are being considered in the final hours include increases in spending for Medicare providers. I mentioned that earlier as an example of a provision that we are likely to get with no opportunity for debate or amendment. News reports indicate that this may total $28 billion over the next 5 years and perhaps as much as $80 billion over the next 10 years. We are about to be asked to do that without any debate, without any opportunity to amend or give the thoughtful consideration for which this institution is supposedly empowered.

We passed a military retiree health benefit that will add $60 billion over the next 10 years—again, with no open debate or opportunity to amend.

We repealed the Federal telephone tax, a provision that was tucked away in the Treasury-Postal appropriations bill. That will reduce revenues by $55 billion over 10 years.

I understand that there may be further proposed tax cuts that could have a cost of $200 to $250 billion over the next 10 years.

These are just examples of the almost total absence of any sense of fiscal discipline. It is possible to support many of these proposals, but I am concerned that we are operating without a blueprint. Congress is flying blind, and our plane has no global positioning system. In fact, we do not even have a hand compass to give us general direction as to where we should be going.

You might ask, What difference does it make? Why should Americans care this fall in the year 2000 as to what we are doing? Don't we have an enormous surplus? Can't we afford to do all of these things?

Americans can and do care because Congress is frittering away the hard-won surplus without a real plan for utilizing those surpluses and without addressing the big long-term problems facing our Nation.

Americans should care because by sleepwalking through the surplus, we are denying ourselves the chance to face these major national challenges.

A few days ago, the Congressional Budget Office released its long-term budget outlook. The Congressional Budget Office findings are not encouraging, but they are not surprising. That may explain why that report garnered such little attention by the media and by Members of Congress.

What were those Congressional Budget Office findings? The Federal Government spending on health and retirement programs—Medicare, Medicaid, Social Security—dominates the long-term budget outlook. Why? The retirement of the baby-boom generation will drastically increase the number of Americans receiving retirement and health care benefits. The cost of providing health care is growing faster than the overall economy. The number of Americans working to support that much larger retirement segment of our population will be essentially stabilized.

Saving most or all of the budget surplus that CBO projects over the next 10 years—using those savings to pay down the debt—according to the Congressional Budget Office, would have a positive impact on those projections of future obligations and substantially delay the emergence of a serious fiscal imbalance.

Despite the clear delineation of the long-term problems, and the even clearer outline of the short-term steps Congress can take to begin to address those problems—primarily, saving the surplus and paying down the debt—Congress seems content on frittering away the surplus.

We have an obligation to not let this happen. In fact, it is not necessary. There are some basic principles to which we could recommit ourselves which would avoid the path that I fear is about to take us over the canyon cliff.

First, we should return to that admonition that guided us so effectively just 2 years ago, and that was: Save Social Security first. The surplus should be used to pay down the debt. The kind of direction which the Republican leadership in the House of Representatives has suggested to us—that we should use 90 percent of the fiscal year 2001 surplus for debt reduction—is not only a good idea for the fiscal year 2001 but should be a guiding principle into the future until we have met that first obligation of saving Social Security first. We also need to establish some priorities.

In those ugly days of deficits, we were taught some valuable lessons. One of those lessons was the need to prioritize. The tool that forced us to do that was a requirement that for each additional dollar of spending enacted, a dollar of spending had to be reduced or a dollar of taxes had to be raised. That was a firm discipline.

The surplus has eroded that discipline. Many of the proposals being enacted in these waning days are desirable. Perhaps they are even more desirable than commitments that are already on our law books.

We are failing the American public by not having an honest, open debate about the tradeoffs that are necessary to enact these programs. If we are going to add a substantial new benefit—whether it be to Medicare providers or whether it be to military veterans—we should be prepared to answer the question, Where are we going to pay for that new commitment, either in terms of reducing spending elsewhere or raising taxes to pay for it?

We should not be eating away at the surplus which is going to be the basis upon which we can meet some of the long-term significant challenges that face our Nation.

There are few Congresses in the history of this Nation which have had such a wonderful opportunity to face and respond to important challenges to our Nation's future. Few Congresses will be judged so harshly for avoiding, trivializing, and ultimately failing to seize that opportunity.

I urge my colleagues in Congress, as well as those in the White House, to stop acting as the proverbial children in the candy store and start acting as statesmen and stateswomen. At the very least, let us follow the admonition given to all healers, which is: First, do no harm.

I regretfully announce that I will have to vote against this appropriations bill because it fails to comply with the fiscal discipline we established for ourselves, first in 1997 as part of the Balanced Budget Act and then this year in the development of our own budget resolution. I hope there will be a sufficient number of my colleagues who will join me in expressing our outrage as to what we are doing in

terms of our Nation's future, what we are doing in terms of asking our children and grandchildren to have to deal with some of the issues that will be much more difficult for them than they are for us today.

Now is the time to face the issue of dealing with these long-term commitments that we as a society have undertaken. We have the capacity to do so. The question is, Do we have the will to do so?

I thank the Chair.

EXHIBIT 1

[From the Orlando Sentinel, Thurs., September 23, 1999]

CONGRESS' SPENDING IMPERILS ECONOMIC GROWTH

In early 1993, a new U.S. Congress and a new presidential administration took office under the cloud of the largest deficit in our nation's history: $290 billion. In the past year, we have learned that five years of fiscal austerity and economic growth have transformed that record deficit into the first budget surplus in more than a generation—and paved the way for annual surpluses far into the future.

This historic reconstruction of our nation's fiscal house was no small accomplishment. Both Congress and the president made tough choices—a combination of revenue increases, spending reductions and long-term budget restraints—in stemming the tidal wave of red ink that had threatened to drown our children and grandchildren's economic future.

That fiscal life-preserver worked better than anyone could have imagined. In addition to eliminating the deficit, it powered one of the strongest economic expansions in our nation's history:

—Nineteen million jobs have been created since 1992, including more than a million in Florida.

—In the past six years, long-term interest rates have been reduced by nearly 20 percent while our national savings rate—personal savings plus governmental savings—has doubled.

—We enjoy the lowest national unemployment rate in 29 years and the highest homeownership rate in history.

But these successes do not give lawmakers license to return to the fiscally irresponsible days of the past. If anything, we face an even more difficult test in preserving the discipline that has brought us to this enviable economic position. It is a test that requires us to forego instant gratification in favor of policies that will reap benefits for future generations. Thus far, it is a test that Congress is failing miserably.

The current surplus is the result of surpluses in the Social Security Trust Fund and the federal government's annual operating budget. Congress has mishandled both. Earlier this summer, the U.S. House of Representatives passed a plan to protect Social Security by holding its surpluses in a so-called lockbox. One political pundit even asserted that this action removed Social Security as an issue for debate.

Wrong. While a lockbox seems responsible, it does nothing to extend Social Security's solvency beyond its currently projected expiration date of 2034. In fact, it numbs us to the structural changes that will be needed to preserve Social Security until 2075, a lifespan that will ensure that this important program is there for three generations of Americans.

Worse yet, Congress seems determined to exhaust the surpluses before they can even enter the lockbox. Wisely, the president has said he will veto a risky tax scheme that would deplete nearly $800 billion from the federal government's operating surplus during the next 10 years—leaving no resources whatsoever to enhance Social Security's solvency further or to strengthen Medicare.

The story gets worse when it comes to federal spending, where Congress' appetite is as voracious as ever. The historic deficit-reduction legislation enacted in 1993 and 1997 included strict discretionary-spending limits. Not surprisingly, it has been difficult to maintain these limits. But rather than dealing with this challenge in an honest manner that salutes fiscal austerity, Congress has reverted to using an escape clause that allows ''emergency'' spending to fall outside the budget limits and further deplete the surplus.

When this emergency-spending provision was originally passed, many assumed that it would be reserved for natural disasters such as hurricanes or floods, urgent threats to national security and other sudden, urgent or unforeseen needs. For the past year, however, Congress has misused its emergency-spending powers in a manner befitting the little boy who cried wolf.

In October of 1998, it stretched the emergency definition to direct $3.35 billion to the long-foreseen Year 2000 (Y2K) computer problem and $100 million for a new visitors center at the U.S. Capitol. In June of 1999, Congress added non-emergency spending items to an ''emergency'' bill for the Balkans conflict. And this fall, Congress is expected to consider an ''emergency'' bill to pay for the cost of the 2000 Census, which was ordered by our Founding Fathers in Article I of the U.S. Constitution.

It took the federal government 30 years to turn its federal budget deficit into a surplus. Yet it has taken us less than 12 months to revert to the same irresponsible behavior that produced record deficits in the first place. For the sake of our economy and our children and grandchildren's futures, I hope that the American people will demand that the 106th Congress establish a new record of fiscal prudence.

EXHIBIT 2

SO LONG, SURPLUS

(By David S. Broder)

Between the turbulent world scene and the close presidential contest, few people are paying attention to the final gasps of the 106th Congress—a lucky break for the lawmakers, who are busy spending away the promised budget surplus.

President Clinton is wielding his veto pen to force the funding of some of his favorite projects, and the response from legislators of both parties is that if he's going to get his, we're damn sure going to get ours.

As a result, said Congressional Quarterly, the nonpartisan, private news service, spending for fiscal 2001, which began on Oct. 1, is likely to be $100 billion more than allowed by the supposedly ironclad budget agreement of 1997.

More important, the accelerated pace of spending is such that the Concord Coalition, a bipartisan budget-watching group, estimates that the $2.2 trillion non-Social Security surplus projected for the next decade is likely to shrink by two-thirds to about $712 billion.

As those of you who have been listening to Vice President Al Gore and Texas Gov. George W. Bush know, they have all kinds of plans on how to use that theoretical $2.2 trillion to finance better schools, improved health care benefits and generous tax breaks. They haven't acknowledge that, even if good times continue to roll, the money they are counting on may already be gone.

To grasp what is happening—those now in office grabbing the goodies before those seeking office have a chance—you have to examine the last-minute rush of bills moving through Congress as it tries to wrap up its work and get out of town.

A few conscientious people are trying to blow the whistle, but they are being overwhelmed by the combination of Clinton's desire to secure his own legacy in his final 100 days, the artful lobbying of various interest groups and the skill of individual incumbents in taking what they want.

Here's one example. The defense bill included a provision allowing military retirees to remain in the Pentagon's own health care program past the age of 65, instead of being transferred to the same Medicare program in which most other older Americans are enrolled. The military program is a great one; it has no deductibles or copayments and it includes a prescription drug benefit.

Retiring Democratic Sen. Bob Kerrey of Nebraska, himself a wounded Congressional Medal of Honor winner, wondered why—in the midst of a raging national debate on prescription drugs and Medicare reform—these particular Americans should be given preferential treatment. Especially when the measure will bust the supposed budget ceiling by $60 billion over the next 10 years.

''We are going to commit ourselves to dramatic increases in discretionary and mandatory spending without any unifying motivation beyond the desire to satisfy short-term political considerations,'' Kerrey declared on the Senate floor. ''I do not believe most of these considerations are bad or unseemly. Most can be justified. But we need a larger purpose than just trying to get out of town.''

The Republican chairman of the Senate Budget Committee, Pete Domenici of New Mexico, joined Kerrey in objecting to the folly of deciding, late in the session, without ''any detailed hearings . . . [on] a little item that over a decade will cost $60 billion.'' Guess how many of the 100 senators heeded these arguments? Nine.

Sen. Phil Gramm, a Texas Republican, may have been right in calling this the worst example of fiscal irresponsibility, but there were many others. Sen. John McCain of Arizona, who made his condemnation of pork-barrel projects part of his campaign for the Republican presidential nominations, complained that spending bill after spending bill is being railroaded through Congress by questionable procedures.

''The budget process,'' McCain said, ''can be summed up simply: no debate, no deliberation and very few votes.'' When the transportation money bill came to the Senate, he said, ''the appropriators did not even provide a copy of the [conference] report for others to read and examine before voting on the nearly $60 billion bill. The transportation bill itself was only two pages long, with the barest of detail, with actual text of the report to come later.''

Hidden in these unexamined measures are dozens of local-interest projects that cannot stand the light of day. Among the hundreds of projects uncovered by McCain and others are subsidies for a money-losing waterfront exposition in Alaska, a failing college in New Mexico and a park in West Virginia that has never been authorized by Congress. And going out the window is the ''surplus'' that is supposed to pay for all the promises Gore and Bush are making.

EXHIBIT 3

[From the Washington Post, Oct. 13, 2000]

DELAY URGES GOP SHOWDOWN WITH CLINTON OVER SPENDING BILL

(By Eric Pianin and Dan Morgan)

After weeks of trying to accommodate the White House on key budget issues, House Republican leaders are pushing for a more

confrontational strategy over a giant health and education spending bill, the largest piece of unfinished business in the final days of the session.

Unable to resolve their differences over spending for new school construction and for hiring more teachers to reduce class sizes, GOP leaders are prepared to challenge President Clinton to sign or veto a GOP-crafted labor, health and education bill rather than making further concessions.

House Majority Whip Tom DeLay (R-Tex.), the chief architect of the strategy, has argued that Clinton is ''addicted to spending'' and that Republicans must draw the line of they hope to conclude budget negotiations next week. House Speaker J. Dennis Hastert (R–Ill.) agrees that Republicans already have made ample concessions, according to an aide.

''If it's considered confrontational to reject the idea we should just write the White House a blank check, I guess we're being confrontational,'' Jonathan Baron, a spokesman for DeLay, said yesterday.

But Senate Majority Leader Trent Lott (R-Miss.), House Appropriations Committee Chairman C.W. Bill Young (R-Fla.) and others have argued in private meetings that it would be politically risky to confront Clinton over education spending policy only weeks before the election.

Those Republicans are worried about appearing to be resisting new spending for education when Vice President Gore and Gov. George W. Bush have made education a top priority in the presidential campaign.

''I've never been an advocate of a veto strategy,'' Lott said yesterday. ''I don't understand the wisdom of running a bill down to be vetoed and then bringing it back and doing it over. For one thing, it usually grows.''

GOP leaders have put off a decision on how to proceed until next week, when they determine whether they have the votes in the House and Senate to pass the bill without Democratic and administration support. A White House budget office spokeswoman said that Clinton would not back down on his demands for increased spending for education.

The threatened showdown comes just when it appeared that the two sides were making substantial headway in completing work on the 13 must-pass spending bills for the fiscal year that began Oct. 1.

The Senate approved two packages that each carried two compromise spending bills. One combined a $107 billion measure financing veterans, housing, environment and science programs with a $23.6 billion energy and water bill. The other contains the $30.3 billion Treasury Department bill, a $2.5 billion measure to fund the legislative branch and another repealing a 3 percent federal excise tax on telephones.

The Treasury measure also would pave the way for members of Congress to receive a $3,800 pay raise in January, to $145,100.

The spending bill for veterans, housing, space and environmental programs provides much of what Clinton had sought. That includes increased funds for AmeriCorps, the president's signature national service program; the Environmental Protection Agency; veterans' health care and housing vouchers; and other subsidies for low-income families.

The energy and water bill to which it was attached was retooled after Clinton vetoed it in a dispute over water management along the Missouri River.

The pairing of unrelated appropriations bills for final passage is part of the leadership's efforts to finish work on the spending bills as soon as possible, so lawmakers can return to campaigning. Congress yesterday approved its third short-term continuing resolution that will keep the government operating through next Friday.

The festering dispute over the labor, health and education appropriations bill for the coming year has as much to do with how money will be spent as how much will be made available.

Although the $108.5 billion bill worked out by House and Senate Republicans exceeds the president's original request, Democrats say it largely reflects Republican priorities, such as health research and special education. The White House and congressional Democrats want an additional $6 billion for their priorities.

About half that amount would go to summer job programs, the training of dislocated workers, health care for the uninsured and the Centers for Disease Control and Prevention, along with smaller programs.

But the largest differences are over education, where Republicans fall about $3.1 billion short of Democratic targets.

The White House is pressing for another $1.8 billion to pay for initiatives to train high-quality teachers, renovate schools and fund after-school programs. At the same time, House Democrats want an additional $1.3 billion for special education and for Pell Grants for needy college students.

In addition to the money difference, Republicans are insisting that more than $3 billion sought by Clinton for school construction and reducing class sizes be rolled instead into a block grant to the states.

GOP officials contend the argument over this issue is more political than substantive, because federal funds going to states and school districts invariably are mixed with local money. But Democratic officials say that the Clinton plan would be far more effective in targeting the money to the neediest school districts.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I rise in support of the VA–HUD conference report and I urge my colleagues to do the same.

I want my colleagues to know that this conference report is the exact same bill that was passed in the Senate last week.

It has come back to the Senate in the form of a conference report, which includes report language in the statement of the managers.

I urge my colleagues to vote for this measure to give our veterans the health care and benefits they deserve, to provide housing for families of modest income, and to protect our environment.

First, I am especially pleased that we were able to provide a significant increase in funding for veterans health care. We met the President's request of $20.2 billion and are $1.4 billion above last year's level.

We were also able to provide $351 million for medical and prosthetic research. This is $30 million above the budget request and last year's level.

The VA plays a major role in medical research for the special needs of our veterans, such as geriatrics, Alzheimer's, Parkinson's, and orthopedic research.

We are also providing $100 million in funding for State veterans homes. This is $40 million above the budget request and $10 million above last year's level.

I am also very pleased that we were able to include a new title in our bill that will provide medical care and veterans benefits to Filipino veterans who fought alongside Americans in World War II and who live in the United States.

Finally, our Filipino-American veterans will receive equal benefits for equal valor.

Our bill provides almost $13 billion to renew all expiring section 8 housing vouchers. We have included $453 million in funding to issue 79,000 new vouchers to help working families find affordable housing.

Unfortunately, we were forced to drop Senator BOND's housing production bill due to objections from the authorizing committee, but I hope we will revisit the issue next year.

We were also able to maintain level funding for other critical core HUD programs.

We provided $779 million for housing for the elderly, which meets the President's request and is $69 million more than last year. This includes funds for assisted living and service coordinators.

We also provided $217 million in funding for housing for disabled Americans, which is $7 million above the President's request and $23 million over last year's level.

We were able to provide both the Community Development Block Grant Program and the HOME Program with $150 million increases over the President's request. CDBG is funded at more than $5 billion, and HOME is funded at $1.8 billion. The CDBG program is one of the most important programs for rebuilding our cities and neighborhoods.

We also provided increased funding to help our neighborhoods and communities through the Hope VI Program. This year, we provided $575 million for Hope VI, the same as last year's level.

I am pleased that we were able to provide funding for other programs that help America's communities. We increased funding for empowerment zones by providing $90 million in this bill for urban and rural empowerment.

We also help homeowners by extending the FHA downpayment simplification program for 25 months.

I am extremely pleased that our bill fully funds NASA at $14.3 billion, an increase of $250 million above the President's request.

All of NASA's core programs are fully funded and all NASA centers are fully funded, including the Goddard Space Flight Center in my home State of Maryland.

The VA–HUD bill includes $1.5 billion for Earth science and more than $2.5 billion for space science.

It includes $20 million to start an exciting new program called ''living with a star,'' which will study the relationship between the Sun and the Earth and its impact on our environment and our climate. I am especially proud that this program will be headquartered at the Goddard Space Flight Center.

And, of course, we fully fund the space shuttle upgrades, space station

construction, and the new ''space launch initiative'' to find new, low-cost launch vehicles that will reduce the cost of getting to space.

The VA–HUD manager's amendment also increases funding for the Corporation for National Service. The corporation is funded at $458 million, a $25 million increase over last year's level. The Corporation for National Service has enrolled over 100,000 members and participants across the country.

As many of my colleagues know, I have been very concerned about the digital divide in this country. I introduced legislation called the Digital Empowerment Act to provide a one-stop shop and increased funds to local communities trying to cross the digital divide. I am pleased that this bill contains $25 million within the national service budget to create an ''e-corps'' of volunteers by training and mentoring children, teachers, and non-profit and community center staff on how to use computers and information technology.

With regard to the EPA, our bill provides $7.8 billion in funding. All together, this is an increase of $400 million over last year's level and $686 million more than the President's request.

We increased funding by $246 million for EPA's core environmental programs.

We also provided an additional $550 million for the clean water state revolving fund.

Taking care of the infrastructure needs of local communities has always been a priority for the VA–HUD Subcommittee.

A number of my colleagues have raised concerns about some environmental provisions in the bill.

I will address these topics in more detail later. But let me say that the administration helped negotiate these provisions and the administration supports them. They do not threaten the environment and they maintain EPA's authority and flexibility.

A am a strong supporter of FEMA and am proud that we have provided $937 million in funding for FEMA, plus an additional $1.3 billion in emergency disaster relief funding.

The National Science Foundation is funded at $4.43 billion, a $529 million increase over last year's enacted level and one of the largest increases in NSF's history. This is a downpayment toward our goal of doubling the NSF budget over the next five years.

I am especially pleased that we were able to provide $150 million for the new nanotechnology initiative.

Mr. President, I once again appreciate the cooperation of my colleagues throughout this process. While I regret that this year's process was highly irregular, I am pleased that we worked together to bring a conference agreement to the Senate floor. I believe this year's VA–HUD bill is good for our country, our veterans, and our communities.

To reiterate, Mr. President, I rise in support of the VA-HUD conference report and urge my colleagues to do the same. As I said, this conference report is the exact same bill we passed last week. It has come back to the Senate in the form of a conference report and includes the report language contained in the Statement of Managers.

That is kind of inside baseball, but what I want people to know is, this is the same bill we voted on, so there does not need to be extensive debate. What is not inside baseball, and it is how we played the game, is that we played it very fairly. We tried to both exercise a great deal of fiscal prudence while looking out for the day-to-day needs of our constituents and the long-range needs of our country.

Our appropriation—the VA-HUD, EPA, National Federal Emergency Management, space program, National Science Foundation, and 22 other agencies—had the least increase, the least gross increase, of any other subcommittee to come before the Senate. I tell my colleagues who believe in fiscal discipline, have worked for fiscal discipline, and have voted for fiscal discipline, that they need not fear voting for the VA-HUD-other agencies appropriations.

Throughout our entire deliberation on moving this bill, we wanted to have legislation that could both meet the responsibilities of fiscal stewardship as well as meet the needs. I believe we did do it. Sure, there are increases, but it costs more to do what we do. One of the major areas where it costs us more to do what we do is in veterans health care.

Health care is on the rise everywhere. It costs money to have the best nurses in America working for our veterans. It costs money to be able to have primary care facilities. It costs money to provide a prescription drug benefit. The cost our veterans gave in their service to America is far greater than any monetary spending we can do to ensure they get the health care they need.

That is why we do have increases. We have increased veterans health care. We have ensured the benefits that they deserve. At the same time, we have worked very hard to provide housing for people of modest income. We have an increase in section 8 vouchers.

What does that mean? It means there are Federal funds to enable the working poor to be able to have a subsidy for housing. If you have gotten off welfare, we make work worth it by making sure that if you are working and you can't afford to live and pay for the housing that you need, there will be this modest subsidy.

We are also doing housing for the elderly. Like it or not, America is getting older. Like it or not, we need housing for the elderly, and we also bring some innovations to it. Those need to be project based.

My esteemed Republican colleague and I don't believe vouchers work for the elderly. We don't believe if you have a wheelchair or a walker, we should give you a little voucher while you forage for housing in your neighborhood. We met those needs.

We have also protected the environment. We have encouraged voluntarism, and we have also made major public investments in science and technology. Why did we do that? Because we want to be sure America is working in this century.

These major investments in science and technology are to generate the new ideas that are going to give us the new jobs for the new economy.

We believe we bring to the Senate a bill that really does represent what America wants—yes, fiscal stewardship, but promises made, promises kept to those who served the country in the U.S. military through its benefits, to make work worth it, and make sure we have a helping hand for those who are out there working every day and have moved from welfare to work, to protect our environment, encourage voluntarism, and come up with the science and technology for the new ideas, for the new jobs.

I encourage my colleagues to vote for this bill.

I again thank my colleague. There has been much made about bipartisan cooperation. We saw it in the debates. We see it in the ads, and so on. I can tell my colleagues, I saw it in the Subcommittee on VA, HUD, and Independent Agencies. I thank my colleague, Senator BOND, for his cordial and collegial support. I thank the members of the subcommittee on both sides of the aisle. It really worked for us. Quite frankly, I believe if the rest of the Senate is working in the cooperative way we work, when all is said and done, more will get done.

I yield the floor.

SEDIMENT REMEDIATION TECHNOLOGIES

Mr. INHOFE. Mr. President, I know the Senator from Missouri has addressed similar questions before the conference on this legislation was convened, but now that we have the actual text of the statement of managers before us, I would like to clarify a section in the statement of managers. The language directs EPA to take no action to initiate or order the use of certain technologies such as dredging or capping until specific steps have been taken with respect to the National Academy of Science report on sediment remediation technologies, with limited exceptions. It is my understanding that in directing that the report's findings be properly considered by the Agency, the conferees are not directing any change in remediation standards. However, the conferees are directing EPA to consider the findings and recommendations of the forthcoming report, in addition to the existing guidance provided by the Agency's Contaminated Sediments Management Strategy, when making remedy selection decisions at contaminated sediment sites, and as the Agency develops guidance on remediating contaminated sediments.

Mr. BOND. The Senator is correct. I have addressed similar questions, but to remove any confusion, I clarify the statement of managers now before the Senate. In directing that the NAS report by properly considered by the Agency, the language in the statement of managers directs the Agency to consider the findings of the report when making site-specific remedial decisions and in developing remediation guidance for contaminated aquatic sediments. In both cases, EPA should consider the findings of the report so that the best science available will be taken into account before going forward. In implementing this direction, EPA should seek to ensure that Congress can evaluate how the findings of the report have been considered.

Mr. INHOFE. It is also my understanding that in providing for an exception for urgent cases, we anticipate that the EPA will use the four part test set forth in previous committee reports, namely that (1) EPA has found on the record that the contaminated sediment poses a significant threat to the public health to which an urgent or time critical response is necessary, (2) remedial and/or removal alternatives to dredging have been fully evaluated, (3) an appropriate site for disposal of the contaminated material has been selected, and (4) the potential impacts of dredging, associated disposal, and alternatives have been explained to the affected community.

Mr. BOND. The Senator is correct.

Mr. INHOFE. Finally, it is my understanding that the references to ''urgent cases,'' ''significant threat,'' ''properly considered'' and other key terms should be interpreted consistent with ordinary dictionary definitions and in light of previous years' statements of managers.

Mr. BOND. Again, the Senator is correct.

RELICENSING NON-FEDERAL HYDROELECTRIC PROJECTS

Mr. CRAIG. Mr. President, one of my top priorities this Congress has been to improve the process by which our Nation's non-federal hydroelectric projects are relicensed by the Federal Energy Regulatory Commission. Over the next 15 years, over half of all non-federal hydroelectric capacity (nearly 29,000 MW of power) must go through a relicensing process that takes too long and results in a significant loss of domestic hydropower generation. Oversight and legislative hearings before the Energy and Natural Resources Committee this Congress have established a solid record of the problem and the need for a legislative solution. I want to commend the Chairman of the Water and Power Subcommittee, Senator SMITH, for his dedication to this issue and for working with me to seek a bipartisan, legislative solution to the licensing problem. I look forward to working with all my colleagues to pass this legislation in the next Congress.

Mr. BINGAMAN. I thank the Senator for addressing this issue. We are clearly looking, in the next 15 years, at a substantial relicensing workload for hydropower facilities. No one can be against wanting to conduct that process in an efficient and informed manner. But, these projects have multiple impacts and benefits that cut across a wide range of issues that are important to the citizens who live in the vicinity of those projects and to the country at large. Any changes to the current system should deal with these multiple impacts in a sensible way. I fully expect that the hydropower relicensing issue will remain as a topic of concern on our Committee agenda in the next Congress, and I am ready to engage in discussions on how to move forward on this issue in a bipartisan fashion.

ABATEMENT PROGRAM FUNDING

Mr. CRAIG. Mr. President, I note that the bill allocates approximately $100 million to HUD to fund its lead abatement program. In a number of areas around the country some of our children are still at increased risk of exposure to high levels of lead, which can lead to development problems.

The bill further provides that from this account, HUD will provide financial assistance to the Clear Corps lead abatement and education network administered by the University of Maryland at Baltimore. This assistance is set at $1 million.

Clear Corps is a public-private partnership which organizes and manages cleanup and education affiliates around the country in close cooperation with local organizations and government. Significant resources are provided to this program by various companies in the paint industry, and by the National Paint and Coatings Association.

Based on reports I have seen, it has proven highly efficient and cost effective. At my invitation, Clear Corps representatives visited Northern Idaho to meet with officials of several private and public organizations, including U.S. EPA, to determine if an affiliate arrangement might prove helpful in addressing the lead exposure issue in that area. While significant progress has been made, there remain pockets where further testing, cleanup (particularly inside some older houses), and focused education could reap large rewards in the near future. It appears that with its growing national network and in-depth experience in providing cost effective solutions, my state and its children would benefit from such a project. Clear Corps is currently evaluating the resources which might be required to establish a new site in Idaho. It is my hope, Mr. Chairman, that we are able to at least begin to establish this program this year in Northern Idaho. Next year, I hope to work with the Chairman and the other members of the VA–HUD Subcommittee to review the Clear Corps approach with a view towards increasing the federal share of its resources. We need to see more of creative and cost effective approaches to issues such as reducing lead exposure of children. Public-private ventures to address such issues make a lot of sense.

Mr. BOND. I thank the Senator from Idaho for his thoughtful remarks on the lead exposure issue and the Clear Corps program. I might point out that in my home state, St. Louis now has a Clear Corps affiliate. I might also point out that Senator MIKULSKI has a Clear Corps affiliate in Baltimore. I concur that the public-private approach as one avenue of a larger program should be encouraged. I would be happy to work with Senator CRAIG and other members to determine an appropriate level of higher funding for Clear Corps.

DEFINITION OF AN ''URBAN COUNTY'' UNDER FEDERAL HOUSING LAW

Mr. MACK. Mr. President, I would like to engage my colleague, Senator BOND, and Chairman of the Senate VA–HUD Appropriations Subcommittee in a brief colloquy concerning a provision in the conference agreement relating to the definition of ''urban county'' under federal housing law.

Mr. BOND. I would be pleased to engage my colleague in such a colloquy.

Mr. MACK. Mr. President, as the Chairman knows, the Community Development Block Grant (CDBG) Program statutory provisions relating to the ''urban county'' classification do not contemplate the form of consolidated city/county government found in Duval County, Florida (Jacksonville) where there is no unincorporated area. A recent decision by the Bureau of the Census, and subsequently by the U.S. Department of Housing and Urban Development (HUD), has questioned the status of Jacksonville/Duval County as an entitlement area.

Mr. BOND. I am aware of this problem facing the city of Jacksonville.

Mr. MACK. Mr. President, my purpose for entering into this colloquy is to seek clarification from the Chairman about the effect of the provision adopted by the Conference Committee to amend the definition of ''urban county'' to address this problem facing Jacksonville.

Is it the Chairman's understanding that section 217 of the VA–HUD Conference Report addresses the concerns of the Town of Baldwin, Jacksonville and the Beaches communities, by amending current law to classify Jacksonville as an ''urban county''. Is it further his understanding that the language would preserve the area's longstanding status as an entitlement area for CDBG grants, while also allowing the Town of Baldwin to elect to have its population excluded from the entitlement area?

Mr. BOND. Yes. I believe the language clarifies that Jacksonville/Duval County meets the definition of an urban county under the statute, as amended. HUD also agrees with this interpretation.

Mr. MACK. I thank the Chairman for his comments.

• Mr. MCCAIN. Mr. President, I want to thank both Senator BOND and Senator MIKULSKI for their hard work on this important legislation which provides federal funding for the Departments of Veterans Affairs, VA, and

Housing and Urban Development (HUD), and Independent Agencies. Unfortunately, Mr. President, this year-end process to rush spending measures through Congress at the last minute again leaves very little time for members to review in full detail the finalized conference reports, which are all too often bottled up until just before they arrive on the Senate floor. The VA-HUD conference report, regrettably, is no exception.

The House of Representatives just passed this report, despite the fact that most of the voting members did not have adequate time to fully review its contents. And now, the Senate is being asked to do the same. How can we make sound policy and budget decisions with this type of budget steamrolling?

This conference report provides $22.4 billion in discretionary funding for the Department of Veterans Affairs. That amount is $17.2 million more than the budget request and $1.5 billion above the fiscal year 2000 budget level. It does appear that some progress has been made to reduce the overall amount of earmarks in this spending bill. The conferees have earmarked approximately $40 million this year; last year, earmarks exceeded $31 million.

Certain provisions in the Veterans Affairs section of the bill also illustrate that Congress still does not have its priorities in order. Let me review some examples of items included in the bill.

The conferees direct that $250,000 be used by the Department of Veterans Affairs to host The Sixth International Scientific Congress on ''Sport and Human Performance Beyond Disability.'' The conference report continues to express the view that the conferees believe this sporting event is within the mission of the VA.

Neither budgeted for nor requested by the Administration over the past nine years is a provision that directs the Department of Veterans Affairs to continue the nine-year-old demonstration project involving the Clarksburg, West Virginia, Veterans Affairs Medical Center, VAMC, and the Ruby Memorial Hospital at West Virginia University. Several years ago, the VA-HUD appropriations bill contained a plus-up of $2 million to the Clarksburg VAMC that ended up on the Administration's line-item veto list. The committee has also added $1 million for the design of a nursing home care unit at the Beckley, West Virginia, VAMC.

The VA-HUD funding bill also includes construction projects not originally included in the President's budget request.

For example, the VA-HUD appropriations report adds $12 million not previously included in the President's budget for the construction of the Oklahoma National Cemetery. Obviously, the VA-HUD Appropriations Subcommittee felt compelled to include this money since the VA and the Administration chose to ignore the Committee's report language last year. Last year the VA-HUD Senate report directed the VA to award a contract for design, architectural, and engineering services in October 1999 for a new National Cemetery in Lawton (Oklahoma City/Fort Sill), Oklahoma, and also directed the President's fiscal year 2001 budget to include construction funds for a new Oklahoma National Cemetery.

Most questionable are several special interest projects not previously included in the House or Senate version of the fiscal year 2001 VA-HUD appropriations bill. Some examples are: $15 million for land acquisition for a national cemetery in South Florida, $5 million for the Joslin Vision Network for telemedicine in Hawaii, and continued funding for the National Technology Transfer Center, NTTC, at Wheeling Jesuit College in Wheeling, West Virginia. None of these programs were in the President's budget request, nor in either House or Senate veterans funding bills.

In addition, the bill adds $1 million not previously included in the President's budget for planning and design activities for a new national cemetery in Pittsburgh, Pennsylvania, and $2.5 million for advanced planning and design development for a national cemetery in Atlanta, Georgia. Last year, the Senate provided an additional $500,000 for design efforts for Atlanta, as well as other congressionally-directed locations.

Although these areas are likely deserving of veterans cemeteries, I wonder how many other national cemetery projects in other states were bypassed to ensure that these states received the VA's highest priority.

This bill also contains the funding for the Department of Housing and Urban Development. The programs administered by HUD help our nation's families purchase their homes, helps many low-income families obtain affordable housing, combats discrimination in the housing market, assists in rehabilitating neighborhoods and helps our nation's most vulnerable—the elderly, disabled and disadvantaged—have access to safe and affordable housing.

Unfortunately, this bill shifts money away from many critical housing and community programs by bypassing the appropriate competitive process and inserting earmarks and set-asides for special projects that received the attention of the Appropriations Committee. This is unfair to the many communities and families who do not have the fortune of residing in a region of the country represented by a member of the Appropriations Committee.

And once again, Utah has managed to receive additional funds set aside for the 2002 winter Olympic games.

This bill includes $2 million for the Utah Housing Finance Agency to provide temporary housing during the Olympics. It is certainly a considerate gesture that the housing facilities are expected to be used after the 2002 games for low-income housing needs in Utah. However, I am confident that the many families in Utah and around the country who are facing this winter and next without affordable and safe housing would much rather have this $2 million used for helping them now rather than in two or three years when the Olympics are over.

Some of the earmarks for special projects in this bill include:

$500,000 for the restoration of a carousel in Cleveland, Ohio;

$500,000 for the Chambers County Courthouse Restoration Project in the City of LaFayette, Alabama;

$2.6 million for the rehabilitation of the opera house in the City of Meridian, Mississippi;

$3 million for restoration of an historic property in Anchorage, Alaska;

$2 million for renovation on the Northwest corner of 63rd Street and Prospect Avenue in Kansas City;

$500,000 for infrastructure improvements to the W.H. Lyons Fairgrounds in Sioux Falls, South Dakota; and

$400,000 for Bethany College in Bethany, West Virginia for continued work on a health and wellness center.

This bill also funds the Environmental Protection Agency, EPA, which provides resources to help state, local and tribal communities enhance capacity and infrastructure to better address their environmental needs. I support directing more resources to communities that are most in need and facing serious public health and safety threats from environmental problems. Unfortunately, after a cursory review of this year's conference report for EPA programs, I find it difficult to believe that we are responding to the most urgent environmental issues.

There are many environmental needs in communities back in my home state of Arizona, but these communities will be denied funding as long as we continue to tolerate earmarking that circumvents a regular merit-review process.

For example, some of the earmarks include:

$300,000 for the Coalition for Utah's Future;

$1 million for the Animal Waste Management Consortium in Missouri;

$2 million for the University of Missouri-Rolla for research and development of technologies to mitigate the impacts of livestock operations on the environment;

$200,000 to complete the soy smoke initiative through the University of Missouri-Rolla; and

$500,000 for the Economic Development Alliance of Hawaii.

While these projects may be important, why do they rank higher than other environmental priorities?

For independent agencies such as the National Aeronautics and Space Administration, this bill also includes earmarks of money for locality-specific projects such as:

$3.5 million for a center on life in external thermal environments at Montana State University in Bozeman; and

$15 million for infrastructure needs of the Life Sciences building at the University of Missouri-Columbia.

Let me also read two paragraphs from an article by David Rodgers, to be included for the RECORD, in today's Wall Street Journal:

''Never before has the appropriations process been such a clearinghouse for literally thousands of individual grants and construction projects coveted as favors for voters. Budget negotiators gave their blessing last night to more than 700 ''earmarks''—listed on 46 double-spaced pages—in a single account for the Department of Housing and Urban Development. The Environmental Protection Agency budget bulges with about 235 clean-water projects. Hundreds of ''member initiatives'' totaling nearly $1 billion are expected to be spread among the departments of Labor, Education and Health and Human Services.

Perhaps the most striking example of earmarks is the so-called economic-development initiative in the HUD budget, for which about $292 million is spread among an estimated 701 projects. The precise language has been closely guarded by the committee, and the clerks deliberately compiled the list in no particular order to make it more difficult to decipher.

In closing, I urge my colleagues to develop a better standard to curb our habit of directing hard-earned taxpayer dollars to locality-specific special interests so that, in the future, we can better serve the national interest.

Mr. President, I ask that the full text of the attached Wall Street Journal article be printed in the RECORD immediately following the conclusion of my remarks on the Fiscal Year 2001 VA–HUD Appropriations bill.

The article follows.

[From Wall Street Journal, Oct. 19, 2000]

SPENDING BILL IS FULL OF PROJECTS COVETED AS FAVORS FOR ELECTORATE

(By David Rogers)

WASHINGTON.—As Congress dithers over spending bills, committee clerks are putting the final touches on what may be the most important political business at hand: an unprecedented number of home-state projects attached to the budget this election year.

Never before has the appropriations process been such a clearinghouse for literally thousands of individual grants and construction projects coveted as favors for voters. Budget negotiators gave their blessing last night to more than 700 ''earmarks''—listed on 46 doubled-spaced pages—in a single account for the Department of Housing and Urban Development. The Environmental Protection Agency budget bulges with about 235 clean-water projects. Hundreds of ''member initiatives'' totaling nearly $1 billion are expected to be spread among the departments of Labor, Education and Health and Human Services.

Pork-barrel politics are nothing new. The annual $78 billion agriculture budget bill, which cleared Congress last night, has always been a haven for dozens of research projects favored by lawmakers. But this year's surplus-inspired spending breaks new ground. it permeates the labor, health and education accounts, once considered sacrosanct. Moreover, as the number of items has exploded, both parties are openly steering funds to districts to help win seats in November.

The tone was set in the free-for-all negotiations on a $58 billion transportation budget. Dozens of highway and bridge projects totaling more than $1.9 billion were added. When Republicans insisted on $102 million to help a hard-pressed Arkansas incumbent, Democrats got an almost equal sum to spread among candidates in tight races in Mississippi, Connecticut, New Jersey, Pennsylvania and Kansas.

Running for Congress from Utah, Republican Derek Smith isn't even a member of the House yet. But thanks to the intervention of House Majority Leader Dick Armey of Texas, he can already lay claim to two budget earmarks worth $5 million to fund water and lands-related projects in his district.

Sen. John McCain, the Arizona maverick and former presidential candidate, took to the Senate floor again yesterday to chastise fellow Republicans. But one of his greatest allies in the House, Rep. Brian Bilbray (R., Calif.), hasn't been shy about claiming credit for Washington money that could help his chances in a tough reelection campaign. ''Bilbray Applauds San Diego Funding'' a press release for the congressman said last Thursday, trumpeting millions of dollars in earmarks attached to a housing, veterans and environmental budget bill pending in the House.

''I will condemn it in his district,'' said Mr. McCain, who is scheduled to campaign for his friend in California next week. ''It is one of those gentleman's disagreements,'' said an aide to Mr. Bilbray.

Perhaps the most striking example of earmarks is the so-called economic-development initiative in the HUD budget, for which about $292 million is spread among an estimated 701 projects. The precise language has been closely guarded by the committee, and the clerks deliberately compiled the list in no particular order to make it more difficult to decipher.

Most of the grants appear to be less than $2 million, some as small as $21,500. Thanks to the New York delegation, Buffalo would lay claim to two grants of $250,000; one to help renovate a Frank Lloyd Wright-designed home, the other to build a new city boathouse—based on Mr. Wright's blueprints—for the West Side Rowing Club.

Meanwhile, in related action:

The Senate approved the agriculture budget 86–8. The measure provides increased spending for food safety and rural development while relaxing trade sanctions against Cuba. For the first time in decades, commercially financed, direct U.S. shipments of food to Havana would be permitted. Shipments of medical supplies, which are already sold on a modest basis, may also be increased.

Trying to free up a $14.9 billion foreign-aid bill, Republicans are proposing compromise language on the divisive issue of U.S. assistance to population-planning programs overseas. The proposal would continue current restrictions, favored by antiabortion forces, only through March 1, as a transition to the next administration. The initial reaction from Democrats was skeptical, but if the transition period is shortened—and funding increased—it could yet be the framework for a deal.

Top House Republicans are pressing for big increases in aid to children's hospitals under a fledgling program to help train pediatric medical residents. Last year, spending was $40 million, but it could grow to $280 million under the proposal, three times the administration's request.

SPECIAL TREATMENT

[Examples of funds set aside for Members' projects.]

Project/sponsor	Cost
San Diego Storm Drain Diversion Rep. Brian Bilbray (R., Calif.)	$4,000,000
I–49 and Great River Bridge Study Rep. Jay Dickey (R., Ark.)	102,000,000
Route 7 Brookfield Bypass Rep. James Maloney (D., Conn.)	25,000,000
Frank Lloyd Wright Boathouse N.Y. Delegation	250,000

Mr. JEFFORDS. Mr. President, today the Senate will pass the final version of fiscal year 2001 Energy and Water Appropriations bill. Included in the legislation is a provision that requires the Department of Energy to spend not less than $2 million on the Small Wind Turbine Project. This effort is vitally important to our Nation's continued development of American wind technology for consumer use. It was added as a program at the Department of Energy in 1995, to develop cost-effective, highly reliable Small Wind Turbine systems for both domestic and international markets. In fact, due to the Small Wind Turbine Program, U.S. companies have been able to advance the performance and cost-effectiveness of small wind turbine systems. The participants in the Small Wind Turbine Project are Windlite Corp, a subsidiary of Atlantic Orient Corp, Bergey Windpower Co., and World Power Technology. Through the Small Wind Turbine Project, these three companies are advancing the technology of wind energy for homes, small businesses, rural development and export. To end the effort that these three companies are undertaking at this time would be a giant setback and for this reason the Congress has included funding to continue the project under their guidance.

I worked closely with Senators DOMENICI and REID and Assistant Secretary of Energy Dan Reicher in developing the language in this legislation related to small wind. The language is clear, that the department should spend no less than $2 million on the Small Wind Turbine Project. We must continue to develop, test and certify the wind turbines being developed under this program to date.

Mr. WELLSTONE. Mr. President, I rise today to offer a few remarks on the fiscal year 2001 VA–HUD Appropriations bill.

First, I would like to commend my colleagues on the Appropriations Committee for doing some excellent work on this bill. Many important housing initiatives—including housing assistance for the elderly and disabled, the HOME Investment Partnership Program, the Community Development Block Grant, Housing for People With AIDS, and the Lead-Based Paint Hazard Reduction Program—will all receive funding increases under this bill in fiscal year 2001. Furthermore, an additional 79,000 Section 8 vouchers will be funded under this bill. These are all critical programs, program that help low-income working families find safe and affordable housing, and the authors of this bill should be commended for recognizing the need to continue to

fund these programs at the appropriate levels.

Having said this, though, I would also like to take a few minutes to express my disappointment that this bill does not include funding for a housing production incentives program, despite the fact that the need to produce more affordable housing in this country is critical. Unfortunately, a Senate provision which would have used $1 billion in excess Section 8 funds to pay for the production and preservation of affordable housing failed to make it into the final conference report. Yet many of the programs that are funded in this bill, including Section 8 housing assistance, only work when affordable housing units are available. It does low-income working families no good whatsoever to be given a rent voucher when they can't find an apartment on which to spend it.

As it is written, this bill fails to address one of the most important problems underlying the current affordable housing crisis: the rapid erosion of this country's affordable housing stock. Every year, in fact, every day, we see the demolition of old affordable housing units without seeing the creation of an equivalent number of new affordable housing units. And while there can be no question that some of our existing affordable housing units should be demolished, we have yet to meet our responsibility to replace the old units that are lost with new, better, affordable units. We must do a better job of this, for our current policy simply results in too many displaced families, families who are forced to sometimes double-up or even become homeless in worst-case scenarios, overburdening otherwise already fragile communities.

The National Low Income Housing Coalition reports that right now there are a record 5.4 million households, 12.5 million people, that pay more than one half of their income in rent or live in seriously substandard housing. Who are these people? One and a half million are elderly, 4.3 million are children, and between 1.1 and 1.4 million are adults with disabilities. Waiting lists for housing assistance are longer than ever, and there are still far too many people who simply lack shelter altogether—an estimated 600,000 people are homeless in this country on any given night.

The fact is that incomes for our poorest citizens are simply not keeping pace with the increase in housing costs. A July 1998 study by the Family Housing Fund found that in Minneapolis-St. Paul rents increased 13 percent from 1974 to 1993 while real incomes declined by 8 percent. They found that there were 68,900 renters with incomes below $10,000 in the Twin-Cities and only 31,200 housing units with rents affordable for these families. That means that there were more than two families for every affordable unit available, and the situation has only gotten worse since then, as the vacancy rate has plummeted to below two percent.

Housing is usually considered to be affordable if it costs no more than 30 percent of a household's income. In the Twin Cities area, however, 185,000 households with annual incomes below $30,000 pay more than this amount for their housing. Knowing this, it isn't hard to understand why the number of families entering emergency shelters and using emergency food pantries is on the rise.

This situation certainly isn't unique to Minneapolis-St. Paul. Out of Reach 2000, a recent publication by the National Low Income Housing Coalition, finds that the cost of housing is exceeding the reach of low-income families across the country. This study estimates that the national ''housing wage''—a measure that represents what a full-time worker must earn to afford fair market rent, paying no more than 30 percent of their income—for a 2 bedroom apartment is $12.47 an hour, more than twice the minimum wage. The report notes that in no county, metro area, or state is the minimum wage as high as the corresponding housing wage for a 1, 2, or 3 bedroom home at the fair market rent; in more than half of metropolitan areas, the housing wage is at least twice the federal minimum wage.

Such high rents are, of course, fueled at least in part by the shortage of housing. Demand for housing exceeds the supply, so rents spiral upwards, far beyond the reach of the poor and often well-beyond the reach of the middle class who find themselves priced out of the very communities in which they grew up. The shortage of affordable housing is so drastic that in Minneapolis-St. Paul, like many other cities, even those families fortunate enough to receive housing vouchers cannot find rental units. Landlords are becoming increasingly selective given the demand for housing and are requiring three months security deposit, hefty application fees, and credit checks that price the poor and young new renters out of the market.

In my own State of Minnesota, a family must earn $11.56 an hour, 40 hours a week, 52 weeks out of the year to afford the fair market rent for a two-bedroom apartment, more than double the minimum wage. That's more than double the minimum wage. This means that a person earning the minimum wage in Minnesota would need to work 90 hours a week in order to afford a two bedroom apartment at the fair market rent. Here's the real secret of why so many single parents are in poverty, because it has become impossible for one parent, one worker, to support a family on the bottom rung of the economic ladder.

So what happens to those families who are unable to earn $11.56 an hour? Families with a single worker at minimum wage who cannot work 90 hours? The answer is no secret, and is unfortunately too common in all parts of our country. These families quite simply can't afford adequate housing. Instead, families crowd into smaller units, a one bedroom, an efficiency. Sometimes these families double up, two or more families in a home, with multiple generations crowded under one roof. When the stress of multiple families becomes unbearable, they are left with no other option than homeless shelters. Families rent seriously substandard housing, exposing their children to lead poisoning and asthma, in neighborhoods where they don't feel safe allowing their children to play outdoors. They rent housing with leaky roofs, bad plumbing, rodents, roaches, and crumbling walls.

And even for such substandard housing, many families find themselves forced to pay more than the recommended 30 percent of their income in rent, sometimes spending more than half of their income on housing costs. Families in this situation must then ''cut corners'' in other ways, sometimes doing without what others might consider necessities. Not luxuries like cable television, but necessities: gas, heat, electricity, food, or medical care. This is simply unacceptable. In an era of such tremendous economic prosperity, no family should have to choose between food and shelter, or heat and medical care.

In a recent study of homelessness in Minneapolis-St. Paul, the Family Housing Fund reported that more and more children are experiencing homelessness. On one night in 1987, 244 children in the Twin Cities were in a shelter or other temporary housing. By 1999, 1,770 children were housed in shelter or temporary housing. Let me repeat that: 1,770 children in the Minneapolis-St. Paul area on one night alone spent the night in a homeless shelter or temporary housing. That's seven times as many homeless children in 1999 than in 1987. And families are spending longer periods of time homeless. If they had a family crisis, if they lost their housing due to an eviction, if they have poor credit histories, if they can't save up enough for a two or three month security deposit, they will have longer stretches, longer periods of time in emergency shelters before they transition into homes.

Let me provide a stark and disturbing example of the desperate need for affordable housing in this country: for six days in February of this year, the Minneapolis Public Housing Authority distributed applications for families interested in public housing. They distributed applications for only six days, and then stopped entirely. This was the first time since 1996 applications were accepted for public housing and it is likely to be the last time for several years to come. Mr. President, 6,000 families sought applications for public housing in those six days—an average of 1,000 families each day requesting public housing in one metropolitan area. This is not free housing. Residents would be required to pay one-third of their income in rent. This is not luxury housing. Many families

seem to look upon public housing with disdain, though I know those communities are rich with the talents and contributions of their tenants. This is not even immediate housing. Many of those families will wait years to get into public housing.

Surely this should tell us there is a huge housing crisis. One thousand families a day sought to pay one-third of their income in rent to live in public housing in one metropolitan area. Surely, if this tells us anything, it tells us we must do more.

Mr. President, I know this Nation is prosperous. I know we can afford to solve this problem. We can afford to take this step today. We must make a commitment to address the shortage of affordable housing. Although we were not able to include funding for housing production initiatives in this appropriations bill, it is my hope that each of my colleagues will join me next year in assuring that this critical need is met.

Mrs. BOXER. Mr. President, the Senate considered the VA–HUD conference report a week ago today. During consideration of the bill, the Senate extensively debated report language included in the conference report that dealt with the cleanup of river and ocean sediment contaminated with DDT, PCBs, metals and other toxic chemicals.

Upon passing the conference report today, it is critically important to reiterate that it was understood by the managers of the bill in the House and the Senate that our resolution of the contaminated sediments issue in the VA–HUD conference report on October 12, 2000 was final, and that modifications to the report language or bill language relating to this issue would not be permitted this legislative session on any legislative vehicle.

It is also important to reiterate and to underscore the clarifications the Senate made to that report language.

One of the most important clarifications was a statement of the managers that the report language would not apply presently or prospectively to any site in California.

Another important clarification included a colloquy between Senators BOND, MIKULSKI and LEVIN stating that EPA had full discretion to define the operative terms of the report language.

Yet another critical clarification was a colloquy between Senators BOND, MIKULSKI and LAUTENBERG that stated that the National Academy of Sciences study referred to in the report language was not to be afforded any type of extraordinary or special standing in the Environmental Protection Agency's established process for selecting remedies under Superfund.

Finally, a colloquy between Senators BOND and L. CHAFEE clarified that report language would not affect the cleanup of the Centredale Manor Restoration Project in Rhode Island.

Make no mistake about it, Mr. President, I would have preferred that the proponents of this report language not be given even one bite at the apple in an appropriations bill on the important issue of cleaning up heavily contaminated river and ocean waters. I was concerned that the report language they advanced would slow cleanups in California and around the nation.

I am satisfied that our debate on the report language will ensure that it does not have that effect.

Under no circumstances, however, should the proponents of this report language be permitted a second bite at the apple to undo the work of this chamber and the commitments of the House and Senate managers not to revisit the issue of contaminated sediments—in bill or report language—in this legislative session on any legislative vehicle.

Mr. REID. Mr. President, I truly enjoy working with the chairman and his staff in putting together the Energy and Water appropriations bill each year.

The third time's the charm.

This time, I think we really have completed work on the FY 2001 Energy and Water Appropriations bill.

I am a little surprised to be talking about final passage of the Energy and Water Appropriations bill in late October. Ours is usually one of the earliest to be passed and signed by the President.

Ours is also a bill that is very rarely vetoed. However, this has been an unusual year.

We have modified our bill to meet the Administration's needs on the Missouri River and I am confident that the President will now sign this bill promptly.

For the information of Senators: the Energy and Water portion of this Conference Report has not changed since all of our colleagues joined us in voting on this matter last week.

Our counterparts in the House insisted upon having a Conference, but no changes have been made since we completed work on the package that came before the Senate last week. In fact, it has not changed much at all since it originally passed both Houses earlier this month.

For the third, and, I hope, final time this year, I encourage all of my colleagues to support final passage of this Conference Report which includes both the final energy and Water and VA–HUD Conference Reports.

This is a very important appropriations bill, one where we are asked to pay for a broad array of programs critical to our nation's future. We fund

the guardians of our Nation's nuclear weapons stockpile our nation's flood control and navigation systems, infrastructure that contributes to human safety and economic growth

Long-term research, development, and deployment of solar and renewable technologies, programs critical to our nation's long-term energy security and environmental future and

Science programs that are unlocking the human genome and other breakthroughs that help to keep the U.S. at the scientific forefront of the world.

By and large I think this is a fine Conference Report.

The Conference Report we lay before the Senate totals just over $23.5 billion. Of that, $13.7 billion is set aside for defense activities and just under $9.9 billion will be spent on nondefense activities at the Department of Energy, Army Corps of Engineers, Bureau of Reclamation, and several other independent agencies.

It addresses the needs of our Nation's nuclear stockpile and the crumbling infrastructure at the weapons labs and plants.

Enhanced funding in the water accounts allows us to move forward on a handful of important new construction starts while maintaining our emphasis on clearing out the $40 billion backlog in work already authorized and ready to go.

We have also been able to provide much needed additional funding to both the Science and Solar and Renewable accounts at DOE.

I am particularly pleased to report that funding for the solar and renewable programs is $60 million higher than last year. This year's numbers are the highest these programs have seen in quite some time.

At a time when our Nation is once again questioning our utter and singular dependence on fossil fuels, I am delighted that we are going to be able to move forward aggressively on renewable programs.

Obviously, I have some disappointments about things we were not able to do this year.

However, as all of us know, an appropriations bill is a one year funding bill. We are never able to do all that we want and there is always next year.

The twin notions of one-year funding and re-visiting issues next year brings me to my final point this evening.

Today we are providing $199 million for the National Ignition Facility at the Lawrence Livermore National Lab in California. This is about $15 million below the oft-revised DOE request for this project. They are lucky to get that much.

The final funding figure represents a compromise between the Administration and Congressman PACKARD, both supportive of NIF, and Senator DOMENICI and I who both would have preferred a substantially smaller dollar amount.

For reasons I have discussed at length in other venues, I believe the Department and laboratory sold the Congress a bill of goods on NIF, and I do not feel that they can be trusted to get it right now.

Chairman PACKARD feels strongly that the lab and Department have gotten their House in order and should be given the opportunity to proceed for another year in order to prove it.

I have great respect for the chairman of the conference. We both came to the House of Representatives together in 1982 and I consider him a friend. I do,

however, disagree with him on this matter.

His work on this subcommittee has been excellent and I will miss both his good nature and his fine judgement after he retires this Fall.

He has prevailed upon Chairman DOMENICI and me to allow NIF to go forward for one year, albeit with substantial reporting and milestone requirements.

It is my hope and expectation that DOE will go out of their way to find credible, external reviewers to add some element of objectivity to the new project reviews we are imposing on the Department.

I am going to watch this program like a hawk for the next year.

If the Department and lab fall a day behind schedule or go a dollar over budget, I will not hesitate to zero NIF right out of the Senate bill next year and I suspect that Senator DOMENICI will help me do it.

We have given them all but a couple of percent of what the Administration requested for this project. Now is the time for performance, not excuses.

After nearly a year of listening to DOE and Livermore discuss the problems with this project, I am still not sure what bothers me more: The notion that DOE woke up one morning and discovered that their estimate was off by a billion dollars; or that they simply expected us to give them the money without much of a fuss.

A billion dollars is a tremendous amount of money.

I am done sitting by while DOE and the three weapons labs continue to sweet talk us into beginning projects and then revealing the real price tag to us later.

Livermore is on the hot seat now, deservedly so, but this is a complex-wide problem.

It is going to stop.

The chairman and I have worked together on this bill and so many other issues for many years. Despite the hard work and late nights that completing this bill requires, it is always a pleasure to work with him and his staff to get the job done.

Both of us had staff changes at the clerk position this year and we just kept humming along. The bill has worked as well as it ever has.

I thank the entire staff for all their hard work. Clay Sell, David Gwaltney, and LaShawnda Smith of Senator DOMENICI's staff have worked very well with Drew Willison, Roger Cockrell, and Liz Blevins of my staff.

Every year the associate subcommittee staff provides valuable advice, input, and recommendations to our staff and I am grateful for their help, too.

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

The Senator from Nevada.

Mr. REID. Mr. President, under the unanimous consent agreement before the Senate, it is my understanding I have 10 minutes.

The PRESIDING OFFICER. The Senator is correct.

Mr. REID. Mr. President, as I did at the conference committee we had last night, I express my appreciation to Senator MIKULSKI for the great leadership she has shown in working this bill through this very difficult process.

As she has indicated, it takes two to do that. It is important we recognize that there are matters, when we are able to work together, where both Democrats and Republicans can work toward a common goal. That goal has been, for many months now, getting this very difficult VA-HUD bill to a point where we are now going to approve it. The Senator from Missouri is also to be commended for working so closely with the Senator from Maryland in coming up with this great piece of legislation. They are both a couple of experts in this field, not only experts in the field that covers the legislative matters before us but experts in moving the matters through the legislative process. Both sides of the aisle recognize their expertise.

After this conference report is approved, we will next move to a vote on a continuing resolution. What is a continuing resolution? It is when we have failed here to do our work to extend the operation of Government so it doesn't shut down.

So we are going to have another continuing resolution approved this afternoon. I am disappointed that we are now to a point where this is the fourth continuing resolution, I believe, that we will approve. This is for 6 days—until next Wednesday. We just completed work on a long continuing resolution. We basically completed very little during that period of time.

The new fiscal year is now nearly 3 weeks old, and Congress has still failed to have signed into law 9 of the 13 appropriations bills.

To compensate for the failure to do our work, we pass these continuing resolutions that I have talked about to stop the Government from shutting down. We have been through a Government shutdown. We know it can happen. We will now consider in a few minutes another continuing resolution. That is too bad. I find it disturbing that the continuing resolution didn't go for 24 hours at a time.

I have not been in the Congress as long as some people, but I have been here a long time. I can remember when a congressional session was winding down and we worked day and night. We worked Mondays. We worked Fridays, Saturdays, and on occasion we worked Sundays to complete our work. No, not here. We have had leisure time. We have not had any hard lifting. We just took a 5-day break.

I understand the importance of the upcoming elections as well as anyone else. The elections represent a crucial choice regarding the future of this great Republic. However, no election is more important than the election that takes place here in this Congress every day when we, in effect, vote on legislation. This election represents something just as important. That is why we were sent here—to do the work of the people. We are not doing it. The majority isn't allowing us to do it.

We will never finish these appropriations bills until it is clear to everyone that we must do our work and do it every day of the week. We have been used to 3-day weeks around here where we worked Tuesdays starting about 2:30, and Wednesday and Thursday. But we finished early on Thursday. I have never seen a congressional session such as this. We don't work on Mondays. We don't work on Fridays. And now we have a new deal: We are working 2-day weeks. We are now going to a 2-day week schedule. Of course, on the first day we will work late. So it will only be about a day and a half. I don't think when we have work to do that we should be working 2-day weeks.

I bet the hard-working American people who work for these massive corporations and small businesses would like a 2-day workweek. That is what we are having here.

It is no secret that this exceptionally slow work schedule is responsible for the fact that Congress has completed only a few appropriations bills. We passed one in July, one in August, none in September, and two so far this month. I think we should pick up the pace a little. I think the American people would agree.

Until we finish the 106th Congress, I think every continuing resolution we pass in the future should be for 24 hours. I am not going to vote for any more continuing resolutions that are for more than 24 hours. I don't know if I am going to vote for this continuing resolution. I think it is a shame that we are not going to be here literally doing work on this floor until probably next Tuesday with probably no votes until next Wednesday.

Not everyone would like this approach—because we have more certainty with a longer continuing resolution. I hope the President will support our efforts to have a 24-hour continuing resolution. I want to give everyone a hint here. The President just told us that is what he is going to do—that he will no longer approve a multiday continuing resolution—24 hours only.

When we get here Wednesday and that expires, remember that we are not going to get one for more than 24 hours. We have to complete our work. It is important that we do that.

Let's set aside for the moment the disappointing record on the appropriations bills and focus instead on the laundry list of missed opportunities that litter Capitol Hill this fall.

The lack of action on the appropriations bills is rivaled only by the chronic inaction by this Republican Congress on the many other important issues that face our country. While the Republicans blame the Democrats for lack of action, how they can do that

with a straight face is a little hard for me to comprehend. The problem is the Republican majority doesn't seem to work with each other.

We all recognize that one of the highest priorities for America at the beginning of this century is education. We have spent in this Congress parts of 6 days working on education. That is it. It couldn't be a very high priority. We don't set the agenda here. I wish we could. But instead of parts of 6 days, we would spend weeks working on education. For the first time in 35 years we haven't approved the Elementary and Secondary Education Act. That is too bad.

Another issue before the Congress is that we have failed to address any meaningful way raising the minimum wage. Sixty percent of the people who draw minimum wage are women. For many of these women it is the only money they earn for their families.

I think it is important that women who get only 74 percent of what men make for the same job should at least be recognized by getting an increase in the minimum wage.

This long list of missed opportunities which will be compounded by a 2-day workweek that we are now going to have demonstrates the irony that the majority is more interested in plowing down the campaign trail than helping plow down the field to help us pass some legislation that helps working Americans.

What legislation am I talking about? Am I making this up? The long list of missed opportunities of this Republican-controlled Congress is:

The minimum wage we talked about;

The failure to enact anything dealing with health care; Prescription drug benefits, no; Prescription bill of rights, no; Helping make college education affordable, no; Doing something about education and lower class sizes, no; Having money for school construction, no.

In the State of Nevada—the most rapidly growing State in the Nation—we have to build a school every month in Las Vegas to keep up with the growth. We need some help.

The average school in America is over 40 years old. We have crumbling schools. We must build some new schools. In one school in Ohio, the ceiling collapsed and kids were hurt.

Then there is the failure to pass a meaningful targeted tax cut for middle-class working Americans.

It is important.

One issue that we should talk about a little bit is campaign finance reform. We are awash in money. People are out raising money. Why? Because one has to be competitive. JOHN MCCAIN has been very courageous. He is one of the few Republicans to join with every Democrat over here to do something about campaign finance reform.

Get rid of corporate money; let's at least do that.

Two years ago, in the small State of Nevada, over $20 million was spent on the election for the Senate. Neither one of us spent more money. We spent the same amount of money. Can you imagine that in a small State of Nevada with over $10 million each? It is shameful. We have to change it. But, no, we are not able to even vote on it.

This continuing resolution is going to be coming up, and I am not happy with it. I am certainly supportive of making sure that we complete our work. But we don't need to take off from Thursday until next Wednesday. That is, in effect, what we are doing. That is too bad.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I believe there is some time left for Senator STEVENS under this agreement. We are interested in yielding back time, to the extent that the other side will yield back time.

Mr. President, there are lots of statements that could be made to answer the political charges of my colleague from Nevada. Let's just say we disagree with them. We will debate those later.

We have been delayed in this process because we had to file cloture because of filibusters this summer on the measures.

I ask the distinguished chairman of the committee if he would like time. I would be happy to yield the floor.

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

Mr. STEVENS. Has my time expired?

Mr. BOND. On the continuing resolution?

Mr. DOMENICI. He had 5 minutes.

The PRESIDING OFFICER. On the pending conference report.

Mr. STEVENS. Whatever it is, I am happy to yield back my time so we can vote.

Mr. REID. Senator BYRD has time. He is not here. I am confident that we can yield back his time.

MAKING CONTINUING APPROPRIATIONS FOR THE FISCAL YEAR 2001

The PRESIDING OFFICER. If the Senator wishes, he may use his time on the continuing resolution.

Mr. REID. I reserve Senator BYRD's time.

It is my understanding now the time goes to the CR, and Senator DORGAN has 10 minutes; is that right?

The PRESIDING OFFICER. The Senator is correct.

Ms. MIKULSKI. Are we going to vote on VA-HUD now or have stacked votes?

Mr. REID. It is my understanding we are to use the time on the CR and on the VA-HUD conference report and have two back-to-back votes.

Mr. BOND. That is our understanding. So the sooner we use up or yield back the time on the continuing resolution, the sooner we can vote, and perhaps colleagues who wish to use time can talk quickly.

Ms. MIKULSKI. Are we now done with VA-HUD?

Mr. BOND. It is my understanding the time for VA-HUD has expired. Some of the time has been used off the CR. I believe there is a willingness to yield back on our side.

Mr. REID. I used time I had reserved for me under the continuing resolution. Senator BYRD has 5 minutes. He is not here. I am sure he would be willing to yield that back. The only time remaining, as I understand it, is time on the CR. Is that right, Mr. President?

The PRESIDING OFFICER. That is correct.

Mr. REID. Who has time reserved under the CR?

The PRESIDING OFFICER. Senator DORGAN has 10 minutes and Senator STEVENS and Senator BYRD have 5 minutes each.

Mr. STEVENS. I have yielded back my time, if I had any.

Mr. DORGAN. Mr. President, it is my understanding Senator STEVENS yielded back his time on the continuing resolution?

Mr. STEVENS. Yes.

Mr. DORGAN. Mr. President, I may not take all of the 10 minutes, but I want to speak on the continuing resolution for a moment.

It is now Thursday, October 19. We have a continuing resolution, which in English means continuing the funding for the Government for appropriations bills that have not yet been completed, until next Wednesday. This is one more in a series of continuing resolutions required by this Congress because we do not have the appropriations bills completed and sent to the President to be signed into law.

Now we have to do this. I understand that. We have to pass a continuing resolution. But this is not the way for the Senate to do its business. I came from a meeting we had with the President. The President indicated this is the last continuing resolution of this sort that he will sign. He indicated the next continuing resolution will be for 24 hours, no more than 24 hours. That is what he told a large group of people a bit ago. This continuing resolution takes us until next Wednesday, after which, apparently, continuing resolutions will be for no more than——

Mr. STEVENS. Will the Senator yield?

Mr. DORGAN. Of course.

Mr. STEVENS. Mr. President, I ask the Senator, if the President said we can only have 24 hours, does that mean within 24 hours we will have the full scope of his demands under the Appropriations Committee?

We have not seen the full scope of the President's demands, and until we do we will continue to have continuing resolutions.

Mr. DORGAN. Mr. President, let the record show there is a search for scope around here.

The President's number is 456–1414. Certainly, the Senator can consult with the President on that issue.

It is now October 19. We are keeping the Senate in session and preventing the Senate from doing business in many ways. We have something pending. As soon as we finish these votes,

do you know what is pending on the floor of the Senate? The motion to proceed to S. 2557. Do you know when the motion to proceed was filed in the Senate? A month ago; a motion to proceed to an energy bill. Does anybody think there was ever an intent to proceed to a bill? No.

Why is this motion to proceed pending? To block every other amendment that would be offered by anybody else in the Senate. So the purpose is, keep us here for the desires of those who need to do the appropriations bills but don't let anybody do anything else with respect to other issues.

That is the purpose of this block motion. It has been in place a month. Some of us chafe a little by being told, you stay in session for our purposes; that is, the purposes of those who control the agenda. But in terms of what you are here for, in terms of your desires and your passions on a range of issues, forget it because we will block it with this motion to proceed.

Now, this continuing resolution takes us until next Wednesday. We apparently will have at least two votes stacked, two sequential votes, following this discussion. Then I guess the question is—this is Thursday—what happens tomorrow, on Friday or Saturday or Sunday, Monday, Tuesday, or Wednesday? Who is doing what? When are we going to get these issues resolved?

I think the import of the question from my colleague was that this is somebody else's fault. Maybe so. Maybe someone hasn't provided a list of scope here or there. All I can say is it is now October 19. This is, I think, the third CR, perhaps the fourth, and more will be required, I suspect. But if we are going to be in session, if we are going to be in session for some while, some days, then I ask the question, why aren't we working on other issues? Why should we be prevented—those on this side of the aisle—from offering amendments on a range of issues?

I think it is not the way to run this Senate, to put up a blocking motion. I believe it was put up September 22. It is now October 19. The import of that blocking motion to proceed was to say we are only going to allow the Senate to work on the following issues, and we will do it by blocking all other amendments to be offered.

I don't know what next week will bring. I will say the President indicated he is not going to sign long-term continuing resolutions. I don't know how you could. A week from now, next Wednesday, is October 25. I don't know how much further you can take this session of Congress.

At some point we have to do the appropriations bills and resolve the funding issues. I don't think anybody has had an easy job doing this. The difficulty of this job started with the passage of the budget. That budget never added up. It was not realistic. We all knew we would have to spend more money than called for in the budgets on discretionary spending.

Mr. STEVENS. Will the Senator yield?

Mr. DORGAN. Of course I yield.

Mr. STEVENS. Yesterday, this Senator completed 5 days of negotiations and finally got an agreement with the House and with everyone on how to lift the caps of the 1997 act. That did not take place because the Senator's side of the aisle objected at the last minute. We don't have a provision in this bill lifting the 1997 caps; we can't go forward until we do.

We don't have the ability to go forward yet this afternoon and tomorrow and the next day. We have to lift those caps.

It is enough to take abuse once in a while, but this Senator doesn't take it when it is undeserved. To accuse this side of the aisle for delay now is absolutely wrong. The President of the United States just came here and demanded 100 percent of what he asked for, but we don't know what it is.

Mr. DORGAN. Mr. President, let me reclaim my time. If the Senator from Alaska heard anything that represented ''abuse,'' that was not my intent. If there were discussions yesterday about lifting the cap, yesterday was October 18, 18 days past the October 1st deadline.

I happen to think the chairman of the Appropriations Committee is someone for whom I have had great respect. I don't think he has caused these problems. But I do think if you go back to the spring of this year with respect to the budget that was passed, there was not enough money in it, and we knew it then. There wasn't enough money in it for domestic discretionary programs, and we knew we would come to the end of the process with gridlock. Now we have this gridlock, and then we have these CRs that say: By the way, we will keep you in session until Wednesday but only on our issue. If you have issues—prescription drugs, minimum wage, the Patients' Bill of Rights—you ought not offer them, and we will block you. So they block it for a month.

I say to my colleagues, if you were in this circumstance, I don't think you would be as quiet as we have been. The fact is, we have been blocked for a month from offering amendments dealing with the central issues that we came to Congress to deal with and resolve and deal with. People talk about not leaving people behind. There are a whole lot of folks left behind with the agenda this Congress hasn't dealt with.

I am going to relinquish the floor, and we will vote on a CR. I assume this is not the last CR. I assume we will have more. I don't think any of us ought to be white eyed with surprise when we find ourselves in October trying to get out of a budget that was passed this spring. Incidentally, that is a budget I did not vote for because, in my judgment, it did not add up in the first place.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. I ask unanimous consent I might be permitted to speak for 5 minutes since all the time has expired.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SPECTER. I think the arguments by the Senator from North Dakota require some response. If I could have the attention of the Senator from North Dakota? I know the number of the White House. I called it last night in an effort to try to resolve the outstanding differences on the appropriations bill for the Departments of Labor, Health and Human Services, and Education, the subcommittee of appropriations which I chair.

When the Senator from North Dakota talks about insufficient money for discretionary spending, that is not necessarily true. In our subcommittee, on those three Departments we met the President's figure, $106.2 billion. We have structured our priorities somewhat differently. He wanted $2.7 billion for school construction and for more teachers. We gave that to him. But we added a very appropriate proviso, and that is, if the local boards decide they have sufficient of those items, they can use it for something else.

The grave difficulty here has been, since the Government was closed, there has been a radical shift in power between the Congress and the President. Now the President expects everything on the threat of a veto. If he is going to veto something, that means the Congress has to cave to him and knuckle to him. We are proceeding in a nonconstitutional way. We have the executive branch in our legislative discussions before we arrive at our bills, and then we have a situation where the President has to have his way. There is no such thing as compromise. We are discussing language——

Mr. DORGAN. Mr. President, will the Senator from Pennsylvania yield?

Mr. SPECTER. No.

We are discussing the issue of schoolteachers. Last year, in the middle of the night, there was a compromise which went around this Senator, the chairman of the subcommittee, and I am not prepared to take that unacceptable language. But it is a high-handed demand. We are not going to retreat from last year's language on a program the President thinks is important.

We need to go back on track, and that is to follow the Constitution and submit our bills to the President. The Congress has the primary authority and responsibility for assessing priorities. We have the purse strings, it says in the Constitution. But that is not the way it is functioning today.

When the President comes to Capitol Hill and issues a dictatorial statement that he is not going to sign continuing resolutions for longer than a day, fine, let him stay in town. It will be quite a change for the President's schedule if he stays in town to sign these continuing resolutions day in and day out.

It is time the Congress stopped being blamed for everything.

If the American people understood where we stand on my bill, that the President got the full sum he asked for, there is a difference in priorities—I ask unanimous consent for 2 more minutes, Mr. President.

Mr. DORGAN. Reserving the right to object—and I shall not object—I would like to observe, I have yielded to requests on that side and I hope the Senator will yield at the end of his time.

Mr. SPECTER. I will be glad to yield at the end of my time, limited as it is.

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

Mr. SPECTER. If the American people knew we met the President's figure of $106.2 billion but we think the National Institutes of Health ought to have a priority—we have raised them $1.7 billion more than the President, we have given more money to special education—I think if the American people knew that, they would say those are more important priorities.

If the American people knew that we want to retain local control so school boards can spend the money the way they see fit on the local level if they do not think the President's priorities are preferable, that they prefer local control to a Washington, DC, bureaucratic straitjacket, then we could have that decision.

But this Senator is not at all concerned about 1-day continuing resolutions. I am prepared to stay here a lot longer than is the President.

I yield for a question.

Mr. DORGAN. I thank the Senator for yielding for a brief question. If the Senator's contention is there was enough money in the budget this spring for domestic discretionary, why, then, are people on his side discussing the need to increase the budget caps, the spending caps?

Mr. STEVENS. If I may answer that, with regard to the bill on which we are about ready to vote, I, as chairman, delegated some of the 302(b) allowance to Health and Human Services to VA–HUD and to the other bill, energy and water. It is because of the limits that were set in the 1997 act, not just the budget resolution. We have not lifted them to the point to have enough money to pass this bill.

Mr. BOND. Mr. President, might I ask if everybody will yield back the time so we can get on with the votes?

Mr. DORGAN. Mr. President, I make a point of order a quorum is not present.

Mr. BOND. Mr. President, there are other pressing matters. It is an interesting discussion that might go on after the vote.

Mr. DOMENICI. Regular order.

The PRESIDING OFFICER. Time has expired.

The Senator from Nevada.

Mr. REID. Mr. President, it is my understanding now we are going to vote on VA–HUD. After that, because of one of the senior Members, and others, we are going to have to wait until the papers get here before we vote on the CR. I understand they should be here momentarily. I am sure by the time the vote is closed they will be here, so I hope we can go to the vote now on VA–HUD.

Mr. STEVENS. Mr. President, parliamentary inquiry: Isn't there an order to vote back to back on these bills?

The PRESIDING OFFICER. There is an understanding that will occur. That will be the case.

Mr. STEVENS. Is it the order, the unanimous consent agreement?

The PRESIDING OFFICER. Time has expired on both measures, and votes will occur on both measures back to back.

Mr. STEVENS. Let's run the first one here.

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. 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.

VOTE ON H.R. 4635 CONFERENCE REPORT

Mr. BOND. Mr. President, have the yeas and nays been ordered on the VA–HUD conference report?

The PRESIDING OFFICER. They have not.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the conference report. The clerk will call the roll.

The assistant legislative clerk called the roll.

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

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

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

The result was announced—yeas 85, nays 8, as follows:

[Rollcall Vote No. 278 Leg.]

YEAS—85

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

NAYS—8

Allard	Gramm	Kyl
Feingold	Grassley	Voinovich
Graham	Inhofe	

NOT VOTING—7

Feinstein	Inouye	McCain
Grams	Kerry	
Helms	Lieberman	

The conference report was agreed to.

Mr. BOND. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The majority leader.

Mr. LOTT. Mr. President, I thank the chairman of the committee and the ranking member, Senator MIKULSKI, for the work they have done on this bill. It has been a long process, and they both have done excellent work. We appreciate their leadership.

UNANIMOUS CONSENT REQUEST—H.R. 2415 CONFERENCE REPORT

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now proceed to the conference report containing the bankruptcy bill, H.R. 2415, and the conference report be considered as having been read.

The PRESIDING OFFICER. Is there objection?

Mr. WELLSTONE. I object.

The PRESIDING OFFICER. Objection is heard.

WITHDRAWAL OF MOTION TO PROCEED TO S. 2557

Mr. LOTT. I now withdraw my motion to proceed to S. 2557 regarding America's dependency on foreign oil.

The PRESIDING OFFICER. The Senator has that right.

BANKRUPTCY REFORM ACT OF 2000—CONFERENCE REPORT

MOTION TO PROCEED

Mr. LOTT. Mr. President, I move to proceed to the conference report containing the bankruptcy reform bill, H.R. 2415, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The question is on agreeing to the motion. The clerk will call the roll.