

A year and a half later, on the day of the surprise attack on Pearl Harbor, the Japanese Army entered Thailand. A powerful faction within the Thai Government, favoring collaboration, ordered the Thai military not to resist. And later in December, now in full control, they signed a military alliance with Japan.

Their next step was to order Seni by cable to deliver a formal Declaration of War to the U.S. Government. As a patriot and a man of conscience, Seni did not hesitate to do his duty as he saw it. As he recounts the story, he went to the State Department the day after receiving this cable, and told then-Secretary of State Cordell Hull:

Sir, I regret to say that I have been instructed by my government to declare war on the United States. But I refuse to do it because there is no reason, and I have already cut myself loose from Bangkok. I cannot bring myself to declare war on the United States.

Seni placed the Declaration of War in a safe at the Embassy on Kalorama Road, where it remained for the rest of the war. He refused further to leave the Embassy when the ruling faction in Bangkok ordered him to do so. And instead, he devoted himself to the Allied cause, writing every Thai student in the United States to announce his decision to form a resistance force called the Seri Thai or Free Thai movement.

Virtually all of the 110 Thai students in the United States at the time joined the Seri Thai. Seventy of them trained under the OSS as guerrilla fighters. Others served as technical experts. Some carried out broadcasts in the Thai language. Still others helped American military authorities to identify sites of great cultural and historical value to Thailand, in order to preserve them from Allied bombing raids toward the end of the war.

The Seri Thai movement was equally successful inside Thailand. Inspired by Seni's wartime broadcasts, and trained by his student recruits, it ultimately armed about 50,000 Thai partisans. And following the Japanese surrender, Seri Thai formed the first postwar government, with Seni himself as Prime Minister.

Seni's career since then has been just as distinguished. He was a founder of the Prachatipat or Democrat Party—now Thailand's oldest political party, and ably led by Prime Minister Chuan. He has been, as well, a highly successful lawyer and musician; and Prime Minister once again in the 1970's.

Altogether, it is no exaggeration to say that for the past 60 years, Seni has been at the center of Thai law and politics. And his sincere commitment to democracy, moderation, and the rule of law has helped Thailand become the prosperous democracy so many people around the world admire today.

In a letter to President Franklin Pierce, written in 1856 and reprinted in the book "A King of Siam Speaks," which Seni and his brother Kukrit Pramoj edited some years ago, King

Rama IV expressed the hope that the United States and Thailand would forever regard one another with "friendship and affection," and support one another in times of difficulty. And nearly 150 years later, few have done more to make the King's hope a reality than Seni Pramoj.

All American friends of Thailand join in wishing M.R. Seni Pramoj best wishes as his 90th birthday approaches. And we thank him for a service to both our countries which we will not forget.

IN HONOR OF FRANK E. RODGERS,
RETIRING MAYOR OF HARRISON,
NJ

Mr. BRADLEY. Mr. President, on December 31, 1994, a very special man, Frank E. Rodgers, served his last day as mayor of Harrison. After 48 years of public service, Mayor Rodgers is being honored for his life-time commitment to the citizens of Harrison, NJ.

Mayor Frank Rodgers won his first term as mayor of Harrison after the war in 1946 and began the distinguished career that would make him the longest-serving mayor in the history of the United States. Epitomizing the old adage that all politics is local, Mayor Rodgers campaigned door-to-door all 24 times he sought reelection and maintained an open-door policy at town hall.

In addition to his time as mayor, Frank Rodgers held a variety of elected and appointed jobs in government, including 6 years from 1977 to 1983 as a State Senator and 10 years as a town councilman. Frank's service in the Army during World War II did not interfere with his commitment to public service; he was reelected as a councilman while in basic training at Fort Dix and managed town affairs through calls and letters to his wife and family while working as a military intelligence officer on assignment along the east coast.

Diligence, dedication, and a true commitment to his constituency were the hallmarks of Frank Rodger's career. In his retirement letter to the residents of Harrison, Frank wrote, "I believe our years together hint at a mutual respect and caring that goes far beyond the requirements of governing." Frank Rodgers possessed both the insight to know what it means to govern and the willingness to devote himself wholeheartedly to the task. While his retirement will be a great loss to those who have worked with him and for those he has served, he has left an exemplary legacy of excellence in public service.

CONCLUSION OF MORNING
BUSINESS

The PRESIDING OFFICER. Morning business is closed.

BALANCED BUDGET AMENDMENT
TO THE CONSTITUTION

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of House Joint Resolution 1, which the clerk will report.

The bill clerk read as follows:

A joint resolution (H.J. Res. 1) proposing a balanced budget amendment to the Constitution of the United States.

The Senate resumed consideration of the bill.

Mr. DORGAN addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, the Senate is now considering an amendment to the U.S. Constitution. This is not a usual matter and ought not be treated as such. Changing the U.S. Constitution is a very solemn responsibility, and those who wrote the Constitution made changing it very difficult, by design.

I have in my hand a copy of the Constitution. This is a little booklet put out by the bicentennial group that worked on a program to educate the American people about the Constitution. The Constitution begins, as all Americans know, "We the people of the United States." "We the people."

I was privileged to go to a celebration in Philadelphia about 8 years ago or so. It was the 200th birthday of the signing of the Constitution. The birthday, the 200th anniversary, was held in the very same room in Philadelphia, called "The Assembly Room," in Constitution Hall, the same room where the Constitution was written in the first place 200 years previous, when 55 white, largely overweight, men sat in a very hot Philadelphia room in the summer and wrote a constitution.

We know that because we know who they were. Two-hundred years later fifty-five people, men and women of all races went back into that room to recreate in celebration the writing of that Constitution. I was one who was picked to be among the 55. And to go into that room on the 200th anniversary of the date of the writing of this Constitution was pretty special. George Washington's chair is still at the front of the room, the chair he sat in when he was presiding, and Franklin sat over there.

It was very remarkable to be in this room where they wrote this Constitution. Even more remarkable was that it was written over 200 years ago by patriots, by people who cared deeply for this country, but also by a homogenous group of people, only white men who came from various parts of the colonies to join in that room and write this document.

We have come a long way. Two-hundred years later it was a diverse group of men and women of all races who celebrated. I sat there kind of getting some goose bumps about the history of it all. I thought: as a little boy I grew up studying about George Washington

and now I am in the room where he helped write this document. It reminded me of what a solemn responsibility it is for us to understand this document and what it means for this country.

We have had all kinds of proposals to change it. I think there have been over 2,000 proposals made over the years to change the U.S. Constitution. Every time somebody gets a notion they want to change it, just change it. Some scruffy little guy in Texas says change the Constitution to prohibit something. One of these days somebody is going to burn the Bible. They say change the Constitution to prohibit something. There are all kinds of ideas on how to change the Constitution. Yet, this living document has served this country for 200 years creating the oldest, most successful representative democracy ever on this Earth. So we are here today to talk about a proposal to change it.

If I might give just one quick story about the understanding of history here, some years ago Claude Pepper, the oldest Member of Congress, was standing out in front of the Cannon House Office Building with young JIMMY HAYES, who was in Congress as a freshman. He was standing next to Claude. Claude I think was 87, the oldest Member at that time. And they were standing talking on the sidewalk when a group of Boy Scouts with their leader breathlessly came running down and looking for directions. They stopped next to old Claude and young JIMMY and they had no idea who they were. They said, "Can you tell us where the Jefferson Monument is?" Old Claude Pepper said, "You go right across the Capitol Plaza to that building with the flag on it, and take a right and go one block, and you will find it." Jimmy looked at Claude with a kind of certain strange look. Claude was aged 87. After they left, Jimmy said, "I think you have given them bad directions. I know where the Jefferson Memorial is. The Jefferson Memorial is a mile away, by the river."

Well, Jefferson was not around when they wrote the Constitution. He was in Europe. But he contributed mostly through writings and through the force of his thought and various ways to the writing of the Bill of Rights, the most important of which, of course, was free speech. And Claude said, "Since they asked to see a monument to Jefferson, there is a demonstration on the subject of abortion going on over in front of the Dirksen Building. I feel there is no better place to see a monument to Jefferson and free speech than in front of the Dirksen Senate Office Building today."

I imagine that the Boy Scout leader did not think of it this way, but he was looking at a monument to Jefferson contained in this Constitution.

There are plenty of monuments in this Constitution that represent timeless truths that have served this country, and will for a long, long time. The

question is, should a change be made in this document? Should we change the Constitution in order to respond to the budget deficit? Should we require a balanced budget?

I have spoken on the floor on many occasions on this subject. I have said before—and let me repeat again—that a balanced budget itself is not necessarily the most important goal. Does anyone in America believe that it would be imprudent for us to spend \$400 billion more than we have this year and create a deficit of massive proportions if by doing so we could with one stroke eliminate cancer? Does anybody believe we should not do that? Of course not. The question is though whether the budget should be balanced. The question is: What are you doing as a result of these deficits? What is causing them?

What is the result of the deficits? The fact is the deficits that we now have in this country are operating budget deficits. They are not investments in the future. They are operating budget deficits because our fiscal policy has rolled out of control. The question should not be, in my judgment, whether we have an obligation to deal with them. The question is, how?

I came to Congress a number of years ago not thinking we should change the Constitution in this area. Some years ago I changed my mind. We started in 1981 when President Reagan proposed to us a fiscal policy strategy that he said would result in a balanced budget. We had somewhere around a \$60 billion to \$80 billion Federal deficit at that point. He said, if we simply cut taxes and double defense spending, we will have a balanced budget by 1984. Well, Congress cut taxes and doubled defense spending, and we all know what happened to the deficit.

This line has gone way out of control. These are deficits that are serious, and these are deficits that have accumulated to make a \$4.8 trillion debt for this country. That threatens this country's future.

So the question is not whether. The question is what we do about it? The top of this line on this chart is about deficits, and shows something that I think is important. A couple of years ago we had on the floor of this Senate a proposal to deal with the deficits. It was a tough proposal and hard to vote for. It raised some taxes—and nobody wants to pay for increased taxes—and it cut some spending, a lot of folks did not agree with cutting spending in these areas. Yet, our deficit cut actually increased after we passed the bill. We thought it would cut \$500 billion, that it would cut the Federal deficit by \$500 billion in 5 years. We now know it was over \$600 billion. So we have gotten some additional advantage.

My point is that we did something significant in law on the floor of this Senate. You see what happened to the Federal deficit since that point. I am proud to say I voted for that. People

come up to me and say, "How dare you, you voted for that?" I think the political vote would have been, "No, count me out. I am not part of the solution. I am not going to make the tough vote." I did not say, "Count me out." I voted yes because I want this deficit to come down.

I might say there was not one single vote in this Chamber to help us from the other side of the aisle; not one. Not one Republican voted for this. I am not going to question their motives. They fell very strongly philosophically about some things. When it comes time for heavy lifting, it is very important that everybody be lifting. And we on this side of the aisle did it. I am proud we did it.

The problem is this line does not keep going down.

(Mr. DEWINE assumed the chair.)

Mr. DORGAN. Mr. President, we did this and it was important to do, but all of us know that because of health care costs and other things, this line starts going back up. So this is not enough. The question is: What do we do now to solve this problem in the future?

The Senator from Utah brings to the floor, with many of his colleagues, a proposal to change the U.S. Constitution. I respect him for that. I voted for a change in the U.S. Constitution to require a balanced budget last year. I likely will vote for one again, although there are some changes in this proposal that I do not like.

I want to talk today about a couple of changes we want to make to this proposal and why. As I do that, I want to say that somebody on the other side of the aisle was quoted, I guess yesterday, as saying that those who say the American people have a right to know how we propose to balance the budget are joking. He said that the Senators who make this argument simply do not want to balance the budget.

Wrong. I want to balance the budget. I have voted for a constitutional amendment in the past, and I likely will again. But the question, in my judgment, is not whether we balance the budget; the question is: How?

I think the Senator from Utah and the other original cosponsors of this particular constitutional amendment will agree with me that if it passes 90 seconds from this moment, not one single penny of the Federal deficit will be reduced—not one. This will simply represent a bunch of words that go into the document called the Constitution. And the requirement, then, will be that changes in taxing and spending will have to occur in the magnitude of somewhere around \$1.5 trillion in 7 years to accomplish a balanced budget by the year 2002.

I happen to think there is a special responsibility at this moment. The special responsibility is for this reason: The majority party, having won last November, proposes a contract for this country. In the contract, they say two things. They say they want to decrease

taxes, which means cut the Government's revenue, No. 1; No. 2, they want to increase defense spending. If you decide you want to cut the Government's revenue and increase one of the largest areas of Government spending, it seems to me it is logical to ask, if we change the Constitution to require a balanced budget, how do we do it? How do we get to that point, if you say we should cut revenue and increase one of the largest areas of spending?

For that reason, many of us—some who are opposed to the balanced budget amendment, others who support it—do support an amendment called the right-to-know amendment. Once again, the questions for the American people are: What are we going to do, and how are we going to do it? The proposal to change the Constitution answers the question "what?" What are we going to do? But the question of how we are going to do it, we are told, is an improper question; leave it for later.

Well, my colleagues, that is business as usual. If ever I have heard business as usual, that is business as usual. I have heard that in 1981, 1982, 1983, 1984, and 1985. Business as usual is: Trust me; I promise you; we will tell you later. No, we do not have the details, but they are there; believe us, trust us; we promise you.

Well, look, how many times do you accept a promise? The American people, it seems to me, have every right to understand the answer to two questions: What are we going to do, and how are we going to do it? The American people have a right to know, from those who say, "I want a balanced budget by 2002," and "I want increased defense spending," and "I want revenue cuts," they have a right to know how we are going to get there.

If I said to the Presiding Officer that I want you to ride with me today and we are going to go to New York City, the Presiding Officer might want to get to New York City; he might have a desire to visit. He might say that sounds like a good trip, and he would like to go. He would probably ask, "How are we going to get there? Are we going to take the train; are we going to walk; are we going to take a motor scooter; are we going to go through Atlanta or maybe through Los Angeles to get from Washington, DC, to New York?" He would have every right to want to know how we were going to do it.

That is the purpose of the right-to-know amendment. Its purpose is not to derail the balanced budget amendment. I happen to think we ought to pass the constitutional amendment. I voted that way in the past, as I said, and I probably will this time. The purpose of the right-to-know amendment is to say this must be more than an empty promise. We must, this time, develop a national awareness of what the heavy lifting means to all of us. We need to get the Nation behind us to do it.

Mr. ARMEY, on the House side, said, "Well, we cannot tell the American people what is required here; it would

make their legs buckle." I think that is far too little faith in the American people, honestly. We have to do this together. This country belongs to them, not us. This is their country, their democracy. This book, this Constitution, means it is theirs. They have the powers, not us. We have a responsibility to them at this point to tell them what we are going to do and how are we going to do it.

There are plenty of areas of the Federal Government that can be cut and will be cut under any scenario, whether this amendment passes or not. I led a project on Government waste when I was in the House of Representatives and then here in the Senate. I can cite chapter and verse about wasteful spending. I mentioned before the 1.2 million bottles of nasal spray on inventory at the Department of Defense. There are a lot of plugged noses you are going to be able to treat for two or three or four decades. That is the sort of bizarre kind of thing that is in the defense inventory. It makes no sense at all. There is too much waste.

The fact is that it is not the waste—while we should eliminate that—that drives these numbers. All of us know what drives this. This country is growing older. More people are eligible for Medicare and for Social Security. What is happening is that entitlement programs are ratcheting up costs. But there are no votes on those programs in Congress. Those are entitlement programs whose appropriations are virtually automatic. We have to respond to that.

Some of us are also going to offer an amendment on Social Security, and we are going to disagree on that. The Social Security system has not caused one penny of the Federal deficit. This year, we will collect \$69 billion more in Social Security than we spend out. That is not an accident. We are doing that by design. We need to save that money for when the baby boomers retire. But if it is not saved, if it is used as an offset to other spending in order to balance the budget, we will have broken the trust and the promise between people who work and people who are retired.

We must, it seems to me, say that we are not going to balance the budget by raiding the Social Security trust funds. For those who say let us not pass that amendment, not give that assurance, I say do not give me five reasons; just give me one reason. There is only one reason you would not want to give that assurance to seniors, and that is because you want to use that money. To use that money is, in my judgment, breaking a promise. The money is collected for only one purpose. It comes out of the paychecks; it is called the FICA tax, and it goes into Social Security, the trust fund, and it is promised that it will be saved for only one purpose, and that is Social Security.

How on Earth can anybody justify saying, well, we do not want to set that aside because maybe we will want to

use it sometime? For what? It can only be used for Social Security. Those are two amendments that we are going to have to deal with. And just because we offer them, others on this floor should not argue that we do not support a constitutional amendment to balance the budget.

There is a right way and a wrong way to do things. The wrong way is to provide empty promises and assurances that we are not going to keep. The right way is to tell people you have a right to know; you should know this, and here is the plan. We are going to increase defense, according to some, and cut revenue and, therefore, here is how we are going to deal with other spending.

That is important. It is important for the American people to know.

I want to mention one other thing as I am talking about this. I am, frankly, a little tired of people in this country in politics and especially people in the House and Senate who keep repeating the notion somehow that Government is unworthy.

Government is the way we do things together. It is the way we created our schools to educate our kids. It is Government. It is the way we built our police forces to keep our communities safe. It is Government. It is the way we inspect meat so when you buy some meat someplace you have some assurance that it is not contaminated. It is the way we regulate our skies so when you are flying up there in a jet airplane you are not going to hit another jet airplane. Government is something we do together. We ought to be proud of it, for gosh sakes.

You must have Government in the affairs of people in a nation like this, and we ought to have the best possible Government we can for the American people.

There is a sense in this country these days of a kind of anarchist mentality. This philosophy suggests somehow, that our Government is just something that just spends all this money and wastes all this money, and is totally unworthy, and that what we ought to do is just get rid of it.

But, you know, the fact is this country has changed a lot in recent years. The rich have gotten much, much richer, the poor have gotten poorer, and there are more of them, more vulnerable people in this country. We have to start thinking together, all of us, to try to figure out how to respond to some of these problems, how do we deal with some of the vulnerabilities in our country. This is how we spend our money. And all of us know where our money goes.

This pie chart shows where Federal spending goes. Defense, 18 percent of the spending; Social Security, 22 percent; health care, Medicaid and Medicare, 17 percent. And, of course, that is going up every year, because more people are getting older, we have more

poor people, and health care costs increase every year. We have to do something about health care costs because if we do not we cannot deal with the budget deficit.

Interest on the debt is 15 percent of the budget. We cannot negotiate that. We have had to pay for that. And if Greenspan gets his way, we will pay a lot more for it.

So Medicaid, Medicare are going up. Interest is going up. Social Security, more people growing older and on disability. In fact, in the Social Security trust fund, we have a surplus for just that reason.

Defense? My Republican friends say we need more defense, so that is going to go up.

So where do you get the rest of it? International—some people say foreign aid, of course, is the biggest area of public spending. It is not. We spend 1.4 percent of the budget for international programs.

So you have other mandatory spending. For domestic discretionary spending, 16.5. Now the 16.5 percent of discretionary spending, that is the kind of spending that we send out to deal with kids' nutrition, all sorts of issues that help people out there who need help.

I know it is easy to talk about these things in the abstract. But now every day you can go out and find what really matters and you can determine how this affects real people. You can go to a food pantry and who walks in and try to figure out what this means in their lives.

You say, "Well, let's cut off funding that does not make any sense." Nutrition programs? That makes no sense. "The WIC Program; you know, Head Start, we can do without it."

Yes, I suppose the country can do without it but it will also be a country that is less worthy. It is a country that is not investing in its health and in its children, trying to make life better for children.

You know I remember being at a town meeting in eastern North Dakota one day. An old fellow came up to me by the name of Thor, a guy who had flown combat airplanes in the Second World War. Thor came up to me and said, "I want to show you my mouth. I got sores all around my mouth," a guy in his seventies. He said, "I need teeth." This was an old veteran. He said, "I have no money. I have nothing." And he said, "I need teeth. I have no teeth. I went to the VA and I got a set of teeth from them and they don't fit. And so when I use them, it creates sores all around my mouth. So I can't use them and I want to show you these sores around my mouth."

And I am thinking to myself—this was at a town meeting—he walked all the way up to the front, had his mouth open showing me how badly he needs his new set of teeth.

Is not pretty remarkable, in a country as wonderful as this, that old Thor, who went off to fight for his country and flew in combat and is now

in his seventies and for one reason or another ends up with nothing, that Thor has to go to a meeting and stand up to beg to try to get a set of teeth.

That is what we are talking about here. We are talking about things that improve the lives of people.

Senator BURNS from Montana is on the floor. I was in community near the Montana line recently, touring a hospital where they showed me this space where the carpenters were knocking out two-by-fours. They were going to put in big, breathtaking new things. I think it is as an MRI; you know, the technology to look through human flesh to see what is there, a diagnostic tool. Breathtaking technology.

Then about 100 feet down in this hospital wing, they had me hold a little baby, tiny little baby, that had been born some while before, born premature, as a matter of fact. The mother had come to the hospital to have a third child, unmarried. She checked in on a Saturday. Her blood alcohol content was .25 when she delivered the baby. They checked this baby's blood and this baby was born with a blood alcohol content of .21, a little premature baby born dead drunk, and the mother did not even want to see the baby, wanted nothing to do with it. The baby will probably be fetal alcohol syndrome damaged, they do not know.

But think of the consequence of these things, day after day in our country. And we have to be concerned about how we respond to them and how we deal with them. We cannot ignore them. These things tear this country up from the inside.

I am not making a case for massive new programs for spending, because I do not think this is a case where you have kind of a vending machine, where you put in a quarter and get out a national program. But some things we do in this country are very, very important.

Head Start. Boy, you know, we should understand that is a good investment. The WIC Program, we know that is a wonderful investment to invest in kids and low-income pregnant women.

I could tell you a hundred stories, as could all of my colleagues, about the value of some of these things we do that make life worthwhile and make life helpful to people who need help.

I should tell you that Thor has new teeth. Thor got new teeth. Well, it was from a dentist. I talked to a friend of mine, personal friend of mine, and he got Thor some new teeth. But should a veteran have to beg for new teeth? No, I do not think so.

The point is there are programs now to help that young baby. Young Tamara Demeris, who I have talked about on the floor before, a 2-year-old, hair pulled out, nose broken, arm broken, because she was put in a foster home and nobody checked to see whether the people were drunkards. So this little girl was abused.

The fact is, there are things we can do about that. And we have done some

things about that. When they come to our attention, we invest and we do some things to try to help people.

But all of these things relate to the decisions we are going to make about what are we going to do. People have a right to know. What are we going to invest in? Are we going to invest in star wars, or are we going to invest in Head Start for our kids? The people have a right to know that.

And to those who say this is joke, I say you are wrong. You know better than that. This is not a joke. This is very serious business. We are talking about changing the Constitution and we are talking about imposing requirements that will make massive changes in the way the Federal Government spends money. And count me in, because I want to force those changes. I have two children and I do not want to give them a \$10 trillion debt when they get out of school. So count me in.

I just say this: We have a responsibility, all of us, to tell the people what we are going to do and how we are going to do it. To those who say, "Let's not tell them what we are going to do," I say that is business as usual, the same old tired promises I heard for 15 years. To those of us who say, "Let's together tell them how we are going to do it," we say the people have a right to know. And when we offer our amendment on the right to know, we say to you, "Join us, accept the responsibility; accept the challenge of closing the loop to give the American people the opportunity to know exactly what we are going to do, to whom and how."

The American people can take it. The American people deserve it. And to do less, in my judgment, is the same old tired unfinished business of Congress that says, "Here's our political answer. Now trust us. Details later." That is not the way we ought to do business.

I hope that, as we in the coming 2 or 3 weeks move down this road to try to consider in a serious way not only what we are going to do but how we are going to do it, those of us, Democrats and Republicans, who believe the current situation in this country is a crisis, the current deficits threaten this country's future. The current Federal debt and the prospect of burgeoning future debt are challenges we cannot ignore. The question cannot any longer—for anybody on the floor of this Senate—be whether we do something about it. The question is, what?

To those who oppose a constitutional amendment, I say I voted for it in the past and will likely vote for it again. I say to Members, as well, on the other side of the aisle, Members have a responsibility to join in the second step of this journey. The second step, just like a Montana dance, joins the first step. It is change the Constitution to require a balanced budget. And as we do it, tell the American people how we will accomplish it because if we fail to do the latter, we know the former is

nothing more than a bunch of words in a document like this.

So, Mr. President, we will have a lengthy debate and an aggressive debate on this subject. The debate will not be, I think, as the Senator from Utah occasionally would suggest, on whether a constitutional amendment is worthy. This Senator has said before, he thinks it is. I say now I think it is. But I say to the Senator from Utah and his colleagues and my friend from Montana, we have an obligation to do more than this.

I will join Members on this. We have an obligation to do more. We have an obligation to give the people the right to know, as we pass this, what does it mean; what does it mean to their future, and what does it mean to their lives, and how will we respond to it as a national commitment in this country.

Mr. President, with that, I yield the floor.

Mr. BURNS addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BURNS. Mr. President, I appreciate the words of my friend from North Dakota.

As he held up the Constitution, I want to go back to an article that was printed in, I think, the *Richmond Times*, some time ago, and this last Sunday in the *Washington Times*. It was taken from the life and times of Davy Crockett, whenever he represented Tennessee and the House of Representatives, and he had to cast a vote to help people when their houses had burned down in Georgetown.

We hold up that Constitution, remember, is a double-bit ax. There is nothing in that Constitution that says we have the right to take my money and give it to somebody else, free, gratis.

So, when we talk about a balanced budget amendment, be very clear that this is not the first time this was a concern of people and leaders in this country. The first constitutional amendment to balance the budget was in 1936. And there was a time, I think, this country pretty well held its discipline on spending, until we really learned as a Government to borrow money, that we could borrow money against future collections, and those are taxes.

I have heard the same old argument, saying, "How are you going to do it?" Well, I would say I am going to have to approach this just as I approached running a farm or a ranch. You do not do the same thing every year or nail yourself into a situation that if time and circumstance changes, a person cannot. They do that.

I worked in county government where we balanced the budget. The debate started among the commissioners on what is going to get funded or how much it is going to get funded; and what, maybe, if we do not have the funds, should be cut out. It serves a purpose, but maybe is not as high on

the priority list as we would like to see it.

That is what a balanced budget amendment does. It creates the arena for debate. It forces us, as debaters or policy setters, to make those hard choices between doing this or that, and reexamining the mission of government.

The Senator from North Dakota is exactly right. What is the purpose of government? Why do free people establish a government, especially in a free society? No. 1, public safety; he is right. That is an obligation of the total society, public safety. Now, public safety could be food safety, it could be in hygiene; but mostly it is in our fire departments, our police departments, our immediate-response people.

The next obligation, we could say, probably is transportation, because we have to keep the roads and the bridges so that the area of commerce can be carried out. In this great land of ours, we have changed everything around to where it is a global economy and global communication as to where our roads and bridges are satellites, fiber optics, new communications. Those are areas that will be debated here on this floor, as new policy is going to be formed that can keep up with the new technologies that are out there.

What some folks would call investment, other folks would call spending. If we want to define them, I guess they are about the same. Then I guess when we get down to the definition, we come down again to the bottom line, and that is priorities.

Now, with a debt of \$4.7 trillion, for too long now after we learned to borrow against future collections, we started to move that national debt up. As I said, the first balance-the-budget amendment was in 1936. In 1934, and that is under the Roosevelt administration, someone had the idea that this thing could get out of hand and was concerned about it. We were in the depth of the Depression. We were trying to help so many people who had been hit by this devastating time; not only the Depression, but drought. And I could write a book on that.

I do not remember those days in 1936, because I was born in 1935. I guess I was a result of the drought; I surely was not a result of the Depression. The last thing you wanted in 1935 was kids, living on 160 acres of two rocks and one dirt.

But the debt that started out, we lost our way a little bit and our discipline. So that debt continues, because we continue to deficit spend. We should get two things straight right here. There is a difference between deficit spending and debt. Deficits cause debt. We deficit spend; we create debt. So no matter that that line goes down, we are still deficit spending. It is still of concern to people who have some kind of sense of responsibility, of fiscal responsibility.

Ever since I came here 6 years ago, that has been a concern, because our

concern should be for our children and grandchildren, and the bill they will have to pay later on because we are mortgaging their future.

I was not a Member of Congress when the Gramm-Rudman-Hollings Act was passed, but it was one of the many efforts to control Government spending. While well intentioned, this law fell short of eliminating the deficit. In other words, we as a body of policymakers never really committed ourselves to that law to make sure it worked.

Even with a balanced budget amendment, I am not really sure that we have that discipline today, but I think it will make Members get in the debate and talk about priorities. It is true that we do have laws in place to balance a budget. We did not have the will to really take it serious, to really look at programs, and to take some of the fraud out of it.

My good friend from North Dakota was talking about the man who flew the missions that could not get a set of teeth. And we have people that take advantage of the veterans programs that never got anything, to really have the privilege of using those programs.

The balanced budget amendment would change all of this rhetoric by instilling the necessary fear needed to make the tough decisions and take the hard steps. What are we talking about, even in food stamps; \$1 billion a year, \$3 billion a year in savings, if we could take the fraud out of it?

Now, that has nothing to do with a balanced budget amendment, but I can remember when talking to the former Secretary of Agriculture in the Bush administration, Ed Madigan and, of course, Ed is no longer with us. We started with a smart card and we saw where we could take some of the fraud out of it. Do you know what stopped the expansion of that idea? The bureaucracy did, because it cost some jobs in Government. Does that not seem strange? We had an opportunity to do that. This will force us to do something about that, whether we want to or not. It will force Members to do it.

So as we go down this trail, trying to come up with a mechanism to instill fiscal responsibility in ourselves, this is, I think, a commonsense approach. And yet there are people that want to make it very complicated.

I came up in 1990 with an idea called the 4-percent solution.

We wanted to deal with the deficit. At that time, if you wanted to reform something to really make it work, the 4-percent solution merely said this: Do away with baseline budgeting, but budget and spend based on previous years' expenditures and only let Government grow 4 percent a year. Based on previous years' expenditures, not previous years' budgets, and not an automatic built-in 6 percent as happens in baseline budgeting.

And you know what, next year we would have been looking at a whole lot

different deal had we done that. We had a few cosponsors on that. It is a very simple thing. Maybe it was too simple. Nobody wanted to really get into it. But basically it just said, "Government, only grow 4 percent. If you don't want to spend the 4 percent over here, you can spend it over here. You can move it around. But the total growth, bottom line, 4 percent."

It would have given Congress the flexibility to increase funding at realistic levels for many programs while reducing others and phasing out some that have not worked since World War II and they are still around here.

It did not pass, and now the problem is even worse where even the 4-percent idea will not work. It will not get us to where we want to go.

I think also we have to look at a way to see how this budget or balanced budget will be scored by the CBO and whoever is doing the bottom-line figuring.

There was a joint budget hearing a couple of weeks ago that would do exactly that. I am pleased that that hearing looked at the dynamic modeling and am encouraged that it gave it the attention it deserves. The current revenue method calculates outlays from the Treasury, no matter what the cost-benefit ratio. I believe dynamic review estimating would be a good way to put Government spending priorities in order.

What we are saying is, the policies we set here, tax policies, whatever, change people and the way they do business. It just changes human behavior.

The dynamic modeling of a program would be scored on its merits. Instead of only looking at the amount of money the program costs in outlays to the Treasury, it also would take into account how much money is raised for the Treasury.

I have heard this argument on capital gains. Capital gains is a voluntary tax. How many ranches and how many businesses are we looking at today that are not being sold or even offered to be put on the market because of capital gains? They find other ways of transferring that property, some way to do it. It is a voluntary tax. You do not have to pay the tax because you do not have to sell. So what happens? It does not go up for sale and their commercial activity is lost.

So we have to look for a way, a program which creates jobs, opens up employment opportunities, boosts the economy and raises money for the Treasury. It is commercial activity that does that. Of course, I was not trained in economics. I pretty much have street economics. It is pretty simple: This is accounts receivable over here; this is accounts payable over here. Nothing happens in accounts payable until something happens in accounts receivable. That is the way it is. That is a pretty simple way to go through life. Nonetheless, that is the way we have to score and take a look.

Montanans, like all other people around America, sent a loud and clear message last November 8. There are still some people who are trying to interpret that message, and there will be different interpretations of it as long as there are writers of editorials, as long as there are coffee klatches, as long as there are service clubs. Whenever you hear public discourse, there will be an array of messages that was heard November 8.

But I think I heard the message. I heard the message that says we have to change some things before we really get the job done. Three reforms have to happen: Spending reform, budget reform and regulatory reform; and also something that puts some steel or backbone, as far as picking those winners and losers in spending and the way this Government spends money—priorities. It makes you get on the field and debate the priorities of which direction we are to be going.

An ABC-Washington Post poll taken early in January showed that 80 percent of those polled said they support a constitutional amendment to require a balanced budget.

When looking at budget priorities the Federal Government seems like a good place to start. The Federal Government consumes 23 percent of GDP. The current growth rate of Government spending is 2 percent per year faster than the economy. It's time to get a tight rein on the power and size of the Federal Government. The economist, Milton Friedman, put it best when he said, "There is nothing so permanent as a temporary government program."

The Federal Government has encroached on State's rights and spending has gone up to keep pace. Its over-ambitious agenda steals individual rights even as it indebted the people. Congress and the Federal Government have to get their hands out of their pockets.

It's time to redistribute the power to the States. Shrink the Federal Government and given the money straight to the States. Cut out the middle man—the paper pusher in Washington, DC.

By giving the States block grants they can use the money as they see fit, tailoring it to their specific needs. Every State is different and has different needs. One size does not fit all and the Federal Government should not be trying to force one program to fit every State. What works in California, doesn't always make sense for Montana and West Virginia.

Once again, opponents of the amendment are using scare tactics to defeat this measure. They threaten that important programs will be cut or even eliminated, that it will endanger our economic recovery. There has to be plenty of places to make responsible cuts in a \$1.6 trillion budget. And by balancing the budget, Congress can ensure our continued economic strength and future power.

House Joint Resolution 1 allows Congress plenty of time to get the fiscal

house in order. Under this amendment, Congress would have until the year 2002 to balance the budget. That's 7 years.

Over the course of 7 years, spending can be reduced gradually. The budget does not have to be balanced overnight. Seven years is a long enough lead time to do the job, and do it fairly.

The President will be required to offer his budget that is balanced based on good faith, but Congress will be forced to stick within its budget.

Balancing the budget is going to take some hard decisions, some politically distasteful choices. But the reward will be a balanced budget and a more prosperous America. It's time to stop impoverishing the next generation of Americans. Pass the balanced budget amendment and put some discipline in the budget process.

I feel very strongly—very strongly—if we do nothing else in this 104th Congress and we pass this balanced budget amendment, I think we have sent a strong message to the American people: We hear you. We care.

But they also hear another message; that they, too, in their neighborhoods also have some responsibility of participation to make sure it works and to help us. That is the message back to the voters: Help us. Help us set those priorities on maintaining this Government and also this great, great free society in which we live.

Thank you, Mr. President, I yield the floor.

Mr. HATCH. Mr. President, I want to reemphasize that this is one of the most important debates that has ever taken place in the U.S. Senate. The subject matter indeed goes to the very heart of the hope of the Framers of the Constitution for the constitutional system—a system that would protect individual freedom and restrain the size and power of the Federal Government. In the latter half of this century, however, the intention of the Framers has been betrayed by Congress' inability to control its own spending habits. I want to explain how passage of the balanced budget amendment will further the intent of the Framers of the Constitution. I also want to demonstrate that Federal balanced budgets—up to very recently in our history—was a customary norm. We must return to that norm if we ever hope to assure the economic well-being and vibrancy of these United States.

THE BALANCED BUDGET AMENDMENT AND THE CONSTITUTION

Mr. President, let me first say what the modern day crisis is: Our Nation is faced with a worsening problem of rising national debt and deficits and the increased Government us of capital that would otherwise be available to the private sector to create jobs to invest in our future. Increased amounts of capital are being wasted on merely financing the debt through spiraling interest costs. This problem presents risks to our long-term economic growth and endangers the well-being of

our elderly, our working people, and especially our children and grandchildren. The debt burden is a mortgage on their future.

Mr. President, the time has come for a solution strong enough that it cannot be evaded for short-term gain. We need a constitutional requirement to balance our budget, Mr. President, House Joint Resolution 1, the consensus balanced budget amendment is that solution. It is reasonable, enforceable, and necessary to force us to get our fiscal house in order. But it not only furthers the economic welfare of our Republic; it fosters the Constitution's purpose of protecting liberty through the framework of limited Government.

James Madison, in explaining the theory undergirding the Government he helped create, had this to say about governments and human nature:

Government [is] the greatest of all reflections on human nature. If men were angels, no government would be necessary. If angels were to govern men, neither external or internal controls on government would be necessary. In framing a government that is to be administered by men over men, the great difficulty lies in this: You must first enable the government to control the governed; and in the next place oblige it to control itself. A dependence on the people is no doubt the primary control on government; but experience has taught mankind the necessity of auxiliary precautions. [Federalist No. 51.]

Mr. President, we are here to debate such an auxiliary precaution, House Joint Resolution 1, proposing an amendment to the Constitution of the United States to require a balanced budget, because our recent history has shown us that Congress is not under control.

The balanced budget amendment helps restore two important elements in the constitutional structure: Limited government and an accountable deliberative legislative assembly, both of which are vital to a free and vibrant constitutional democracy.

A deliberative assembly, the essence of whose authority is, in Alexander Hamilton's words, "to enact laws, or in other words to prescribe rules for the regulation of society" for the common good, was considered by the Framers of the Constitution the most important branch of Government because it reflected the will of the people. Yet, as the maker of laws, it was also considered the most powerful and the one that needed to be guarded against the most.

Recognizing that "[in] republican Government the legislative authority, necessarily, predominates" and to prevent "elective despotism," James Madison, the Father of the Constitution, recommended that the Philadelphia Convention adopt devices in the Constitution that would safeguard liberty. These include: Bicameralism, separation of powers, and checks and balances, a qualified executive veto, limiting congressional authority through enumerating its powers, and, of course, the election of legislators to assure accountability to the people.

However, in the late 20th century, these constitutional processes, what Madison termed "auxiliary precautions," have failed to limit the voracious appetite of Congress to legislate into every area of private concern, to invade the traditional bailiwick of the States, and, consequently, to spend and spend to fund these measures until the Federal Government has become functionally insolvent and the economy placed in jeopardy.

Congress has been mutated from a legislative assembly deliberating the common interest into the playground of the special interest.

The balanced budget amendment, Mr. President, will go a long way toward ameliorating this problem. It will create an additional constitutional process—an auxiliary precaution—that will bring back legislative accountability to the constitutional system. The balanced budget amendment process accomplishes this by making Federal deficit spending significantly more difficult. Significantly, it advances liberty by making it more difficult for the Government to fund overzealous legislation and regulation that invades the private lives of citizens.

THE HISTORICAL NORM OF FEDERAL BALANCED BUDGETS

Mr. President, I would like to read two quotations:

First, "The public debt is the greatest of dangers to be feared by a republican Government."

Second, "Once the budget is balanced and the debts paid off, our population will be relieved from a considerable portion of its present burdens and will find * * * additional means for the display of individual enterprise."

These quotations are not recent statements by current proponents of the proposed amendment. The first statement was made by Thomas Jefferson and the second by Andrew Jackson.

These two quotations illustrate an important truth: No concept is more a part of traditional American fiscal policy than that of the balanced budget. In fact, Jefferson himself wished the Constitution had included a prohibition on Government borrowing—an early version of a balanced budget amendment, if you will—because he thought that one generation should not be able to obligate the next generation.

Throughout most of the Nation's history, the requirement of budget balancing under normal economic circumstances was considered part of an unwritten customary national policy.

Influenced by individuals such as Adam Smith, David Hume, and David Ricardo, the drafters of the Constitution and their immediate successors at the helm of the new Government strongly feared the effects of public debt. The taxing and borrowing provisions of the new Constitution reflected a need of the new Republic to establish credit and governmental notes and negotiable instruments that would spur commerce.

Yet, the Founders and early American Presidents were in virtual unani-

mous agreement on the dangers of excessive public debt. Consequently, for approximately 150 years of our history—from 1789 to 1932—balanced budgets or surplus budgets were the norm.

While budget procedures had little of their present organization, the concept of a balanced budget was accepted widely as the hallmark of fiscal responsibility. Those deficits that did occur—during wartime or during the most severe recessions—normally were offset by subsequent surpluses.

Between 1932 and 1960, the rigid rule of annual balanced budgets gave way to a fiscal policy in which balanced budgets remained an overall objective, but in which deficit spending was also viewed as a tool occasionally useful to affect appropriate economic results. Nonemergency deficit spending was legitimized in 1936 with the publication of John Maynard Keynes' "General Theory." Great weight was placed upon the ability of the Federal Government to manage the economy through fiscal policy; that is, through spending and taxation.

However, a real turning point in the history of U.S. fiscal policies occurred during the 1960's. Even the Keynesian objective of balancing surplus years with deficit years succumbed to the idea of regular, annual uncompensated-for deficits. In other words, our deficits, which were historically cyclical, reflecting boom and bust, war and peace, became structural and permanent.

During the 1960's, we were paying for the Vietnam war at the same time as the war on poverty. The Great Society had noble goals and great intentions. But, the Great Society, on top of the war, was financed through debt and helped to develop our proclivity for deficit financing our national aspirations.

During the past three decades, the Federal Government has run deficits in all but a single year. The deficits have come during good times, and they have come during bad times. They have come from Presidents who have pledged themselves to balanced budgets, and they have come from Presidents whose fiscal priorities were elsewhere. They have come from Presidents of both parties.

Even more alarmingly, the magnitude of these deficits has increased enormously. During the 1960's, deficits averaged \$6 billion per year. In the 1970's, deficits averaged \$36 billion per year. In the 1980's, deficits averaged \$156 billion per year. And, in the 1990's so far, deficits have averaged \$259 billion per year.

The total national debt now stands at over \$4.8 trillion. While it took us over 200 years to acquire our first trillion dollars of debt, we have recently been adding another trillion dollars to our debt about every 5 years and will

continue to do so under current projections at a slightly faster rate as we approach the end of the decade.

Deficits and the national debt have grown, in large measure, because Government spending has grown. As total Government spending has increased, so has Government's relative share of the economy. In 1929, Federal expenditures of \$3 billion represented just 3 percent of GNP. By 1950, the Federal share had risen to 16 percent of GDP or about \$43 billion. For fiscal year 1993, Federal Government spending of over \$1.4 trillion commanded nearly 23 percent of GDP.

To illustrate this growth in another way, the first \$100 billion budget in the history of the Nation occurred as recently as fiscal year 1962, more than 179 years after the founding of the Republic. The first \$200 billion budget, however, followed only 9 years later in fiscal year 1971. The first \$300 billion budget occurred 4 years later in fiscal year 1975; the first \$400 billion budget 2 years later in fiscal year 1977; the first \$500 billion budget in fiscal year 1979; the first \$600 billion budget in fiscal year 1981; the first \$700 billion budget in fiscal year 1982; the first \$800 billion budget in fiscal year 1983; the first \$900 billion budget in fiscal year 1985; and the first \$1 trillion budget in fiscal year 1987. The budget for fiscal year 1995 was over \$1.5 trillion.

Under current projections, Government spending will continue to rise, using capital that would be put to better use by the private sector to create jobs. To starve the primary engines of economic growth of needed capital is to risk our long-term economic security.

Mr. President, it is absolutely clear that to restore the constitutional concept of limited Government and its protection of liberty—as well as to restore fiscal and economic sanity—we must pass this balanced budget amendment.

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, we have been focused in the last 6 months on the O.J. Simpson trial, and one of the first mistakes made in that case by one of the defense lawyers was when the defense lawyer allowed O.J. Simpson to give a long statement to law enforcement. It led to that attorney being fired by O.J. Simpson because O.J. Simpson, could have given testimony incriminating himself.

Those of us who have practiced criminal law recognize that people have a constitutional right to not incriminate themselves. The fifth amendment provides for this right. I am sure we have all seen movies where people stand and say, "I refuse to testify for fear that I will incriminate myself."

The reason I mention that today, Mr. President, is the majority of people pushing the balanced budget amendment are unwilling to tell the American public what they have a right to

know: How the budget will be balanced. They, in effect, are taking the fifth amendment because they do not want to incriminate themselves. They do not want to tell Social Security recipients, and others, that they are going to use the Social Security trust funds to balance the budget.

I believe that this right-to-know amendment that will be offered by the minority leader tomorrow is an important amendment. It is an important amendment because I believe that we have an obligation to tell the truth to whomever asks us for the details. And that is the question that is being asked in the form of the Democratic leader's amendment: How are you going to arrive at the numbers in 2002 to balance the budget?

I think it is important that we recognize that the American people care about this. Eighty percent of the American public believes that there should be a balanced budget amendment. I believe that. But you ask that same number of people whether you should balance the budget using Social Security trust funds, and over 85 percent of the people say it should not be done that way.

So, in effect, the numbers do not support a balanced budget amendment if you are going to use Social Security.

The reason I have been such an advocate of the right to know is because I am the one who last year offered an amendment to protect Social Security. I am going to offer that same amendment. I am going to be joined by a significant number of my colleagues to exclude Social Security from the balanced budget amendment. That in fact should be done.

I believe it is important the American public know how we are going to balance the budget. Why? My friend, the majority leader in the other body, Representative ARMEY from Texas, has stated that we cannot have the right-to-know amendment passed, for if we did, the knees of all Members of Congress—in both the House and the Senate—would buckle and they would not vote for the amendment. Why? Because the American public then would know, in his words, too much. So I believe the American public has a right to know.

Maybe what we should do is change the name of this balanced budget amendment to the trust me amendment. Just trust me. Everything will be just fine. Do not worry about it. We do not need to tell you how we are going to do it. Just trust me. We will call it the trust me amendment.

I believe, Mr. President, that the Democratic leader's demand for greater details is the right way to go. It is insulting to the American public, the people of the State of Nevada, to suggest that we cannot tell the American people how we will balance the budget because, if they knew, they would not support the passage of this amendment. So let us call this the trust me amendment rather than the balanced budget amendment. The American peo-

ple, you see, Mr. President, should not be treated like sick children: Take the medicine; it will taste fine; it will make you feel better. Trust me.

No, I do not think we can treat the American people like sick children: Just open up and swallow the medicine; it is good for you. They have a right to know and we have an obligation to tell them. We cannot, I repeat, take the fifth amendment and say we do not have to tell you for fear you will hold it against us.

Amending the Constitution is serious business that carries with it far-reaching ramifications. Like a patient about to undergo serious surgery, the American people ought to be told of all the options and all the possible ramifications.

Mr. President, when I first started practicing law many years ago, a doctor did not have a profound obligation in law to tell the patient what might happen to them when they undertook a procedure. They really did not have to sit down the night before the operation and indicate to them: You are going to be just fine, but you should know that in 10 percent of these surgeries this dire result takes place.

No, that was not the rule. But it is now. The case law has made it so that physicians now have an obligation to tell a patient what are the ramifications from the procedure they are about to undertake. The patient has a right to know. The American public, being the patient in this instance, has a right to know what is going to happen, and that is why we are asking that there be a glidepath as to how the balanced budget is going to be reached.

All we are asking—it does not seem too much—is an honest, up-front accounting of how we will be able to balance that budget.

Let us assume that today or tomorrow we passed an amendment to the Constitution that outlawed all violent crimes. It sounds good: We are going to outlaw all violent crimes. But unless we set out a detailed plan as to how this amendment would be enforced and the crimes to necessarily be included, it would not be worth the paper on which it is written.

That is what the balanced budget amendment or the trust-me amendment is all about. We are going to do the right thing, and balancing the budget sounds like the right thing to do.

It kind of reminds me of about 15 years ago at Caesar's Palace in Las Vegas. They were going to have an event. The event was that Evel Knievel was going to jump across the fountains at Caesar's Palace. None of us thought he could do it. He said, "Trust me; I can do it." I can drive my motorcycle and make this giant leap of faith and I will be just fine.

Thousands of people went to Caesar's Palace that day to watch this man perform this act that no one thought he could do. Millions of people watched it on television. And sure enough, he

could not do it. He revved up that motorcycle in his red, white, and blue jumpsuit and off he went. The motorcycle turned in the air, and he was splattered all over the pavement at Caesar's Palace. He still has wounds and he still limps as a result of that event.

Well, that is just like this trust me amendment. There can be no way, in this Senator's opinion, that you can balance the budget by 2002 unless you take Social Security trust fund moneys. Logic tells me that is the case. And as I said yesterday on this floor, Willie Sutton, the famous bank robber, after he got out of prison was interviewed. He was asked: Why do you rob banks? Willie Sutton said, "Because that's where the money is."

Well, with the Social Security trust fund, that is where the money is. We are going to have surpluses of billions and billions of dollars by the year 2002 or 2003. It will be about \$800 billion. It will go up higher than that, into the trillions, before the downside starts.

I see seated in the Chamber today my friend from Wyoming, the senior Senator from Wyoming. He and I serve together on the entitlement commission. Social Security has problems if we do not bother it, but if we take those Social Security trust fund moneys and use them to retire the debt, we have big problems real quick.

Also, one of the first things I learned in law school is that if you are going to have a contract, you should put it in writing. We have heard a lot on this Senate floor, and especially in the other body, about a Contract With America. We all realize that the real contract with America was negotiated in 1935 when Social Security was passed. That is the real contract with America. And I believe that the trust-me amendment should be an amendment that is a real, true, balanced budget amendment and Social Security should be excluded from it. And to do that we have to put it in writing. We can no longer say to the Social Security recipients—and that is not only old people in this country. It is my children and my grandchildren. I want them to be able to have the ability to receive Social Security. So we want this Social Security exclusion to be put in writing, not some kind of a resolution that does not mean anything.

I have heard that there is going to be a resolution offered that will get overwhelming support in this body. The resolution will say, "We will not touch Social Security, cross my heart." But the American public should understand that resolution does not mean anything legally. I say we must put it in writing in the amendment itself in order to have a real binding, meaningful balanced budget amendment.

So those who may offer a resolution declaring Social Security not applicable under the balanced budget amendment should understand that it will pass overwhelmingly but it means nothing. I respectfully suggest that we

need to make sure and understand that such a resolution is only a figleaf to make people's consciences seem a little bit better. Unless it is in the balanced budget amendment—that is, the exclusion for Social Security—Social Security will be the tool used because it is "where the money is," as Willie Sutton said.

On this floor yesterday—I had a dialog with my friend from Utah, the senior Senator from Utah, who has for a considerable period of time managed this bill. Referring to the RECORD of yesterday, I read a statement from my good friend the senior Senator from Utah, where he said:

Now, that is where we are headed. Make no bones about it. The only way to protect the Social Security trust fund and the Treasury bonds it buys, is to pass this amendment and balance the budget.

Now, Senator REID says we must exempt Social Security because what is—[it says "what" but it means "that"]—that is where the money is. That just is not true. That is where the Treasury bonds are. There is no money there. There are only IOU's which will be valueless if we do not get spending under control.

How do we protect Social Security? We who support this amendment know how. Through good economics, and through a balanced budget amendment. It is the best protection we could give them. The Social Security trust fund is not where the money is. There is no money there. There are only IOU's there.

He goes on to say:

We have already used the money to pay for other bills of the Federal Government and other spending items.

That is my whole case. That is my whole case. We do not want to do that anymore. This year there will be an excess, a surplus of \$70 billion and they will continue to grow. We want to maintain those moneys. We do not want to do what my friend from Utah recognizes has been done.

So I am for the right-to-know amendment. I believe that amendment suggests we should have an exclusion for Social Security. If we do not, we are going to have a cruel hoax perpetrated on the people of this country.

My friend from Utah further is quoted in today's Washington Post as saying, "The right to know is a joke by those who don't want to vote for the amendment anyway." Mr. President, I support the balanced budget amendment and have for many years. But I also support the American public's right to know how we will get the budget in balance. I suggest the only joke we are hearing around here is voices saying, "trust us." The sad fact, however, is that this joke is at the expense of the American people.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. BREAUX. Mr. President, I ask the Chair notify me when I have consumed 14 minutes.

The PRESIDING OFFICER. The Chair will so notify the Senator.

Mr. BREAUX. Mr. President, this is probably one of the most important issues we are going to be asked to de-

bate in this Congress, or maybe several Congresses. I suggest if the Senate today was debating whether Members of the Senate should be allowed to have lunch with a lobbyist, the press gallery would probably be overflowing. They would be listening to every word we say on whether we should have lunch with lobbyists when we come to Washington. But here we are, talking about amending the Constitution of the United States, a decision that can affect every single individual American today—the press gallery looks like a hurricane has just blown through it.

This is an incredibly important decision we are embarking on, taking on in a relatively short period of time—to amend the Constitution of the United States. The balanced budget amendment, it is like apple pie and motherhood and the San Francisco Forty-Niners, everybody loves it in concept. But the devil is really in the details of what we are talking about, and I suggest the details are well hidden. Details about what this means are still in the dark and I suggest that is not the way the U.S. Senate and Congress of the United States should legislate. I think we have an obligation to be honest and frank with the American people, and tell them what we are getting ready to do to them and to the respective 50 States of the United States.

I will start off by saying I support the balanced budget amendment. I have supported it in the past. I have voted for it in the past. I think it is incredibly important that the Federal Government do what most of the States do, although they differ and do it in a very different fashion with the type of budgets they have to keep in balance. They have a capital budget and an operating budget. If the Federal Government had a capital budget and an operating budget, it would be a lot easier for us to balance the budget. We do not have that luxury like most of the States have. We have only one budget and everything is put in. So an effort to balance the budget by the year 2002 is a noble idea, one I support, but one that is not going to be very easy.

My point is everybody is for this in concept but nobody knows the details. So many, in fact, are concerned about what the details really mean and how we are really going to go about doing it that the Republican leader in the House of Representatives, when they asked him what about spelling out the details of how you are going to do this so the people can see it, suggested that we really cannot talk about the details because if we do it nobody will vote for it.

Is that not a heck of a statement to make in the Congress of the United States? That the details are so difficult, and what we are asking the American people to face having happen to them is so difficult to face we cannot tell them about it because, guess what, if we tell them about it we may not be able to do it.

What kind of principles does that stand for? What does that say? We have to pass this in the dark because if we open it up nobody will vote for it? Are we telling the 50 State legislatures if we tell you exactly what this means you will never pass it so we are not going to tell you what it means, we are just going to give you a title and the title says we are going to balance the Federal budget by the year 2002?

If it is good enough to do it is good enough to do in the daylight. Why do we have to do it in the dark? What is wrong with telling them what a balanced budget by the year 2002 really means?

We have to understand in Washington that this balanced budget amendment is not something we are doing here by ourselves. We cannot balance the budget in Washington, amend the Constitution in Washington with a balanced budget amendment, without a partnership arrangement with the States. They have to ratify the amendment that we send to them; 38 States have to analyze it, take a look at it, and say: Our legislators say this is good policy; we will vote to put a balanced budget amendment in the U.S. Constitution.

So they have to be involved. It is a partnership between the Federal Government and the various States in amending the Constitution of the United States. Therefore I suggest the States need to know exactly what this is going to mean—not in Washington, but what it means in the various State capitals around the United States. And I suggest it is not enough for us to say, "trust us," here in Washington—a very novel idea at best. Trust us to do what is right. Trust us to pass this in a way that you are going to be very happy with, trust us to do the right thing that is not going to abnormally affect your States and your citizens. Trust us to make it in a way that you will like. But do not, do not ask us to tell you what it is all about, because you know if we tell you what it really involves you may not vote for it and, boy, would that not be terrible? So please trust us.

President Ronald Reagan used to have a great line when he was talking about the Soviet Empire and all the meetings they had. All the meetings were going fairly well and Reagan would get up in the press conference and say, "trust but verify."

It was a great line. It made sense. We wanted to make sure that, yes, we trusted the Soviets to do what was right because that is what they told us, but he also said yes, but let us verify. Let us make sure the trust is more than a promise to do it right, that we actually see in writing what they are going to do. Trust but verify.

The right-to-know amendment that we are suggesting to be added to this balanced budget amendment is really that: Trust but verify. Tell the States what it is going to mean when that balanced budget amendment hits the capital steps in the various State capitals. What does it mean?

I spoke to the National Governors' Conference the other day and I asked the Governors, I said, Governors: What are you going to say to the President of your senate or the speaker of your house when this amendment hits the steps of your capital and you submit it for them to ratify and those gentlemen or ladies come up and say: Governor, what does it mean for us to vote yes to ratify this amendment? What does it mean to my State of Louisiana? Does it mean we are going to have programs cut and if so which ones are we going to have to cut or eliminate or change? Governor, does it mean we are going to have to increase taxes on the State level if the Federal Government quits giving us these moneys for these programs?

Under the current suggestion of our Republican colleagues, do you know what the answers would be of the Governor? "I don't know. They didn't tell me. They just said we are going to balance the budget. I don't know how we are going to do that. They never told me that. I'm sure they are going to do it right. Trust them."

I suggest any State legislature that is comfortable with the concept of trusting Washington to do something that makes them feel good and solves their problems without giving them an unnecessary burden has not been in State office very long. Trust but verify.

I looked at the Department of the Treasury. These are folks who crunch numbers, that wear the green eyeshades, and they really work on numbers all the time. They are not political appointees. These are economists who have probably been through several administrations.

Gov. Howard Dean of Vermont, the past president of the National Governors Association, has done a tremendous job in this area. He was concerned, just as I am, and he wrote the Treasury Department. He said, "Can you tell me, making various assumptions, what a balanced budget amendment would mean to the various States?" That is a partnership idea. Remember? It is not just us doing it. The States want to know how it is affecting them. Governor Dean wrote to the Treasury Department and said, "Give me a projection as to what it means to the various 50 States if the Congress passes a balanced budget amendment which requires a balanced budget by the year 2002."

He got an answer from the Treasury Department. He mentioned all 50 States. I am particularly interested in one State, the State of Louisiana, that I represent. They said this—this is really important information—about the impact of the balanced budget amendment and the Contract With America on the State of Louisiana. They said that for all calculations if a balanced budget is achieved by the year 2002 through across-the-board spending cuts that exclude defense and Social Security—that is probably a fairly reasonable assumption. Our col-

leagues on this side are talking about increasing defense spending. I think in some areas we need to increase. I would agree with them in some areas. We just had our colleague from Nevada saying do not cut Social Security. Does anybody believe that this Congress or the next Congress or any Congress is going to slash Social Security in order to balance the budget? I doubt it. So I think this assumption is fairly significant, and probably pretty reasonable.

Here is what it said about my State. A balanced budget amendment would reduce annual Federal grants in Louisiana State government by \$2 billion. There is \$1.5 billion per year in lost funding for Medicaid. My State has a \$750 million shortfall in Medicaid this year without the balanced budget requirement being in effect. It would mean \$94 million per year in lost highway trust funds. What is going to happen to the roads of Louisiana? Are they going to crumble and fill up with water? There will be \$48 million per year in lost funding for welfare programs, AFDC for our children; \$324 million per year in lost funding for education, for job training, and the environment, housing, and other areas. Talk about the devil is in the details. This is really devil in the details.

Then it said Louisiana would have to increase State taxes by 27.8 percent across the board to make up for the loss in grants. A 27-percent tax hike? I think not. Louisiana is not going to raise taxes 27 percent. They are not going to raise them 2 percent. The conditions in the State do not allow it. It is not good fiscal policy.

Some of my particular colleagues said that is just the Treasury Department's assumptions, and that is not correct, and you cannot depend on that. Fine. Tell them what they can depend on. If it is not these assumptions that are going to go into play, let us know what these assumptions are. Tell us by showing the States what we are going to have to do to get to that point in the year 2002 when the budget is in balance so that when that State legislature, when the President of the Senate, the Speaker of the House, goes to the other legislators and asks them, "Bob, Susan, Bill, I need your vote on this," they will say, "Well, you know, if it is going to mean we have to raise taxes 27 percent, I do not think that is a great idea. I am not going to vote for that," because they will have the right to say the Federal Government is getting ready to stick it to the States, getting ready to stick it to them in the dark because we are not telling them what it is all about.

I would suggest very simply, if these numbers that the Treasury Department have presented here are not accurate, then, fine. But we in the Congress have an obligation to give them accurate figures as to how we are going to reach that goal of a balanced budget in the year 2002.

Here is the resolution that the Governors have adopted, the Democratic Governors. Everybody was all for it. They thought they were going to make us do something that was uncomfortable. Now they are figuring out how it directly affects them. They are saying, "Wait a minute." The Democratic Governors said:

We support a federally balanced budget amendment. The Democratic Governors believe the citizens of this country also deserve the right to know the implications of a federally balanced budget amendment. Congress must detail its plans to balance the budget before sending the resolution to the States for ratification.

I think that is at least the minimum that we can do here at the Federal level as we debate this particular resolution. I suggest that it is important for us to let the States know what we are talking about doing to them.

Final point: Some of my colleagues on this side have said, "Well, we cannot do that. We do not know what it is going to be like 7 years from now." I mean we do not know the economic conditions. We cannot project out 7 years. Last year and the year before last we passed the budget reconciliation bill. We did exactly what we are talking about doing today for 5 years. Would my colleague, since they cannot go 7 years, at least tell the States what they can expect for 5 years? We do that all the time. Every bill we bring up has a 5-year glidepath. How much are we going to lose in taxes? How much are we going to raise? What kind of programs are going to have to be cut to meet certain goals?

Let me ask my colleagues who say we cannot do it for 7, would you go 5? Would you consider we do a budget resolution for 5 years and spell it out for 5 years as part of this balanced budget amendment? At least the State of Louisiana would know what it is going to be like for 5 years. I will go 5 years if we cannot go 7. Do not tell them we cannot go 5 because we do that all the time. When we passed the budget reconciliation years ago, we cut the deficit by one-half trillion dollars. Not one Republican colleague stepped up to the plate to support that because it was tough.

I would simply suggest that it is not that we cannot do it, but rather that we will not do it. It is easy to pass a balanced budget amendment in general terms, but this Congress, I would suggest, does not have the courage or the wherewithal or the strength to tell the States what it really means to them. How is it going to affect them? A budget resolution accompanying this balanced budget amendment would let the States know what we are really getting ready to do to them. Shifting the burden of taxation is really easy. It is real easy. I will tell you. If I was a State, I would want this Congress and any Congress to accompany that balanced budget amendment with a budget resolution that spells out exactly what it is going to mean. Without that, we do not

have a partnership. Without that, they do not have the information to make the right decision. I want to give it to them. I think that they ought to look at it and decide whether that is what they want to ratify. But do not ask them to do it in the dark.

I yield the remainder of my time.
The PRESIDING OFFICER (Mr. BROWN). The Senator from Wyoming is recognized.

Mr. SIMPSON. Mr. President, I want to speak on behalf of Senate Joint Resolution 1, the resolution to provide for the ratification of the balanced budget amendment.

I want to commend Senator HATCH for his extraordinary work and patience in regard to this measure. And also Senator SIMON, Senator HEFLIN, Senator THURMOND, and back through the years, Senator DECONCINI. So many of us have worked for so long on this measure. There are really no other questions to ask about this measure. We have asked them all. We have heard every hypothetical, every argument, every horror story. Everything that could possibly be laid out would fill the Chamber to the seals on the ceiling.

Recently, the President, working with the then Democratic majority in both Chambers of Congress, passed the latest in a series of deficit reduction plans. We have heard reference to that. We did the Omnibus Budget Reconciliation Act of 1993, or OBRA, and it was supposed to shave \$500 billion off of the Federal deficit over the next 5 years. This, of course, was \$500 billion in "deficit reduction," as defined in the exceedingly perverse language employed only here in Washington. Mind you, this meant not that deficits would be \$500 billion lower, or that the total debt would be "reduced"; it meant that rising deficits would cumulatively amount to \$500 billion less than some esoteric, abstract figure which only Washington policymakers seem to understand, and it is quaintly called "the baseline."

The "baseline," of course, is everchanging. Lord only knows how the baseline is properly figured, but its chief function seems to be as a device of consolation for the poor, beleaguered American taxpayer. Debt continues to compound and annual deficits are projected still to skyrocket. But, take heart, ye of the faithful, unwashed taxpayers, there was an even worse scenario out there for you called "the baseline." Thank heavens we have all done better than that, and the public is then assured that all is well.

Mr. President, all is not well, and all will not be well until this situation is brought under control with finality. The 1993 budget was only the latest in a long series of similarly hyped budget procedures. Both parties and all Presidents have been so good at it. 1990 was the last one before that, and I voted for that one. We have been passing deficit reduction acts around here for as long as I can recall, and the numbers are always off. They never match; they are

never right. Five years later, there was always some dramatic thing that skewed the numbers.

Time and again, they have failed to resolve this situation once and for all. Why is that? One reason and one reason only: Each one of them has failed to deal with the fundamental problem of the entitlement spending explosion. The 1993 Budget Act most certainly failed to do that. President Clinton proposed only modest reforms in Medicare, and he had to face down a revolt from his own liberal wing and remove even those slight changes in order to pass his Budget Act and leave that spending to grow on, unabated, unrestricted. All the while, Congress was debating a huge new entitlement in the form of the Health Security Act.

What is the latest verdict on the 1993 Budget Act? Where are we heading now that we have passed this landmark legislation? The CBO has just reexamined the entire Federal budget outlook, and here is what they find: In fiscal year 1994, the annual deficit amounted to \$202 billion. In fiscal year 1995, they project that figure will shrink to \$176 billion, and there is joy in the streets with regard to that figure—at least more joy on the other side of the aisle than here, because that does not mean we now will owe less money as a Nation; it is \$176 billion more in debt that future taxpayers will have to pay off, but it would represent slightly less than we added in fiscal year 1994.

Where do we go from here? In fiscal year 1996, the CBO tells us the annual deficit will again be back up to \$207 billion—more than either of the 1995 or 1994 figures—and it keeps going up after that. We all know it and we talk about the figures on the floor. It will go up to \$253 billion in fiscal year 1999, and we all know it.

Not only do hundreds of billions in debts stand to be added to posterity's burden every year, but we stand to add to that debt still more quickly—not at some distant, far-flung date, but next year, 1996, according to CBO, is when annual deficits begin to skyrocket again.

Mr. President, the 1993 Budget Act affected no fiscal years earlier than 1994. This is progress? Skyrocketing annual deficits are still projected for as far as the eye can see beginning next year. I can personally tell you that the long-term picture is much, much worse than that.

I had the "honor"—and I put that in quotation marks—to participate in the collective suicide mission that was known as the President's Bipartisan Entitlement Commission, or the Kerrey-Danforth commission, named after its tireless chairman and vice chairman. If you want to know what will happen to this country in the next century, in the next 25 years, the next 50 years, get a copy of our report. There were more than several Senators on the bipartisan commission, a wonderful group of people, Democrats and

Republicans alike. Get a copy of the report that was released last Friday. It lays it all out in vivid, full-color graphs. The Senators involved on the entitlements commission were Senators KERREY, DANFORTH, MOYNIHAN, SASSER, MOSELEY-BRAUN, REID, BUMPERS, DOMENICI, GREGG, COCHRAN, WALLOP, and myself. We all were involved. See our work product. See that 30 of the 32 of us agreed that in the year 2012, even with no new spending initiatives and with no increase in taxes, there will be only sufficient funds to pay for Social Security, Medicare, Medicaid, Federal retirement, the other entitlement programs, and interest on the national debt; and there will be nothing—nothing—for defense, transportation, education, WIC, WIN, Head Start, NEA, NEH, or any other discretionary program of the Federal Government. Zap. Nothing. We all know that, too. At least 30 of 32 of us who sat for nearly a year know that. I would think our colleagues would want to listen to what we presented.

But I favor the balanced budget amendment because I just simply think it is “shock therapy.” There is no other purpose for it. It is to force us to confront the real components of the Government’s spending problem. The opponents of the balanced budget amendment say it is not needed, that all is needed is for Congress to “screw up” its collective courage to pass legislation curbing rising deficits. That is an appropriate, I think, two-word description of what we have been doing with regard to the budget for years.

I know all too well what happens when you try to do that. You get exactly the sort of hysterical propaganda that is currently being hauled out in bales by the metric ton in opposition to the balanced budget amendment.

Phrases ring through the Chamber: “Tell us how you are going to take food away from starving seniors and hungry children,” they say. Spell it out to us. When you try to explain that you are only talking about more modest increases in Government spending, you are lost and they are lost. And then they unleash on you.

We have not proposed a “cut” of anything in Social Security. We have not proposed a “cut” of anything in Medicare, or a “cut” in Medicaid. We are just trying to slow the growth. Apparently, it is still not being heard. So if Medicare is going up 9 percent, we say let us let it go up only 6 percent, and it is described to the American people as a “cut.” It is a sad day for the use of the English language and a true distortion of what is being said.

A 6-percent increase is not a cut. And it is sad to watch that continual description over the media and in this Chamber about cuts when all you are trying to do, and we all are trying to do, is limit the increase in growth. Not a cut in a carload.

In short, Federal budget policy debates are eternally paralyzed around this place because the real issues are

obscured in a haze of misleading anecdotes, rhetoric, and carefully crafted statistics. Just try to come down to the floor, as I say, and suggest that this year we are going to let Medicare go up only 8 or 6 percent instead of the 10 or 9 percent projected. Broad-sides will be fired all across the country saying that you are planning brutal cuts in Medicare. How could you—choke, gasp, sob—do such things?

Why should you make such a heartless proposal anyway? Why not just cut foreign aid, or raise taxes on the rich, or get rid of the tse-tse fly study? That is a marvelous thing, if we could just get rid of the tse-tse fly study. It is only 100,000 bucks. Or get rid of the highway demonstration projects. Try that one, at least in the House. They used to try it. That is like pulling teeth with no anesthetic. Or, of course, if we get rid of the restoration of Lawrence Welk’s house, that would do it. If we could only end that sort of thing. Or congressional pay raises and we should look at that, indeed.

And we never did one of those here in all my time here while in the dark. The last one which was reported to the American public by the media was that we voted in the middle of the night for a pay raise. I think it was about 9:45 in the evening and everybody was here and everybody voted “yes” or “no.” I do not think that is too much of a secret endeavor. And anybody can go look and see how anybody voted. We do not do it that way.

Well, maybe get rid of the franking privilege. That’s it. That would solve all our problems. Or just simply abolish waste, fraud, and abuse. Oh, if we all did that, there would be no problem.

Well, so long as Congress is not forced to actually balance its books, it will be possible to survive politically—and there is the key, ladies and gentleman—while pandering to every public misconception there is about the structure of the Federal budget.

I have served our party as assistant leader for some 10 years. And I commend my successor. He is doing a splendid job. I am proud of him, my friend, Senator TRENT LOTT.

And, as an aside here, let me tell you why I am going to vote for term limits, so that you may hear. Of course, I was not for it when I was running for my third term, but that is another story! But I can tell you, I will vote for that and I will tell you why.

I cannot tell you how often—about once a month—in my duties I would say, “We need your vote. It is a very critical vote for the Nation’s best interest. We need it.” And they would say, “I know it is a critically important vote and we do need it, but I cannot vote for it because if I do I will be history. I will be gone. I will not get reelected.” And I would say, “So this is your sole reason for not voting for this amendment or this bill, is that you will not get reelected?” And they would say, “You got it.”

And so I say, nothing would be better than the term limits legislation, be-

cause once it kicked in, one-third of this body would be voting right. One third of these Senators would vote right. And then, in the duties of the leadership, all you would have to do is go find 18 other people out of that pool of about 40 who always cast the tough votes. There are a group of about 40 in here, Democrat and Republican alike, who often cast the tough votes, consistent tough votes. Do term limits, then you would have a third of them doing it right. They would be unshackled and you then go dig up 18 more and you have your 51 to pass an issue. It would change this body immensely.

So I certainly look forward to the day when the Congress actually has to balance the books as would be required by the Constitution of the United States and as required in constitutions of other States. And I said before and say again, it would be “shock therapy.” And I would relish it.

Because everyone who has been making a lifetime career of running against foreign aid or for increased taxes on the rich or always prattling about class warfare and why cannot we just do what we were hired on to do—let us check them out in the old hypocrisy index. The index hurt a lot of them in the last cycle. It scored up how much they talked about cutting and how they actually voted, especially and solely on spending. We all do it. I do it. We all do it. Look at our votes. One man’s junk is another man’s treasure; some pet project, some massive public works. We all do it. Every single one of us do it.

And so, if we would do those things, we would see those people exposed in one fell swoop. They will then be bound to the Constitution with hoops of steel to balance the books, and when they come out with a proposal to eliminate the 1 percent of the budget that goes to foreign aid—1 percent—that just will not get the job done, and they will be forced to come back and try again.

Or they will say, let us raise those taxes on “the rich,” and they will get about a half inch closer to solving the problem that way and once more they will have to try again.

I have a certain perverse strain in my nature. When people at a town meeting say, “Why don’t you just nail the rich and we could seal this hole and make progress?”

I say, “No, no. Let’s not increase their taxes. Let’s take everything they’ve got. Why mess around? Let’s take every stock certificate, every ranch, every yacht, every piece of property. Let’s take it all. Let’s take every debenture. Let’s take all the big family money in America, all the Wal-Marts, all of this, all of that.”

Guess what? It would be about \$800 billion and that would run the country for 6 months—\$800 billion would run the United States for about 6 months. That is in taking it all. That is in taking the Fortune 500, the Forbes list, the

whole works. Take it all, \$750 billion or \$800 billion, and yet the budget this year is \$1.506 trillion. Not a very good idea then, but it sounds so good.

Certainly, just as there are today, there will be those who will win elections by uttering such platitudes, and in today's process, they can still go back to the electorate the next time around and say, "Well, we failed to balance the budget because the Congress didn't adopt my wisdom. We aren't taxing the rich enough, we did not cut foreign aid." And there are still some to cut out there. I saw it myself. "There is \$15 billion out there, folks," and they all get glandular reactions from that. But \$15 billion will not get you there because the budget is \$1.506 trillion. And who is the wiser in that process?

But with this amendment, this courageous amendment, the American public will become educated in a real hurry about where and how the Government spends its money, and I am greatly looking forward to the anguish connected to it all. No wonder it is opposed by every special interest group whose job it is to drain the Federal Treasury. Their executive directors are paid to horrify the membership to get them all worked up, to be sure that they earn their salary, to be sure the letters come cranking in, without regard to the burden placed on future taxpayers.

Do you really think that the AARP—the American Association of Retired Persons—really wants the people of the United States, or even their membership, to really find out that you cannot enact their \$1.3 trillion—get this figure, \$1.3 trillion—agenda and balance the books at the same time?

Hear me. This is a report from the National Taxpayers Union Foundation of April 28, 1993. The next time you go to a town meeting and the AARP is out there—and let us remember who they are—there are 33 million of them who pay 8 bucks dues and they are bound together by a common love of airline discounts, and automobile discounts and pharmacy discounts.

Do their members know what their agenda is, ladies and gentlemen? Their agenda is this: Long-term health care for everyone in the United States, regardless of their net worth or their income. Ring that one up. Universal long-term health care, regardless of wealth. That is \$60 billion over 10 years. Second, expand Medicaid to cover all below poverty, \$35.7 billion over 10 years. Catastrophic care, \$15.8 billion. Medicare to cover "near elderly"—I suppose those are people that fall into the 45-year-old category, because that is only 5 years below the admission date of your "elderly" age to get into the AARP; members only have to be 50, so I suppose "near elderly" is defined as one 45 years old—that is \$10 billion. Expanded Medicaid long-term care, \$7.3 billion. Changes in Social Security benefit formulas, \$19.1 billion. Expansions in earned income credit,

\$15.2 billion. Expansions of SSI, \$7.7 billion. Housing assistance for all who qualify, \$34.6 billion.

So the next time Members are getting in a little scrap from the old AARP, and they are out there with signs and posters, ask them if they have any grandchildren, first. That will get a rise out of them. Then ask them how we are supposed to pay \$1.3 trillion for the next 10 years to take care of their agenda they tell their Members about in their magazine that looks like a clone of the Smithsonian magazine. Ask them.

I imagine my mail will pick up when I return to my chamber. There will probably be a little bit of light anecdotal material like, "You rotten—" I do not know what it will be, but it will be heavy, and it will come from AARP members who do not know one thing about their membership asking this Treasury to cough up 1.3 trillion bucks in the next 10 years for people, regardless of their net worth or income.

Some of it is not "affluence tested." We ought to affluence test it all. I want to be very clear. I am not talking about people who are poor. I am not talking about seniors who have no proper nutrition. I am not talking about Meals on Wheels. I am not talking about Green Thumb. I am talking about people who, to some, the cost of living index and the cost of living allowance is the cost of "living it up."

One of the saddest things—the saddest thing—that I saw in the entitlements commission was where a young man came and testified with a young people's advocacy group. Boy, young people better start paying attention here. These young people came and testified, one young man with sadness, said that he visited his grandfather in Florida, and he loved his grandfather dearly. And the COLA, cost-of-living-allowance—to his grandfather, who was a lovely man and had done well in life, was whether he would be able to upgrade his country club membership. Ladies and gentlemen, that is not what a COLA is for. A cost-of-living-allowance is something to take care of someone who is truly needing that.

We are going to have to start affluence testing the COLA's. We are not talking about cutting a single cent from a Social Security benefit. Hear that one. I do not want to hear any more of that babble. Nobody here except one group, which I believe is a remarkable group, including our former friends from the Senate, Paul Tsongas and Warren Rudman, have suggested affluence testing of the benefits. I have not subscribed to that. But we are certainly going to subscribe to affluence testing of the COLA's or we will not make it, because they range between \$7 billion to \$22 billion a year, depending on the Consumer Price Index, the CPI. Unless we breathe reality into that index, we will not make it, either. It is distorted. It needs correction. It still has a commodity designation in it called typewriters. It is not even current.

Well, I could go on, and Members are thinking, "He is going to." But I will say this. This is a tremendous challenge. The House has taken up the burden. They secured 300 votes. We in the Senate should pay careful attention.

Let me conclude with what should be obvious to all Members, if not so already, is that the struggle is between those who are seeking to keep this amendment in a form that can pass this Congress, and those who will find every single indirect means to bring it crashing down.

I applaud the distinguished Senator from West Virginia [Mr. BYRD], the very able, venerable conscience of the Senate, for his forthrightness and courage in opposing the balanced budget amendment. Subterfuges are not for him. Deception and chicanery are not his tools. He is right out front. He openly declares his opposition to this amendment, honestly lays himself out to the judgment of his constituents, makes his argument, and states his reasons for opposition as his means of fighting hard against the passage of the amendment.

But it is my view that the greatest danger comes from those who will be tripped up in supporting, with all good intention, any number of amendments that will be offered as a means of peeling away the two-thirds majority support that the amendment must have. Members will see those. And the House protected itself against those carve-outs.

Make no mistake: We will kill the balanced budget amendment if we pass any modification that will leave us with a resolution where we cannot secure the necessary two-thirds in both the Senate and the House and we must not do that.

Let me put it quite bluntly: A vote to exempt Social Security from the balanced budget amendment is a vote to kill the balanced budget amendment; a vote to include a tax limitation is a vote to kill the balanced budget amendment. I am not talking about motives here. I am speaking of the serious practical effects. That is what will happen if these modifications pass. A vote to create a capital budget is a vote to kill the balanced budget amendment. Those issues have been tested, fought over already in the House, and in the Senate for years in the Judiciary Committee. We want to send the balanced budget amendment to the States for ratification. We need to keep it in a form we know to have the requisite support. Every supporter of the balanced budget amendment needs to clearly understand this, as there is little margin for error at this stage of the game.

To those who assert that the balanced budget amendment would impose a terribly unfair burden on individual States as the Federal Government pares down its spending, I make two points in response, in final response.

First, we just completed action on the unfunded mandates legislation. This is the best ever protection of its kind for State budgets. Second, it seems to me that the States are in the best position to decide that, after all, and this must be ratified by the States; three-fourths of them have to decide that they want this. They are far better custodians of their own interests than we could ever be.

So, Mr. President, I look forward to vigorous and healthy debate. I think we have begun this on this issue of central importance to our country. I have great enthusiasm for this one, albeit a bit of a personal stake. I personally assumed the ill-advised and totally politically incorrect responsibility of charting out just how I would get this country's fiscal house in order during the coming decades. It is enclosed with the Entitlements Commission report. Members may ask me for a copy, and I shall send it to Members in a brown, unmarked envelope so Members need not know that we are really proposing some dramatic things. No one will know Members received it. And there is nothing I would enjoy more than some added company in the suicide mission, however involuntarily compelled. I seek your assistance if this earnest effort.

I thank my colleague, and I yield the floor.

Mr. LOTT. Mr. President, I thank the Senator for the recognition. I do not plan to take a long time in my remarks here on our constitutional amendment for a balanced budget. I want to thank the distinguished Senator from Illinois [Ms. MOSELEY-BRAUN] for her cooperation in allowing me to go forward. I want also to commend her for her very fine statement on the balanced budget on Tuesday.

Mr. President, the election of 1994 was more than the usual biennial contest for seats in the Congress. It was, in effect, a national referendum. The American people made a historic choice between more government and less government. They chose the latter—less government. Their message to us could not have been more clear. They want fundamental changes in the way the Congress conducts business. And the most important change they want is in the way we spend their money.

Every Member of Congress knows that the public wants a balanced budget amendment to the Constitution. Poll after poll shows that. The only question is whether we will give them what they want.

I think we will. I am convinced that no matter how ferocious the opposition, the time has finally come when the Congress will submit a balanced budget amendment to the States.

I do not say that as boast or bravado because the drive for a balanced budget amendment is not something for which we can take credit. I do not think any of us in Washington can.

If there has ever been a grassroots crusade, this is it. If ever the American

people were determined to take the future back into their hands, I think it is now. That is the reason the House has already passed the joint resolution for a balanced budget amendment to the Constitution, the one we are debating now, by an overwhelming vote of 300 to 133. That was a bipartisan vote, or rather, it was nonpartisan. After a lot of debate, after rejecting some tough amendments, and after resisting pressure from all the usual special interest groups, 300 Congressmen voted for this balanced budget amendment.

I hope the amendment will have the same broad support in the Senate. Even if, in the past, most of the votes have come from this side of the aisle, it is obvious that there is support for it on the other side as well. There is support for a balanced budget amendment from Republicans and Democrats, from conservatives, moderates, and liberals. And we should come together, after full debate, vote on this issue and pass it.

The reason for the amendment's broad support, both in the Congress and most importantly among the public, is that it is no longer just a fiscal issue, no longer an accounting question. More than anything else, it has become a moral issue with the American people. It has become a question of what we are doing to our children and our grandchildren—leaving them a monstrous national debt of some \$4 trillion, a debt that will eventually crush the life out of their economy and the spirit out of their enterprise.

There will be those who will say, "Well, how did we get here? Why didn't you fix this problem in the eighties? Why didn't we do more in the seventies?" We can debate that and we can point back, but I am reluctant to do that. A lot of us in this Chamber have to take some of the blame. I think we all do, especially those of us who have been here more than a couple of years.

So I am not trying to say the blame should go back to President Carter or President Reagan or President Bush or a Democrat Congress, or to the Appropriations Committee in the House or the Senate. That is past. Let us talk about how we can go forward and get control of the insatiable appetite that we have developed over the last 40 years to spend and spend and spend. It is really that simple.

We cannot fix the deficit this year or in 2 years or in 3 years. But we have to begin sometime, someplace. Now is the time, and this is the place. We can get the budget on a glidepath toward balance over a period of years.

The number of years it takes is not as important as the fact that we get started.

Thomas Jefferson summed up the matter two centuries ago. This is not one of his more familiar quotes, but I think it is important that Thomas Jefferson, in retrospect, thought it was a mistake not to include a balanced budget requirement in the Constitution. This is what he wrote:

The question of whether one generation has the right to bind another by the deficit

it imposes is a question of such fundamental importance as to place it among the fundamental principles of the government. We should consider ourselves unauthorized to saddle posterity with our debts and morally bound to pay them ourselves.

Those are powerful words from Mr. Jefferson. And when I said, a minute ago, that the deficit is more than an accounting problem or a fiscal problem, I was echoing Jefferson's observation that we are morally bound to pay, ourselves, the debts that we incur and not dump them off on our children. That is what is involved here.

Jefferson's advice has fallen on deaf ears in Congress, at least for the last several decades. Even when the Republican economic program of the early 1980's launched the longest peacetime economic expansion in our country's history, with a tremendous increase in revenues for the Federal Government, the Congress—and perhaps the executive branch as well—managed to spend all that new money and still go deeper into debt.

For the last 2 years, some people have been trying to revise history by making the decade of the eighties a bad time. But in fact, the eighties were prosperous. A tremendous explosion of additional revenue came into the Treasury. And with it, we should have been able to control the deficit. But we did not do so because we kept spending even more. Every time we got more revenue, we would spend more money.

We all go home to our States, counties, and cities and they say, "Can you help us with the water system?" "Can you help us with another highway project?" "Can you help us with more funds for this good program or that good program?"

We all say, "Gee, you're right." We want to do that. So we come back up here and want to give them everything they want. But in fairness, it should also be our responsibility to balance the books. We have forgotten that part.

It is not as if we have not had enough revenue. We have had ever-increasing revenue every year. But in search of even more revenues, Congress raised taxes in 1982, in 1984, in 1987, in 1989, in 1990, and most recently in 1993 with a whopping \$241 billion hike. Through it all, spending outran those revenue increases.

I voted for some of those tax increases because I thought, if the people want all these expenditures, then we have to pay for them. So I voted for the tax increases in 1982 and 1984 and, I recall, reluctantly in 1987. But then I said, "Wait a minute, I'm not doing this anymore. Every time I vote that way, it doesn't help reduce the deficit. We just spend even more." So I did not vote for a tax increase in 1990 when George Bush was President, and I did not vote for it in 1993 when Bill Clinton

was President. I decided that more revenue would not help to control spending or reduce the deficit. We would just spend it.

Time and again Congress promised to reform, lamely requiring a balanced budget at sometime in the future. We had Gramm-Rudman. I voted for that. I thought it would work. What did we do? We started off saying, "Look, we can't have it apply to this program or that program," and after a while, 21 programs were exempt. I was in the gang of 17 in the eighties when we tried to get control of spending. We had the Fort Belvoir exercise in budget control. That didn't work either.

So time and time again we in Congress have tried to do it ourselves, to find a procedure to make it happen. It did not work. Those votes we had did not do any good. The debt continued to increase to the point that interest payments alone are costing us \$230 billion in the current fiscal year.

It would be nice to think, Mr. President, that everyone on Capitol Hill has learned their lesson and that things will be different from here on. That is what Lucy tells Charlie Brown every time she pulls away the football and he lands flat on his back. Sooner or later, even Charlie Brown may run out of trust. The American people certainly have, and they said so last November. We fooled them too many times. That was the real meaning of the 1994 elections.

In simplest of terms, the public took back the football. Now they are demanding a permanent structural change in official Washington. They will not be content with superficial adjustments. Who can blame them? The Congress has not balanced the budget in a quarter of a century—since 1969. And without the discipline of the balanced budget amendment, I do not see any prospect of our doing it any time soon.

In recent years, poll after poll showed the public's poor regard for the Congress. And yet, just recently our positive polling numbers doubled, from the 20's to the 40's. What has happened in the last 2 or 3 months that caused the approval rating of the Congress to go up?

I found out this past weekend when I went home. I went to Hernando, MS, to Grenada, Carroll County, and Cleveland. You know why people are pleased with us now? Because they think we are beginning to do some of the things they want us to do.

Now, they are still dubious. They want to see action, not just words. But they like better what they see us talking about. They like the fact that we are doing more things in a bipartisan way, and that maybe we can work with the President. That's progress.

In recent years this institution, in my opinion, has been viewed as the pickpocket at the parade. When we do business, the cheering stops. We have to change that image.

This balanced budget amendment is our best means to set things aright. It

will do more than restore fiscal sanity to the Congress. It will go a long way toward restoring the trust of the American people in their institutions of Government. That task is probably even more urgent than balancing the budget, although I think that is an important part of regaining that trust.

I realize that amending the Constitution is not a casual exercise. I struggled with that. It is a last resort, sometimes a desperate resort, when all else has failed. That is the case with the amendment before us.

Many of us in Congress, both in the House and Senate, have worked over the years to stop, or at least slow down the spiral of debt. We do not have much to show for our work. In the same way, the American people have tried by protest and petition, by their voices and their votes, to discipline the appetite of the Federal establishment, to restrain its growth and limit its intrusion into their lives.

Those ways have not worked. So now we have no recourse. If the Congress would be fiscally restrained no other way, by either honor or common sense, then let it forever be bound by a constitutional amendment.

If we want the people to trust us, we have to trust the people. We have to trust their judgment about this amendment. Remember, they will make the final decisions as to whether it becomes a part of the Constitution. Our vote here will only give the States the opportunity to vote. The State legislatures, on behalf of the people, decide whether the language we have before us actually goes into the Constitution.

Sometimes they surprise us. If we get carried away, the States do not ratify the amendments we send them. Recall that after the equal rights amendment passed the Congress, and even after Congress gave it a legally dubious extension of time to seek ratification, it did not get the approval of three-quarters of the States.

The last constitutional amendment Congress approved, giving the District of Columbia the same voting representation in Congress as the States, failed miserably. Only a handful of States ratified it.

So if we do not deal with this amendment in the right way, the States will simply not approve it. They will not rubberstamp the balanced budget amendment or any other constitutional amendment we send them.

There are those who are going to say, "Show me how you are going to balance the budget. You say you are for a balanced budget amendment. Show me your cards." I think we could turn that around and say, "Show me how you are going to do it if we do not pass a balanced budget amendment." We have been going through that exercise for years. We cannot bind future Congresses. Budget projections are so unreliable, we can barely depend on them for a year or two, much less through the decade ahead. So much always depends on things we cannot know at the

present. We cannot say with great detail what money will be required for defense or welfare or disaster relief in the future. We just have to get started. But there has to be a hammer, and this constitutional amendment for a balanced budget is the hammer.

That is all the more reason to keep the language of this amendment clean. It is not a mere law, which we could come back to in a month and amend. If ratified, it will be a part of the most remarkable political document in history: the Constitution of the United States.

That political treasure should not be made to read like a section of the Code of Federal Regulations, citing chapter and verse of various programs. Attempts along those lines are rightly suspect when they come from those who, for years or for decades, played key roles in running up the staggering deficits we now face.

The Federal deficit is like a fire consuming our national prosperity. And now the barnburners want to tell everybody else how to put out the flames and where to aim the hoses.

Their advice has a hollow ring. It seems designed to insulate the Federal spending machine, not any particular program. No one should be surprised at that. The special interests that have, for so long, dominated the Government's budget do not want to leave their places at the public trough. So they are fighting this amendment with every diversion, every red herring they can devise.

Those liberal lobbies had their chance to appeal to the American people last fall, but the voters resoundingly rejected their case. That is why we are now considering this amendment: Because the Federal gravy train stops here.

I realize that, to some of my colleagues, the balanced budget amendment must seem like a repudiation of their entire career, negating their lifetime in public office. So be it. We are guaranteed a favorable place in history only when we write it ourselves. This time around, others are doing the drafting.

Some may find comfort in the past, when it was political summertime, and the spending was easy. But those days are over. The American people are looking to the future, and they are determined to shape it their way, this time around.

The balanced budget amendment is one instrument for doing that. It should not be delayed, or stalled, or stonewalled. But if it is, we can take the time, days or weeks, with the Nation watching and listening.

After all, it took us decades to get this far. And with all due respect to my colleagues who oppose the balanced budget amendment, I say, in the words of the old song, "we ain't gonna let nobody turn us round."

I feel sure I will be back in the Chamber before we finish on this amendment to speak again. But we have a great opportunity here. The amendment is the responsible thing to do. There may be efforts to distract us, and there are of course legitimate concerns as well, but let us keep our eyes on the ball. If you are for the balanced budget amendment, you should vote for the balanced budget amendment, rather than finding excuses to oppose. There will not be any place to hide this time. The American people will know who is for it and who is against it when we take the vote in a few days.

Mr. President, in view of the fact there are others on the floor waiting to speak, I yield the floor at this time.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. JOHNSTON. I thank the Chair.

(The remarks of Mr. JOHNSTON pertaining to the introduction of S. 333 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER (Mr. KYL). The Senator from Illinois is recognized.

Ms. MOSELEY-BRAUN. I thank the Chair. I thank the Senator from Mississippi for his graciousness. I guess because we are on the same side on this particular issue it makes it a little easier, and it is a delight to have a chance to work in a bipartisan fashion on behalf of the balanced budget amendment.

THE CONDITION OF AMERICA'S SCHOOLS

Ms. MOSELEY-BRAUN. Mr. President, I rise today to present the results of a very important study that has been conducted by the General Accounting Office on the condition of America's schools and to highlight the merits of the Education Infrastructure Act.

Mr. President, this report by the GAO, entitled "School Facilities—Condition of America's Schools," was issued yesterday, and I ask unanimous consent that the entire report by the GAO be printed in the RECORD.

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

[From the U.S. General Accounting Office]

SCHOOL FACILITIES—CONDITION OF AMERICA'S SCHOOLS

February 1, 1995.

Hon. Carol Moseley-Braun,
Hon. Edward M. Kennedy,
Hon. Claiborne Pell,
Hon. Paul Simon,
Hon. Paul Wellstone,
U.S. Senate.

The nation has invested hundreds of billions of dollars in school infrastructure to create an environment where children can be properly educated and prepared for the future. Almost exclusively a state and local responsibility, this infrastructure requires maintenance and capital investment. However, public concern is growing that while laws require children to attend school, some

school buildings may be unsafe or even harmful to children's health. Recently, for example, a federal judge would not allow the schools in our nation's capital to open on time until thousands of life-threatening fire code violations were corrected. Similarly, noncompliance with asbestos requirements kept over 1000 New York City schools closed for the first 11 days of the 1993 school year. Although such situations may be well-publicized, little information exists documenting the extent to which the nation's schools may lack the appropriate facilities to educate their students.

Widely quoted studies¹ conducted in recent years report that school facilities are in poor condition. While these studies documented some problems and provided much anecdotal information, they had different methodological problems limiting their usefulness. Further, the Department of Education has not assessed the condition of the nation's school facilities since 1965. Accordingly, you requested that we conduct a study that could be used as a basis for determining the condition of the nation's school facilities.

In response to your request and subsequent discussions with your office, this report presents national information on (1) the amount of funding that the nation's public elementary and secondary schools report needing to improve inadequate facilities and (2) the overall physical condition and prevalence of schools that need major repairs. Another report is forthcoming shortly that will report the location of and other demographic analyses for schools that need major repairs. These reports are the first in a series responding to your request.²

RESULTS IN BRIEF

Based on estimates by school officials in a national sample of schools, we project that the nation's schools need about \$112 billion³ to repair or upgrade America's multibillion⁴ dollar investment in facilities to good overall condition.⁵ Of this, \$11 billion (10 percent) is needed over the next 3 years to comply with federal mandates that require schools to make all programs accessible to all students and to remove or correct hazardous substances such as asbestos, lead in water or paint, materials in underground storage tanks (UST), radon, or meet other requirements.

About two-thirds of America's schools reported that all buildings were in at least overall adequate condition, at most needing only some preventive maintenance or corrective repair. However, about 14 million students attend the remaining one-third of schools that reported needing extensive repair or replacement of one or more buildings.⁶ These schools are distributed nationwide. Also, problems with major building features, such as plumbing, are widespread even among those schools reported in at least adequate condition. Almost 60 percent of America's schools reported at least one major building feature in disrepair, needing to be extensively repaired, overhauled, or replaced. Most of these schools had multiple problems. In addition, about half reported at least one unsatisfactory environmental condition in their schools, such as poor ventilation, heating or lighting problems, or poor physical security. Most of these schools also had multiple unsatisfactory environmental conditions. Some district officials we spoke to told us that a major factor in the declining physical condition of the nation's schools has been decisions by school districts to defer vital maintenance and repair expenditures from year to year due to lack of funds.

BACKGROUND

Elementary and secondary education, the nation's largest public enterprise, is con-

ducted in over 80,000 schools in about 15,000 districts. America's public schools serve over 42 million students. About 70 percent of schools serve 27 million elementary students; 24 percent serve 13.8 million secondary students; and 6 percent serve 1.2 million students in combined elementary and secondary and other schools.

America's traditional one-room school houses have been replaced by larger facilities that may have more than one building. Comprising classroom, administrative, and other areas like gymnasiums and auditoriums, a school may have an original building, any number of permanent additions to that building, and a variety of temporary buildings—each constructed at different times. Buildings that have been well maintained and renovated at periodic intervals have a useful life equivalent to a new building.

A number of state courts as well as the Congress have recognized that a high-quality learning environment is essential to educating the nation's children. Crucial to establishing that learning environment is that children attend school in decent facilities. "Decent facilities" was specifically defined by one court as those that are " * * * structurally safe, contain fire safety measures, sufficient exits, an adequate and safe water supply, an adequate sewage disposal system, sufficient and sanitary toilet facilities and plumbing fixtures, adequate storage, adequate light, be in good repair and attractively painted as well as contain acoustics for noise control. . . ." ⁷ More recently, the Congress passed the Education Infrastructure Act of 1984,⁸ in which it stated that "improving the quality of public elementary and secondary schools will help our Nation meet the National Education Goals."⁹ Despite these efforts, studies and media reports on school facilities since 1965 indicate that many public elementary and secondary schools are in substandard condition and need major repairs due to leaking roofs, plumbing problems, inadequate heating systems, or other system failures.

Although localities generally finance construction and repair, with states playing a variety of roles,¹⁰ federal programs have monies to help localities offset the impact of federal activities, such as Impact Aid,¹¹ improving accessibility for the disabled, and managing hazardous materials. However, these programs do not totally offset all costs. For example, prior GAO work found that federal assistance provided for asbestos management under the Asbestos School Hazard Abatement Act of 1984 did not meet the needs of all affected schools. From 1988 through 1991, the Environmental Protection Agency (EPA) received 1,746 qualified applications totaling \$599 million but only awarded \$157 million to 586 school districts it considered to have the worst asbestos problems. EPA was aware of the shortfall in federal assistance but believed that state and local governments should bear these costs.¹²

Because of the perception that federal programs—as well as current state and local financing mechanisms—did not begin to address the serious facilities needs of many of America's schools, the Congress passed the Education Infrastructure Act of 1994. The Congress then appropriated \$100 million for grants to schools for repair, renovation, alteration, or construction.

SCOPE AND METHODOLOGY

To determine the amount of funding needed to improve inadequate facilities and the overall physical condition and prevalence of schools that need major repairs, we surveyed a national sample of schools and augmented

¹Footnotes at end of article.