the Senate with a more polished speech that the Judge deserves. But I would like to just say a couple of things from the heart and from the head.

First of all, I knew about Judge HEFLIN before I came to the U.S. Senate, but I did not know him personally. That is the second part I want to get into in a moment, the personal part. But as to what I knew about Judge HEFLIN, I am Jewish but I would identify my baptism to politics being the civil rights movement. There were certain heroes and heroines in the South who had the courage to take on what was a system of apartheid. It was apartheid. There were some great, great, great men and women who had the courage to speak up for civil rights for all people.

By the way, I think that what happened in the civil rights movement enriched our country. It made the United States of America a better country for all people; not just black people, but white people, people of all colors.

Mr. President, Judge HEFLIN, Senator HOWELL HEFLIN, was one of those great heroes. He used his skills and has always used his skills as a lawyer to serve people and he served justice in the South and in our country. He lit a candle and he had the courage to speak out.

The prophetic tradition of my faith is that to love God is to love justice. If that is the case, Judge HOWELL HEFLIN is truly a Senator, a judge, and an American who loves God.

Mr. President, at a personal level, I just want to stand on the floor of the Senate and try to say: ''No. No. No. You cannot do this. I am opposed.''

I wish it was in my power, or I was able to have the persuasion to say to Judge HEFLIN: ''You cannot do this.'' I am going to miss him. He is somebody I look up to—not just because I am 5 foot 5½. He is somebody I look up to; somebody I believe in. He is the alternative to cynicism. He is hope. And he is honor.

Judge, I am going to really miss you. Thank you for everything you have done for this country.

I might cry, so I am leaving.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT

The Senate continued with the consideration of the bill.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, I thank the Chair.

Mr. President, I have an amendment which I will eventually send to the desk. I believe Mr. HATFIELD was going to propose a time limit on the amendment. When he returns shortly, I am sure that, if it is still his disposition to do that, I would be agreeable to doing it.

I offer this amendment on behalf of myself, Mr. HATFIELD, Mr. EXON, and Mr. DOMENICI and Mr. KOHL.

Mr. President, I yield to the distinguished chairman for the purpose of getting that time agreement.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. HATFIELD. Mr. President, I thank the ranking member of the committee.

I ask unanimous consent that the Senate now turn to the consideration of the Byrd amendment, on which there will be 90 minutes of debate with time equally divided in the usual form; further, I ask unanimous consent that there be no second-degree amendments in order.

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

Mr. HATFIELD. I thank the Chair.

Mr. BYRD. Mr. President, I thank my distinguished chairman.

Mr. President, I ask unanimous consent that any other Senators who may wish to become cosponsors of the amendment do so. I have already indicated that I offer the amendment on behalf of myself, and following chief cosponsors: Senators HATFIELD, EXON, DOMENICI, and KOHL.

AMENDMENT NO. 423 TO AMENDMENT NO. 420

(Purpose: To reduce the discretionary spending caps to ensure that savings achieved in the bill are applied to deficit reduction)

Mr. BYRD. Mr. President, I send the amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from West Virginia [Mr. BYRD], for himself, Mr. HATFIELD, Mr. EXON, Mr. DOMENICI, and Mr. KOHL, proposes an amendment numbered 423 to amendment No. 420.

The amendment is as follows:

At the end of the pending amendment add the following:

TITLE —DEFICIT REDUCTION

DOWNWARD ADJUSTMENTS IN DISCRETIONARY SPENDING LIMITS

SEC. 01. Upon the enactment of this Act, the Director of the Office of Management and Budget shall make downward adjustments in the discretionary spending limits (new budget authority and outlays) specified in section 601(a)(2) of the Congressional Budget Act of 1974 for each of the fiscal years 1995 through 1998 by the aggregate amount of estimated reductions in new budget authority and outlays for discretionary programs resulting from the provisions this Act (other than emergency appropriations) for such fiscal year, as calculated by the Director.

PROHIBITION ON USE OF SAVINGS TO OFFSET DEFICIT INCREASES RESULTING FROM DIRECT SPENDING OR RECEIPTS LEGISLATION

SEC. 02. Reductions in outlays, and reductions in the discretionary spending limits specified in section 601(a)(2) of the Congressional Budget Act of 1974, resulting from the enactment of this Act shall not be taken into account for purposes of section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985.

Mr. BYRD. Mr. President, I thank the clerk for reading the amendment.

Mr. President, my amendment is unambiguous and straightforward in its intent and in its effect. It will require the Director of the Office of Management of Budget to lower the discretionary spending limits, for both new budget authority and outlays, for each of fiscal years 1995 through 1998, by the amount of budgetary savings that will result from the enactment of this act. This will mean that the savings, which will result from enactment of the pending legislation, will go to deficit reduction only.

The savings cannot be spent on other programs. They cannot go for tax cuts. If my amendment is adopted the savings enacted in this bill will really be savings, not fodder for tax goodies to the favored few or part of some shell game designed to save with one hand and spend with the other. We need to reduce the deficits and my amendment will make sure that the savings in this bill will do just that.

The exact amount of deficit reduction that will occur from this measure cannot be determined at this time. That will depend on the outcome of the conference with the House on this bill. We do know, however, that the House-passed bill, H.R. 1158, contains a total of $17.4 billion in rescissions and other reductions in spending. We also know that the committee substitute before the Senate contains $13.5 billion in rescissions and other reductions. If the bill which passes the Senate retains the $13.5 billion in spending cuts, and if the conference splits the difference—as it sometimes does—in rescissions between the two bills, the final conference agreement will result in deficit reduction of somewhere around $8.8 billion. That amount of deficit reduction will occur, even after paying for the FEMA supplemental. That is a substantial amount of deficit reduction, particularly, when one considers that these rescissions are being made half way through the fiscal year. This is not to say that I agree with every rescission contained in the committee substitute. There will undoubtedly be amendments offered to restore a number of the proposed rescissions. I may vote for those amendments. But, whenever these cuts are made, one thing is clear and that is that we must do everything we can to reduce the deficit at every opportunity if we are to reach the goal of budget balance early in the next century. Therefore, if I support amendments to restore cuts in the bill, I will only do so if those amendments have full offsets.

Senators should be aware that, without my amendment, the spending cuts made in the bill will not go to deficit reduction. If the discretionary spending caps are not lowered, as my amendment will require, the savings in this bill can simply be respent somewhere else. Or, as we have heard so much about, the savings could be used to help pay for tax cuts or even for increases in direct spending. It is true that to use the savings in this act for tax cuts, would require a change in the Budget Act. But, that, Mr. President, is precisely what has been proposed by

the House leadership. In fact, I am advised that today, Wednesday, March 29, the House Budget Committee will report a measure which would waive the pay-go requirements of the Budget Act in order to allow reductions in the discretionary spending caps to be used to help pay for the folly of all follies—tax cuts at this time.

To my mind that is an outrage. Here we are ready to cut Head Start Programs, child care programs, money for computers in the classroom, money for scholarships, and funds for safe and drug-free schools, all cuts that will impact on programs designed to assist our young people with getting a better start in life like a good education, better nutrition, adequate learning tools, assistance in the fight against the scourge of drugs, and, yet, there are some who want to take these dollars from our young people and parcel them out in tax cuts to the favored few. Well what is wrong with that? There are several things wrong with that approach. First, we just went through a lot of agony and hand wringing, and heard a lot of passionate rhetoric about how critical it is for this Nation's overall well-being to get these deficits down. The balanced budget debate and the line-item veto debate were about getting these deficits down.

For weeks we have had the wringing of hands and the gnashing of teeth over the need to reduce deficits. There was virtually no disagreement about getting the deficits down. The disagreement was about what method should be employed to accomplish that goal. Now, to come right along behind that debate and blow all the savings in this bill like sailors on leave to pay for tax cuts makes a mockery of all the hot rhetoric on deficit reduction, and certainly further undercuts the American public's view of the sincerity of the Members of this body.

Second, any tax cut proposal at this time is just plain foolish. We must not squander our budget savings on tax favors. I like to vote for tax cuts. That is the easiest vote I have ever cast in 49 years in politics, and in serving in legislative bodies at the State level and at the national level. It is the easiest vote of all. Whoopee. We all like to vote for tax cuts. It is different to vote for tax increases. But any tax cut proposal at this time is just plain foolish. To do so is tantamount to simply running on a treadmill—working up a sweat, but going virtually nowhere.

The Bible says ''to everything there is a season,'' but this is not the season for a tax cut. It is common for politicians to try to be all things to all people, try to make everybody happy, claim deficit reduction to some, but hand out tax cuts to others. But, this is the season for coming to grips with the hard reality of our day. The time for feel-good politics is over, and instead of making everybody happy with phoney placebos, our duty is to make everybody perhaps a little unhappy in the short run for the good of all people—make the cuts and get the deficits down as we have promised.

The third thing wrong about tax cuts is that, in the case of this bill, unless we lock in these savings we will be paying for tax giveaways on the backs of our children and grandchildren. All the tears we have just shed on this floor over our children and grandchildren in the balanced budget debate will have amounted to nothing more than theatrics if we are willing to take from programs that assist our young people and, instead of using them to reduce the deficit, pass them out like party favors on tax cuts for the well-to-do.

Mr. President, I am aware that the President of the United States has proposed a middle-class tax cut. I am also aware that the so-called Contract With America calls for a much larger tax cut—of something like $630 billion over the next 10 years. That is the cost of the bill that has been reported out of the House Ways and Means Committee. Furthermore, after all of the provisions of the House tax cut bill are phased in, the revenue losses every year will total more than $110 billion—for each year thereafter.

And who will get the lion's share of the benefits from these tax cuts? Will it be the average American family, where often both parents have to work in order to make ends meet? Or, will these tax breaks go instead to upper-income households and large corporations?

According to a Treasury Department analysis, less than 16 percent of the benefits of the fully phased-in tax provisions as passed by the House Ways and Means Committee would go to 60 percent of all families with incomes below $50,000. The top 1 percent of families with incomes of $350,000 or more a year would receive 20 percent of the tax benefits, while more than half of the tax goodies would go to the top 12 percent of families—those with incomes over $100,000 per year.

Also, according to an analysis by the Treasury Department, over half the benefits from the House Ways and Means Committee's capital gains provisions would go to the wealthiest 3 percent of families who have incomes over $200,000, while three-fourths of the benefits would go to the top 12 percent of families who have incomes over $100,000 a year.

Mr. President, I cannot imagine a more perverse policy than one that calls for paying for tax cuts for the wealthy through cuts in programs, such as the ones contained in the bill now before the Senate, which provide education and other forms of assistance to the Nation's neediest children and families. I urge my colleagues to reject such an approach by supporting my amendment. In so doing, we will at least have ensured that the savings from the painful and difficult cuts that are being made in this bill will go only toward deficit reduction. Such an approach will benefit all Americans, not just the wealthiest among us.

Mr. President, to me this is a moral issue. It has to do with truthfulness; it has to do with fairness; it has to do with conscience.

And unless this amendment is adopted, I cannot support this legislation.

I cannot be a party to making these difficult cuts, without the assurance that these reductions will only be used to reduce the deficit.

I will not indirectly cast my vote for tax breaks for the wealthy by voting for painful cuts that, without my amendment, may be used to finance subsidies for the rich.

I urge us not to make a parody of the recent serious debate just held on this Senate floor on the line-item veto and the balanced budget amendment. We have promised the American people we will reduce this deficit and do it we must. Today we make our first serious downpayment on our pledge with the adoption of this amendment. I urge that it be adopted by a strong vote so that the Senate, at least, will put its money where its mouth is and keep its commitment to the American people.

I am against a tax cut at this time. I do not care who advocates it, whether it be President Clinton or whether it be in the so-called Contract With America. It is the wrong time. It is the wrong thing to do.

Mr. President, as an additional cosponsor, I ask unanimous consent that Mr. HARKIN's name may be added.

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

Mr. BYRD. Mr. President, I shall ask for the yeas and nays. I reserve the remainder of my time.

How much time do I have remaining?

The PRESIDING OFFICER. Approximately 32 minutes.

Mr. BYRD. I thank the Chair.

I understood that Mr. EXON wanted to speak on this amendment. If there are other speakers, I would like to know. Otherwise, I shall not use any more of my time.

The PRESIDING OFFICER. Is the Senator yielding the floor?

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. BYRD. I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

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

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

The absence of a quorum having been suggested, the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. BYRD. Mr. President, I yield 7 minutes to the distinguished Senator from Nebraska [Mr. EXON].

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. EXON. I thank my friend and colleague from West Virginia and I thank the Chair.

Mr. President, I rise today in support of the amendment offered by the distinguished Senator from West Virginia.

I commend the Senator for his thoughtful and timely amendment. Some of our colleagues talk a good game of deficit reduction. Yet, when it comes to taking action, they sometimes get cold feet.

I would like to point out that, even though the distinguished Senator and I were on opposite sides of the fence when it came to the balanced budget amendment and the line-item veto, we are, nevertheless, united when it comes to deficit reduction. We proved that in 1993 when we worked hand-in-hand to pass the largest deficit-reduction plan ever, and we prove it again today. I am proud to stand with my friend, Senator BYRD, the distinguished Senator from West Virginia.

Herein lies a lesson for all of our colleagues. No party has a monopoly when it comes to deficit reduction. No individual has all of the answers. We can hold different views, but when it comes to specific spending cuts and real savings, we should be one body dedicated to a common cause—getting our fiscal house in order.

Mr. President, in spite of the relentless drumbeat from the other side of Capitol Hill to cut taxes, the American people have their priorities in order. And I hope the House and the Senate will listen. Of course, they want lower taxes, but they want a balanced budget first.

The American people are not selfish and certainly they are not foolish. They want to get Government spending under control. They know you cannot run with the rabbit and hunt with the hounds. They want to protect their children's and grandchildren's future.

They certainly question the Contract With America when that contract goes so far as to deviate from common sense.

The American people are willing to accept the sacrifice that comes with creditable deficit reduction. They are willing to accept the pain of deep spending cuts, but only if those cuts go toward balancing the budget, and not spending elsewhere in the form of tax decreases. The American people know you cannot have it both ways. There is the rub and there is the root to this frustration.

I believe that the Byrd amendment takes head-on that proposition by saying that the savings that we made in this legislation will go for deficit reduction—deficit reduction—and nothing else.

What confounds the American people are the complex rules that go along with our budget process. In the never-never world of the budget, a spending cut is not always a spending cut. It is like a lizard's tail that comes off in your hands. We cut program after program, but cuts often become new spending and the deficit continues to grow. The lizard grows another tail, and on and on and on we go.

Mr. President, we could slash the space station. We could eliminate another 100,000 Federal jobs. We could cut every discretionary program by 10 percent. However, those savings mean nothing unless we make the cuts permanent and specifically apply them toward deficit reduction.

I am convinced that is what the vast majority of the American people want, and I know that the Byrd amendment now before us does exactly that.

Fortunately, the Senator from West Virginia is right on top of the issue. The emergency spending bill before the Senate today could be fertile ground for spending mischief. The appropriators propose to cut $13.5 billion and will spend $6.7 billion in relief for last year's earthquakes in California. But what about the difference? What about the difference, Mr. President, the $6.8 billion in supposed savings?

Without the Senator's amendment that we have just referenced, that money could be spent elsewhere, and might be. But the Byrd amendment puts a lockbox around these savings and prohibits the money from being spent. The savings are dedicated solely to reducing the deficit. It is that clear, it is that simple, and it is that necessary.

In fact, this is a safe within a safe. We need the extra safeguard because the bill before us deals with emergency spending which is not counted against the deficit. In the absence of a lockbox, the cuts made to pay for earthquake relief could be spent later this year on something entirely different. Adopt the Byrd amendment and eliminate that possibility.

So, once again, I commend the Senator from West Virginia for offering this important amendment. Anyone who is serious about credible deficit reduction should support it. Some cynics may say that $6.8 billion is merely a drop in the bucket when it comes to the deficit that will grow to $299 billion by the year 2000, if we believe projections.

However, the Byrd amendment demonstrates how we will reduce the deficit by making specific cuts in spending and locking away those savings for deficit reduction and for no other purpose.

I urge my colleagues to support the amendment offered by the Senator from West Virginia. It makes sense from every aspect, and I will be keenly disappointed unless the Senate recognizes the wisdom of this amendment and adopts it overwhelmingly.

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

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER. The minority leader.

Mr. DASCHLE. Mr. President, I will be very brief.

Mr. BYRD. Mr. President, I yield such time as the Senator may require.

Mr. DASCHLE. I did not realize we were under a time agreement. I ask for a couple minutes.

Mr. BYRD. I yield as much time as the Senator needs.

Mr. DASCHLE. Mr. President, I rise to ask unanimous consent to be added as a cosponsor of the amendment.

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

Mr. DASCHLE. Mr. President, I do so because I believe what the distinguished Senator from Nebraska has just said is absolutely correct. If, indeed, we are serious about doing what we have said over and over again over the course of the last several months with regard to deficit reduction, we need this amendment.

We need this amendment because, indeed, we say by adopting this amendment that we are serious, that we recognize that the first and really only purpose of a rescission is to ensure that we can cut spending and dedicate the savings to deficit reduction. We know that over the course of the next 7 years, we may have $1.8 trillion of deficit reduction work ahead of us. We must begin with this bill. We must continue in a budget process that will allow us a blueprint to ensure that between now and the year 2002 or the year 2003 that we have accomplished again what we have indicated we want to do.

So this is the first step. It is a step with regard to process, but it is a step with regard to demonstrating our true intention that, indeed, we are determined to reduce the deficit; indeed we are going to take the tough decisions we made with regard to this rescission and turn them into budget savings; indeed we are determined to do all that we can, collectively, to ensure that what we say we are going to do we are going to do in the long term. That is what this amendment does.

The distinguished Senator from West Virginia has offered it before on other pieces of legislation and, I must say, I hope that on this occasion, we can have broad bipartisan consensus in support of it because, indeed, it puts the rest of our efforts over the course of the next couple of days as we debate the real rescission package, its scope, its size, its practical application to the budget process in much more realistic terms.

This ought to have been the first amendment, because if it had been the first amendment, I think we could have all said unequivocally, regardless of what else we do, as we debate size and as we debate offsets and as we debate all the other issues pertaining directly to this bill, the one thing we will not debate is what we do with the savings once they have been promulgated.

This amendment says unequivocally that those savings will be used for deficit reduction, and I hope, again, with unanimity, this body can support it this afternoon.

Again, I commend the leadership offered to us by the distinguished Senator from West Virginia, and I hope we can support him in this effort when we have our vote later on.

I yield the floor.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I do not know from whom I must request time. I have been informed by the Parliamentarian that that is a mistake, that Senator DASCHLE technically controls the time that Senator HATFIELD controls. Is that correct?

The PRESIDING OFFICER. That is correct.

Mr. DOMENICI. Because it says ''in the usual form.''

Senator DASCHLE, I believe, unbeknownst to both of us, controls 45 minutes. Can the Senator yield me 5 minutes?

Mr. DASCHLE. I will be happy to yield to the distinguished Senator from New Mexico.

Mr. DOMENICI. Mr. President, let me say that I had the amendment that Senator BYRD offered all ready. In fact, I carried it over to him yesterday thinking that I would offer it. He said he already had it ready. I was shopping mine to show him what was in it. So I am a cosponsor. There is no use doing it twice, nor should there be necessarily any pride of authorship on my part since Senator BYRD had the amendment ready, and it is here.

The first big issue we could have is whether we waive the Budget Act in order to adopt this amendment. That means we need 60 votes. I hope that everybody in this Senate, Republican and Democrat, will vote to waive the Budget Act for this amendment. It is a technical waiver. It is not a waiver that has to do with incurring more debt. It is just that this proposal has to go before the Budget Committee to be reviewed, and technically, if it has not, it is subject to quite an appropriate point of order. We would not want all kinds of things coming straight to the floor that change the Congressional Budget and Impoundment Control Act. So we need that point of order. I hope everyone will vote for a waiver if it is necessary.

Essentially, it is not necessarily the case that if Congress approves rescissions and literally cuts money out of ongoing programs that those savings would go toward deficit reduction. That is not necessarily the case.

As a matter of fact, if you did a rescission and you saved some money but you did not provide for what happened to the savings, essentially you could fill the cap back up with later spending. You could go from whatever you cut all the way up to the cap that year, and you would still be within the procedures of the Budget Act. You would simply have cut spending in one program and spend the savings on another program.

Obviously, we are in the midst of this gigantic problem of getting the deficit under control, which I really believe the American people want more than anything else. There may be those who are not yet showing up in the polls saying they want deficit reduction, but I suspect it is because they do not believe it will ever happen. They do not believe we have the guts to do it, so some of them have already given up on us.

I want to make a commitment right here today. It may be very difficult, and it may be that some people cannot vote for it, but I have been encouraged, if not supported unanimously, by Republican Senators who come to meetings—and there was a large group today—that Republicans ought to produce a balanced Federal budget by the year 2002.

Now, that is not without risk, I guarantee you. We are looking for some people on the other side of the aisle to help us. It is going to be for real, and when it is finished, the Congressional Budget Office is going to tell the American people the budget is in balance.

Whatever vagaries of estimating may occur during the 7-year period leading to balance, we are going to produce a balanced budget, not in 5 years, but in 7 years.

It would be absurd for us to make that commitment and then come along here with a midyear reduction in expenditures for the very year we are in, $6 billion net, and not provide that we start that deficit reduction effort with these savings.

Would it not be folly to say, well, let us just wait around and see if we need this spending authority for something else, and then start anew in about 2 months with a budget resolution where we have to do 50 times this much over the next 7 years, or more?

Having said that, this is a very simple but very, very useful amendment. It says the savings achieved by this midyear rescission or carving out of already appropriated money will all go toward deficit reduction in the year we cut it. It will be traced in the budget because some of it flows into, or outlays in, other years. It will be counted as savings in those years, and those amounts will go to deficit reduction.

In a sense, it lowers the caps in a manner such that it would be very difficult to spend the money. But what we are saying is it cannot be used for anything else, and nobody should be worried about that.

For those who are wondering about tax cuts, there is no question that the law is already very clear that you cannot use discretionary savings to pay for tax cuts. How much in tax cuts we will seek, I do not know. Clearly under existing law, when you do that, you are going to have to have entitlement changes to offset the tax cuts.

So I believe this amendment sends an absolutely clear message, one that says we are not trying to fool anybody. If we are cutting a net $6 billion, let us put it toward deficit reduction, and not leave this spending authority around for somebody to dilly-dally, play with, and perhaps even spend.

Let me make another point on how important this is, Mr. President. Yesterday, the President of the United States, in a major, major press conference preceding his regional economic summit in Atlanta, told us about $13 billion in savings over the next 5 years from the second phase of the President's reinventing of Government—$13 billion. Nothing new about it. Incidentally, as it turns out, it is already in the President's budget, that $13 billion in assumed savings, so it is nothing new. However, look at the proportion of savings. We are here debating a bill that will cut a net of $6 billion out of existing appropriations for this year, and the President is touting a major deficit reduction effort over 5 years for $13 billion. Actually, we could take this little $6 billion savings and make it recur each year, and we would be over $30 billion, approaching three times the President's figure. Does anybody think we are not going to do at least that as we put together a 7-year balanced budget? We will have to do more than that.

So it is not that the President is not within his powers and quite appropriately talking about his kind of reform. But I think to make a big case out of it being major deficit reduction pales; it does not quite hit the mark.

So I do not have any other remarks to make. I might have exceeded my 5 minutes.

I hope we do not have to have this be even a close call. I welcome, on our side, putting my name up here as the Budget Committee chairman. I think we should waive the Budget Act on this amendment if that is necessary. I hope Republican Senators understand that we ought to do this. To not do it would be true folly, and we could be subject to enormous criticism, and properly so, if we did not devote these savings to deficit reduction.

I yield the floor.

Mr. BYRD. Mr. President, I thank the distinguished Senator from New Mexico. His word on this is very influential and meaningful. I am very grateful for what he has said in his support for waiving what might be otherwise a budget point of order.

Mr. President, I ask unanimous consent that Senators FEINGOLD, DORGAN, and BUMPERS be added as cosponsors.

I will yield whatever time the Senator from Arkansas may desire off the time that I control.

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

Mr. BUMPERS addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. BUMPERS. Mr. President, I want to compliment the Senator from West

Virginia for this very important proposal, which I see as a sign of things to come. I see this as absolutely essential for keeping faith with the American people, who are counting on us to do something about the deficit.

Everybody knows that we are going to be a severe disappointment to those people unless we give up the idea of this so-called middle-class tax cut and put this spending, which we are laboring mightily to cut, on deficit reduction.

Just on a personal note, Mr. President, I have not received one single letter from a constituent saying, ''Please give me my middle-class tax cut.'' And I have received literally thousands of letters from people saying, ''Please put it all on the deficit.'' You cannot do both. And if you chose to do both, you would run into an unmitigated disaster. You would have to cut Social Security; you would have to cut Medicare; you would have to cut unbelievable programs, such as veterans, to achieve a balanced budget by the year 2002, or any other year.

The proposal of the Senator from West Virginia is simple, straightforward, dynamic, and absolutely necessary if we are serious about deficit reduction.

We tried cutting taxes and increasing spending back in 1981. That was $3.5 trillion ago. We just finished, Mr. President, a very volatile debate on the balanced budget amendment. I was on the unpopular side of that issue, because I regard the Constitution of the United States with a reverence reserved only for the Holy Bible. There were a lot of politics involved in that debate. But you and I both know we cannot balance the budget with political rhetoric. We cannot balance the budget with anything less than common sense and spine.

I heard the Senator from West Virginia say a moment ago, when I was in my office listening to his remarks, that unless this amendment passes, which says this $6 billion in net spending cuts on this bill we are considering goes for deficit reduction, he will vote against the bill. And that makes a lot of sense.

There are a lot of cuts in this bill which, if I had a choice about it, I would prefer to keep. There are dramatic cuts in housing. There are dramatic cuts in jobs. There are dramatic cuts in a lot of programs which I cherish, which I think go to the very heart and strength of the Nation. I do not want to go through this agony only to see it go out for what is called a middle-class tax cut that includes people who make $200,000 a year.

I promise you that the workers of this country would get just about a 13-inch pizza—the equivalent of the tax cut would be about a 13-inch pizza on Friday night. If we balance the budget, as we say we are going to, I promise you, he would give up pizza for life in order to give his children some sense of a good destiny, so that they are living in a country that is worth living in and which has a great future. His house payment will not be as much. His car payment will not be as much. The dollar will again be king, and the people on Wall Street will be rhapsodic.

But that pales compared to the way the American people would change their attitude about this institution we call Congress.

Democracy always hangs by a mere thread. When we say to the American people, ''We cannot function anymore. We made you a promise, but we do not intend to keep it,'' we erode people's confidence in their Government. Every time you do that, you pay a little heavier price.

I may vote for this bill simply because I saw the remarks of the distinguished budget chairman in the paper this morning. Senator, I want to say I was heartened. I was heartened by your comments in that story this morning. I am heartened when I see the chairman of the Finance Committee singing out of the same hymn book, the same page.

Then my heart sinks when I look at what the leader in the House and the leader in the Senate are saying. Not singing from the same hymn book. They say we will have a tax cut.

So I am really troubled about how I will vote on this. I do not want to vote for a tax cut. I wanted to vote for deficit reduction and keep faith with the American people.

Mr. President, this vote is going to separate the people who want a political issue to talk about and those who really believe in deficit reduction. There has never been a more golden moment here where the U.S. Senate can stand up and say ''As much as I would like to give people a tax cut, we are not going to do it, because we have a higher responsibility.''

I am like the Senator from West Virginia. I have never made an enemy voting for a tax cut. There is a Senator in this body came up to me about 10 years ago and said, ''Senator, I just saw a poll that 92 percent of the people in this country do not want their taxes increased.'' Well, no kidding. I would assume that figure would be 99 percent.

So, the choices cannot be easy, if we are serious. The choices must be tough. Here is a vote that will separate those who want the issue from those who want to keep faith with the American people.

This amendment, carefully drafted, says ''You may not use this deficit reduction for taxes, or increased spending.'' Bear in mind, it is not just taxes here. It says two things: Do not increase spending on something else planning to use this $6 billion as an offset; and do not plan to use it for a tax cut. It is just that simple.

I thank the Senator from West Virginia for yielding me this time. I yield the floor.

Mr. BYRD. Mr. President, I have no other requests from Senators who wish to speak. I assume that the distinguished minority leader would be willing to have time under his control yielded back.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, would the Senator yield 1 minute?

Mr. BYRD. Absolutely.

Mr. DOMENICI. Mr. President, I notice my friend from Arkansas said he was ''heartened.'' Let me say I will be heartened almost to death if about 10 or 15 people on that side of the aisle vote for that balanced budget we were talking about.

That will be the test, not this little $6 billion baby. I think with the great enthusiasm that I am hearing from that side of the aisle that there might be great fever and fervor and enthusiasm for the balanced budget that we have been trying to put together.

I thank the distinguished Senator from West Virginia for yielding. I yield the floor.

Mr. BYRD. Mr. President, if I may retrieve 1 minute, I yield it to the Senator from Arkansas.

Mr. BUMPERS. I thank the Senator for yielding 1 minute.

I do not want to open up the debate on the balanced budget amendment, but let me say to my good friend from New Mexico: Here is the opportunity to have the best of two worlds. Do not tinker with the Constitution, and balance the budget—both. I yield the floor.

VOTE ON AMENDMENT NO. 423

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the amendment.

The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. FORD. I announce that the Senator from North Dakota [Mr. DORGAN] is necessarily absent.

I further announce that, if present and voting, the Senator from North Dakota [Mr. DORGAN] would vote ''aye.''

The PRESIDING OFFICER (Mr. THOMAS). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 99, nays 0, as follows:

[Rollcall Vote No. 119 Leg.]

YEAS—99

Abraham	D'Amato	Hollings
Akaka	Daschle	Hutchison
Ashcroft	DeWine	Inhofe
Baucus	Dodd	Inouye
Bennett	Dole	Jeffords
Biden	Domenici	Johnston
Bingaman	Exon	Kassebaum
Bond	Faircloth	Kempthorne
Boxer	Feingold	Kennedy
Bradley	Feinstein	Kerrey
Breaux	Ford	Kerry
Brown	Frist	Kohl
Bryan	Glenn	Kyl
Bumpers	Gorton	Lautenberg
Burns	Graham	Leahy
Byrd	Gramm	Levin
Campbell	Grams	Lieberman
Chafee	Grassley	Lott
Coats	Gregg	Lugar
Cochran	Harkin	Mack
Cohen	Hatch	McCain
Conrad	Hatfield	McConnell
Coverdell	Heflin	Mikulski
Craig	Helms	Moseley-Braun

Moynihan	Reid	Smith
Murkowski	Robb	Snowe
Murray	Rockefeller	Specter
Nickles	Roth	Stevens
Nunn	Santorum	Thomas
Packwood	Sarbanes	Thompson
Pell	Shelby	Thurmond
Pressler	Simon	Warner
Pryor	Simpson	Wellstone

NOT VOTING—1

Dorgan

So the amendment (No. 423) was agreed to.

Mr. BYRD. Mr. President, in order that we might not delay Senate rollcall votes, I shall ask unanimous consent——

The PRESIDING OFFICER. If the Senator will withhold, the Senate is not in order.

The Senator from West Virginia.

Mr. BYRD. Mr. President, rather than moving to waive, in view of the fact that no Senator voted against the amendment, I shall ask unanimous consent, to thus save a rollcall vote. I ask unanimous consent to waive the provisions of the Congressional Budget Act of 1974, and the Balanced Budget and Emergency Deficit Control Act of 1985 for the language of amendment No. 423 as included in any conference report on H.R. 1158.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. BYRD. Mr. President, I thank all Senators.

Mr. HATFIELD addressed the Chair.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. HATFIELD. Mr. President, may we have order in the Senate?

The PRESIDING OFFICER. Order in the Chamber.

Mr. HATFIELD. Mr. President, I would like to suggest what the immediate agenda may be for the rest of this day.

We have amendments pending, and are ready to be offered by Members. We urge them to be here. I think Senator MCCAIN will be offering the next amendment. We have on our list Senator KYL, and Senator PRESSLER, and then we would like to finish today's activity between 7 and 7:30.

Mr. FORD. Mr. President, I make a point of order that the Senate is not in order. We cannot hear the distinguished chairman.

Mr. HATFIELD. I would estimate that we would probably wind up today between 7 and 7:30, and earlier, if possible, depending on rollcall possibilities for the amendments that are ready to be offered.

I yield the floor.

I yield 2 minutes to the Senator from Wisconsin.

SENATOR HOWELL HEFLIN OF ALABAMA

Mr. KOHL. Thank you very much.

Mr. President, I would like to take just a minute or two to say a few words about our friend, HOWELL HEFLIN.

I was not able to get here earlier when Senator HEFLIN was on the floor. Along with all the many kind things that were said about him, I would like to add my own strong feelings of affection for one of the finest Members of the U.S. Senate that we have ever had in our country. And that is, of course, HOWELL HEFLIN who is retiring.

I have gotten to know HOWELL very well over the last 6 years. He is a man of unquestioned integrity and intelligence. HOWELL HEFLIN is a person who has the capacity for great friendship and compassion for people. He is a person who always has dealt straightforwardly and honestly with his colleagues and with his constituents. He is the kind of a man that—if we had 100 people like him, this would be an even finer institution by far than it is today, and it would be a much better country even than we are today.

He sets an example of all the best things in public service, for his constituents in Alabama, and for people all across this country. You have been a role model to me, a mentor and a friend. I, along with our colleagues, am going to miss you and the qualities that you represent as a legislator, as a Senator, and as a human being.

So along with the rest of us, I send you my respect and my affection and, indeed, my love.

I thank the Chair.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I would like to join my many colleagues in paying our profound respect to the judge.

When I first came to the Senate, I was told to look out for those Senators who were colorful, Senators who would always be there to kind of give a helping hand when you needed it.

HOWELL HEFLIN and I came to the Senate together, and from the first day the chief judge became one of those colorful Senators for most of us. He stood out tall in our freshmen Senate class, and now he stands even taller as he announces today his intention not to seek another term in the Senate.

That was a sad message for me. For all Members of our Senate class who came in with him, his friendship, indeed his wisdom, is something we have sought and relied on through these many years.

I should like to also add that the Heflin family as a whole, his lovely wife, who has been an active member, are beloved members of the Senate family. When the judge did not have a smile, she would have a smile. And I say to my good friend, how fortunate you have been in this life of yours of many accomplishments to have had that very strong and faithful partner by your side these many years.

(Mrs. SNOWE assumed the chair.)

Mr. WARNER. Madam President, as one who was privileged—and I say this with a great deal of humility—to have worn the green of the Marine Corps, HOWELL HEFLIN is indeed one of those unheralded, true heroes of the U.S. Marines. He fought in the Pacific. He distinguished himself. He was recognized for his heroism, his leadership, his courage by the United States of America, and I have always valued those days when in the course of the Senate life we had to address issues relating to the Marine Corps. Many times have we gone to the Marine Corps to attend meetings, to attend breakfasts, the two of us, to always express our gratitude to the corps. So I say to my good friend, ''Semper fi.''

I yield the floor.

Mrs. BOXER addressed the Chair.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Thank you very much, Madam President.

As Judge HEFLIN, as we call him, is walking over to Senator WARNER to shake his hand, I just wanted to add a couple of words.

If any American did just one or two of the things that HOWELL HEFLIN has done in his life, that individual would be so blessed—to be a war hero, to be a great and respected judge, to be a great U.S. Senator, one who has respect from both sides of the aisle and, indeed, affection.

I just want to say to you, Judge HEFLIN, that you have been my pal and my friend, that I have gone to you with the issues that perhaps were not in your best interest to support but you always listened to me and you always made a judgment that you thought was right for the people you represent but also what was the right thing for you to do as a human being.

I just wanted you to know one more thing. I have served in the Congress for a long time, in the Senate just a few years, and I remember an incident that occurred on the floor when there was an amendment brought before this body that on the surface maybe one did not understand its true meaning and how much it would impact certain people in this country.

Judge, you voted for that amendment, and then when our friend from Illinois came to the floor, Senator MOSELEY-BRAUN—I am so happy that she is here—and she made the case to the Senate that that amendment would really tear apart many of our people and bring back memories that haunt them, you stepped back and you led this Senate in its reversal of that amendment. You did not think about whether it would make you popular or whether you would win that vote, which you did. You led us onto the right path.

Judge, you are a leader, and we will miss you. There are not enough people in politics who are willing to take the risks that you have taken. God bless you. And myself, I find already that there is a void in the Senate just knowing you will not be here in a year and a half. But let me tell you, I am going to look forward to working with you in the remaining time that we have together in the Senate.

I yield the floor.