that I think the President did an exceptional job politically of exploiting it. I admire him for it. I think we did an inept job of explaining that in fact the President vetoed the bill and shut the Government down.

But in an unusual effort to have good Government, what Republicans are saying on this appropriations bill we are going to vote on next week is, look, before we get into any disputes with the President, let us just agree that if at any point during the year we cannot agree on how much money to spend to keep the Government open, that we will keep it open temporarily at 98 percent of the spending we spent last year, which, by the way, is substantially above the budget that we adopted last year.

Our Democratic colleagues are saying, ''Well, no, we can't do that. We can't set out that if we can't reach an agreement we will simply spend 98 percent of last year's level.'' They are saying that somehow we are trying to impose priorities on the President. What we are trying to do is to guarantee that we do not have a shutdown in Government. I think our proposal is eminently reasonable. And I intend to support it. I do not intend to vote for this supplemental appropriations bill if we do not have this provision to prevent a fiscal disaster written into it.

I think it is time for us to understand that we have an obligation, No. 1, to pay for these bills, and, No. 2, to try to set out some way of gaining control of runaway Federal spending. The problem in Washington is still spending. We are still not controlling it. That is what this debate is about.

I yield the floor.

Mr. LEAHY addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Vermont.

Mr. LEAHY. Mr. President, as some of my colleagues know, I was considering introducing, as a substitute to the bill by the distinguished Senator from Georgia and others, the bill of the distinguished gentleman from Illinois, Mr. PORTER, as introduced in the other body. I am withholding that because staff from my office and staff of the distinguished Senator from Georgia and others have been talking about some additional amendments to the pending legislation that, if acceptable to all sides, would improve a number of the concerns that the Senator from Vermont has with the pending legislation, concerns I will not go into again here because the Senator from Vermont has discussed them on a number of occasions on the floor.

While I was waiting to make that announcement, though, I could not but hear some comments of the Senator from Texas regarding the budget.

Frankly, I will say to my friend from Texas or anybody else, if they are not happy with the recommendations being made by the White House or Democratic Senators or anything else, the Republican Party has a majority of the Members in the House of Representatives, the Republican Party has a majority of the Members in the Senate of the United States. All they have to do, if they have a budget they prefer to anything the President has, is bring it forward and pass it. They have enough votes to pass it. And the President cannot even veto it; it is a budget resolution. So it is a little bit disingenuous to suggest that somehow the President or anybody else is winning on this.

The Republican Party has the majority of votes in the House and the Senate. A budget resolution cannot be vetoed. All they have to do is pass it. In fact, the law requires that they pass it by April 15—I mean, April 15 of this year, not next year. The law also requires that you and I, Mr. President, file our income taxes by April 15. If we do not, we get a knock on the door from the IRS. Apparently nobody is going to knock on the door when the Congress did not pass a budget resolution by April 15.

But I suggest, before anybody goes tearing too hard after the President or anybody else that may have been negotiating a budget, with all due respect to my friends on the other side of the aisle, if they do not like it, just pass their own. They could have followed the law and passed one by April 15. They did not. I will not chastise them for not obeying the law, even though they want the rest of us to. But just pass it, if you like. You can do it. I will also say, as far as passing an automatic continuing resolution, whoa Nellie, that has nothing to do with cutting budgets. I am perfectly happy to vote for budget cuts. I voted for more successful budget cuts than an awful lot of people in this body, I mean those that actually passed in the Appropriations Committee and elsewhere.

But this idea of some kind of an automatic continuing resolution is just a law that says we do not have to do our work. Now, by the end of September we have to pass 13 appropriations bills. If we all just go off and take another vacation, do not pass them, then this law proposed by the Senator from Texas and others would kick in, and nobody would even know if we were out of town.

I prefer we do our work. Maybe some of the same people, some of the same people who were unable to come up with a budget by April 15, who refused to follow the law to come up with a budget by April 15, want this new wrinkle, this unprecedented wrinkle of basically passing appropriations bills in advance, because if you pass this law, this continuing resolution, we can just go home. Maybe the American people would like that, but I do not think we are meeting our responsibilities. So I think we should stop the gimmicks in the appropriations bills. And this is just one more. It is not an issue of whether you want to cut budgets or not. It is an issue of whether we do our work.

We have had several vacations this year and we confirmed two Federal judges and we are now in the fifth month. There are 100 vacancies. We have had several vacations this year and we are now in May, even though the budget resolution is supposed to be here April 15. I think before we pass any more laws that allow us to escape the responsibility for carrying out our actions in this body, we ought to do what we are supposed to do.

(The remarks of Mr. LEAHY pertaining to the introduction of S. 678 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

VOLUNTEER PROTECTION ACT OF 1997

The Senate continued with the consideration of the bill.

Mr. LEAHY. Mr. President, going back to the matter at hand, all of us support the concept of volunteers working to help. In fact, this country could not make it without volunteers. I think of those volunteers in the recent disastrous floods in the Dakotas who worked 16- and 20-hour days to pack sandbags, sometimes to protect homes and property and businesses of people they did not know and probably never would know. They just showed up, volunteered, and did it.

I think what happens, sometimes we will get hit with a vicious storm in my part of the world, power lines will come down, electricity will be out, and people gather to volunteer and help. I think of some people I have seen in times when I have had the opportunity to volunteer in what we call our Cleanup Day. Cleanup Day in Vermont was begun by a dear friend and former Governor of Vermont, Dean Davis. This is where thousands of Vermonters all over the State go out at this time of year—the snows are gone, we hope—and we will pick up trash all over the State, beautify our roads, our streams.

In fact, I recall when my daughter was the State director, and I went with her and some others. We saw a little piece of metal sticking up in a stream and we decided to pull it, and more of us pulled, and pulled and pulled, and we got a car hooked up and pulled and pulled, and out came a sink—a whole sink. Somebody had tossed it in there. We cleaned it up. I hope that stream was better as a result.

I think of the men and women who work with children in my State, the volunteers who work with the 4–H Club, for example. During my 8 years as a prosecutor in Vermont, I went back through the records of all those who came in our juvenile courts in the county where I was the States attorney or district attorney. We had about a quarter of the population. During 8 years in that juvenile court, we never had a person in there who had been active in 4–H or active in Scouting. Those people worked so hard at it and learned good basic values, but they had a lot of adults who volunteered to help in those operations.

I daresay that every single Member of this body is for volunteers. What I am concerned about in this particular bill is that it was introduced, we never had a hearing, we have never had discussion of some of the problems—and there are some significant legal problems in it—and I think that of late the Senate has been acting that way, just taking up a big piece of legislation and rushing to the floor with it.

I raised a concern that various hate groups might be protected with their volunteers under this bill. The Senator from Georgia, the Senator from Vermont, and all the others both for and against this have a total abhorrence of hate groups. There is not a single Member of this body that will stand for the kind of thing that so many hate groups stand for.

What I have suggested is they should be looked at carefully. How do you make sure that even beyond the prohibitions against hate crimes that are in the bill that we have the prohibitions against immunizing various hate groups? Do we immunize the volunteers, and do we go further and immunize large organizations that might utilize volunteers and might not take the kind of care they should for the people that come in there, absent those volunteers, or absent that immunization?

Let me give an example. If you have a large for-profit hospital, the kind of hospital where some of the administrators and owners of it will make millions of dollars a year, where the daily care of the patients—nurses, nurses aides and others, of course, make a tiny infinitesimal fraction of that—are augmented by people who willingly come in and volunteer in those hospitals, who are not the millionaire administrators, do we want to set it up so the millionaire directors are somehow removed from that because they were wise enough to bring some volunteers in? Now, I do not think anybody wants to do that.

So let us look at this legislation. As I said, I think we could have avoided several days of discussion and cloture votes and everything else if we had just done what we normally do or should do around here, and that is have a hearing on it. I am the ranking member of the Judiciary Committee, and we are not having to take much time for hearings on Federal judges and nominations even though there are 100 vacancies in the Federal courts. We had time to spend the whole day yesterday to beat up on Janet Reno in a hearing. We could have had time to take a couple hours to hold a hearing on this bill and probably corrected the problems and we would have taken up a lot less time of the Senate in the long run.

I found very interesting the hearing with Attorney General Reno. At the end of 7, 8, or 9 hours, whatever it was, I commended her. She had listened to interminable speeches punctuated by an occasional question. She showed equanimity during the speeches, which made up most of the hearing—speeches from Senators—but also answered the occasional questions with candor and integrity. It does not mean everyone will agree with her answers.

She sure showed a streak of independence, a streak that may have bothered some, because she showed a willingness to look into inappropriate activity by Members of Congress as well as just at the White House, a matter that I realize has caused some consternation to some on the Hill, but I think it is only fair. If we look at one end of Pennsylvania Avenue, we should look at the other end. I am sure the distinguished Presiding Officer and others would agree with me in that regard.

Let us go to the bill at hand, let us continue to work together. The Senator from Georgia has been dealing in good faith, and he knows the Senator from Vermont has. We will continue to work and see if we can find something, I hope, very soon.

I see the Senator from Georgia on the floor, and I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Georgia.

Mr. COVERDELL. I thank the Senator from Vermont for his remarks and his interest and dedication to the effort.

I respond to him that, indeed, the effort to try to mesh the concerns on both sides is eagerly being addressed right here at the moment, and there are some positive indications, and I am hopeful that between the Senator from Vermont and his staff and ours and others that are interested in the subject, that we can show some very positive, bipartisan effort here maybe in the next couple of hours or so. Again, I thank him for the effort to create the atmosphere that would allow us to perhaps bring resolution to this matter this afternoon yet.

Mr. President, I also say I think it is fair to note that the issue has been before the Congress in one form or another since 1985. This is the first time that we have really had legislation—that is 12 years. So we are really not dealing with a subject matter for which there is unfamiliarity. We are really trying to hasten the coming together.

There is a propensity in Washington and in the Congress to mull things a bit long. We have had a summit in Philadelphia where we have had the President and three former Presidents, 30 Governors and 100 mayors say, ''Now is the time. Now is the time.'' They have called on over 2 million Americans to step forward. We want them to be able to step forward and not get tripped up. This is exactly the time for us to be addressing this legislation. It has been studied, reviewed, and argued for 12 years. We are down to, as I have said many times, 12 pages. I am very hopeful that people of good faith and good will on both sides can mesh these 12 pages together and, hopefully, by the end of the day, at least in the Senate, we can say yes to the President's call and yes to Nancy Reagan, when she said, ''I hope from now on when somebody asks for a helping hand, you just say yes.'' This helps American volunteers do just what she requested: Just say yes.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. BINGAMAN. Mr. President, I ask unanimous consent that I be allowed to speak for up to 10 minutes as in morning business.

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

THE SUPPLEMENTAL APPROPRIATIONS BILL

Mr. BINGAMAN. Mr. President, I want to speak a little bit about the supplemental appropriations bill, which I gather will be on the floor here probably next week, and this issue which has come to light about the effort to put a so-called continuing resolution onto the supplemental appropriations bill. I want to just try to make sense out of that as best I understand it and describe my recollection of things.

There has been a lot of talk in the last few days about the shutdown of Government that occurred in the last Congress. I was here at that time and I remember the occasion. What was happening, as I recall it, was that the President indicated very clearly in public statements and private statements, in a variety of ways, that he would not sign appropriations bills that contained major cuts in education and some of the funds for enforcement of the environmental laws in particular. Those were areas of great concern to the President. He indicated that he wanted Congress to agree with him to maintain funding in those areas—not necessarily increase it, but at least maintain funding in some of those areas before he would sign those bills.

In spite of those statements to that effect, the majority here in Congress sent those bills to the President and he vetoed them. Accordingly, we had a shutdown of the Government. There was no funding available through that appropriations process for those areas of the Government that were covered by those appropriations bills. So, essentially, what was going on was that the majority in Congress was trying to force-feed the President to accept some proposals and some cuts in funding that he was not willing to accept, and that precipitated a crisis. Some felt strongly. Some in the majority party—the Republican Party—at the time felt strongly enough about it that they