

Harkin	Levin	Roth
Hatch	Lieberman	Santorum
Hollings	Lott	Sarbanes
Hutchinson	Lugar	Sessions
Hutchison	Mack	Shelby
Inhofe	McCain	Smith (NH)
Inouye	McConnell	Smith (OR)
Jeffords	Mikulski	Snowe
Johnson	Moseley-Braun	Specter
Kempthorne	Moynihan	Stevens
Kennedy	Murkowski	Thomas
Kerrey	Murray	Thompson
Kerry	Nickles	Thurmond
Kohl	Reed	Torricelli
Kyl	Reid	Warner
Landriau	Robb	Wellstone
Lautenberg	Roberts	Wyden
Leahy	Rockefeller	

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEARS 1999, 2000, 2001, 2002, AND 2003

The Senate continued with the consideration of the concurrent resolution.

AMENDMENT NO. 2218

The PRESIDING OFFICER. The pending amendment is Dorgan amendment No. 2218, on which there are 2 minutes of debate equally divided, with the Senator from North Dakota controlling 1 minute and the Senator from New Mexico controlling 1 minute.

The Senator from North Dakota is recognized.

Mr. DORGAN. Mr. President, the budget resolution contains a sense of the Senate that the Tax Code shall be sunsetted at the end of the year 2001. It doesn't provide what might be replacing that. It doesn't suggest whether after the current Tax Code is sunsetted there will be a flat tax, a VAT tax, a national sales tax; it just says sunset the Tax Code.

The chairman of the Finance Committee, Senator ROTH, says the following:

I believe that a comprehensive overhaul of the Tax Code should be in place before any action is taken to sunset the existing Tax Code.

The Tax Executives Institute, which represents thousands of corporations around the country, has said the same thing. It would be irresponsible to say let's get rid of the Tax Code without telling people what they are going to put in its place. What do you say to somebody who is going to buy a home tomorrow and they expect their mortgage interest deduction is going to be—

Mr. FORD. Mr. President, may we have order?

The PRESIDING OFFICER. The Senator from Kentucky is correct. There will be order in the Senate.

Mr. FORD. I think the Senator from North Dakota should have some of his time back because nobody has heard him.

Mr. DORGAN. Mr. President, last evening, the Senator from New Mexico characterized the amendment as an amendment which supports the current Tax Code. It is a clever way to debate, I guess, what this amendment is about. I support reforming the current Tax Code, making it better, more simple, more fair, but I don't believe we ought to say, "Let's abolish the current Tax Code and tell the American people there is nothing that we are going to put in its place this moment, you guess about that; you guess about that."

It may be a national sales tax of 30 or 35 percent. That is what the recent study from the Brookings Institute says it would have to be. Maybe it is a

flat tax where a billionaire pays the same rate as a person who works for \$20,000 a year.

Let me conclude. The Senator from Maryland makes the point that I made last night. How would anybody tomorrow plan their expansion, plan their next action if they didn't know what the Tax Code was going to be in the year 2002?

How will anybody decide to buy a house wondering whether they are going to have a mortgage interest deduction?

How will anybody decide about their charitable contributions if they don't know that the tax system is going to allow that as a deduction? That is the point.

This is not the thing to do. The chairman of the Finance Committee said so and many, many others around the country, including the President, said so.

Let us strike this provision and replace it with the language I have suggested that supports the mortgage interest deduction, the charitable deduction, and others in the current code. We can improve the current code, and we should, but we ought not allow this provision to stay in the Budget Act.

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

The Senator from New Mexico has 1 minute.

Mr. DOMENICI. Mr. President, could we have order?

The PRESIDING OFFICER. Please, could we have order in the body.

Mr. DOMENICI. Mr. President, I compliment the occupant of the Chair, the distinguished Senator from Kansas, and I compliment the distinguished Senator from Arkansas, Senator HUTCHINSON. They have given us an opportunity to see to it that we reform the Tax Code of the United States. It has been talked about for so long and nothing ever happens. They have devised a way where they are saying to the committees of the U.S. Congress, and to the President, let us get on with it. And here is the leverage: If you do not, we will not have a Tax Code in the year 2001.

I believe this is the only way you are going to get tax reform when those who are in charge of the job—with all the special interests gobbling them up not wanting any change. I think the only way it will occur is if this sense-of-the-Senate proposal becomes law. It is not law today when we approve of it. It will become law when a committee sends a bill to the President. But we ought to go on record saying we want reform, we want major reform of a broken down code, and we want it soon, not 15 more years of debate.

If I have any additional time, I yield it.

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

Mr. HUTCHINSON addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

NAYS—1

Faircloth

NOT VOTING—1

Helms

The nomination was confirmed.

Mr. LEAHY. Mr. President, I move to reconsider the vote by which the nomination was confirmed.

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

The motion to lay on the table was agreed to.

NOMINATION OF MICHAEL P. MCCUSKEY, OF ILLINOIS, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF ILLINOIS

The PRESIDING OFFICER. The clerk will report the next nomination.

The bill clerk read the nomination of Michael P. McCuskey, of Illinois, to be United States District Judge for the Central District of Illinois.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Michael P. McCuskey, of Illinois, to be United States District Judge for the Central District of Illinois?

Mr. LEAHY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is not a sufficient second.

Mr. LEAHY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LEAHY. 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. LEAHY. Mr. President, I withdraw the request for the yeas and nays.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Michael P. McCuskey, of Illinois, to be United States District Judge for the Central District of Illinois?

The nomination was confirmed.

Mr. LEAHY. Mr. President, I move to reconsider the vote by which the nomination was confirmed.

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

The motion to lay on the table was agreed to.