

Before yielding the floor to the Senator from Massachusetts, I ask unanimous consent that this editorial from the Chicago Tribune of Sunday, July 23, 2000, entitled "Budget Surplus Induces Frenzy," be printed in the RECORD.

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

BUDGET SURPLUS INDUCES FRENZY

Congressional Democrats have likened the Republicans' tax-cutting frenzy to a "legislative Wild West." But a growing number of Democrats, too, are hitching up their britches and joining the roundup, crossing the aisle to vote for tax cuts as well as their own spending increases. What is prompting all this activity is a federal budget surplus that seems to have taken on a magical life of its own.

Capitol Hill is awash in money. Why make hard choices when you can have it all? Blink and you just may have missed the latest incredibly rosy forecast of that gargantuan budget surplus. The economy is now approaching \$10 trillion in size and more Americans are working than ever. That means federal tax receipts are soaring—the prime reason that the budget surplus keeps growing.

The latest revision by the Congressional Budget Office estimates the surplus at \$232 billion for the fiscal year ending Sept. 30—\$53 billion higher than the April estimate. Through 2010, the surplus is forecast to be \$2.2 trillion. Include Social Security surpluses and it grows to \$4.5 trillion. If your mind isn't bogged by these sums, you just aren't paying attention.

But before Congress proceeds to spend every last red cent of this money, here are a few cautionary red flags.

PAY DOWN THE DEBT

The national debt totals \$5.6 billion. Reducing the publicly held portion of it—about \$3.6 trillion—is akin to giving the whole nation a tax cut because it reduces future debt service. This must be the No. 1 priority.

GET REAL WITH SPENDING CAPS

They were imposed in 1997 when it looked like the only way for America to dig itself out of a swamp of red ink was to strictly limit discretionary spending. That's what gets spent on everything else after defense, debt service and entitlement programs like Social Security and Medicare are paid for. Well, the deficit swamp has been drained. The caps remain, but that doesn't mean Congress complies with them. The Republicans have been moving spending in or out of the current fiscal year or calling it an "emergency," allowing them to technically meet the caps but still spend lavishly.

This is worse than having no caps at all. It is time to be honest about these spending caps. Establish a new baseline cap; allow for minimal annual increase, then stick to it.

REMEMBER PROJECTIONS AREN'T REAL MONEY— YET

That doesn't mean the projected surplus won't become real money. But 10 years is a long time and a lot can change over a decade. If you don't believe that, just remember back to 1990 and the projected deficits that seemed to stretch endlessly into the future.

SOCIAL SECURITY AND MEDICARE STILL NEED WORK

Neither presidential candidate has addressed the core demographic problem that looms for these programs: the aging of the giant Baby Boom generation. The Concord Coalition refers to both their Social Security reform plans as "free lunch proposals." There is no free lunch. Expanding tax-free

retirement accounts—as Al Gore proposes—or allowing market investment of some portion of Social Security taxes—as George Bush proposes—won't change the fact that the system will become actuarially unsound unless benefits are cut, taxes raised or the retirement age delayed.

Add to Medicare's shaky fiscal foundation some looming big ticket items—a prescription drug benefit and some provision for long-term care—that will have to be financed if, as seems increasingly likely, the nation decides they are essential to have.

LISTEN TO ALAN GREENSPAN

The spending and tax cut "debates" under way now have little to do with the soundness of overall fiscal policy. Is this a good thing to consider? Should we do this? These are not the questions being asked. There is an assumption that the money is there, so why bother with that debate? If they're politically popular—and what's not to like about a tax cut or higher spending—put 'em in the pot. The most recent example of this is the metamorphosis of the GOP drive to end the marriage tax penalty. This has now grown into a generous tax cut for all married people, with a total 10-year price tag of \$292 billion.

No one can guarantee the economy will continue to prosper as robustly as it has. "A number of the potential programs, both expenditures and tax cuts in the pipeline, do give me some concern," said Federal Reserve Board Chairman Alan Greenspan, at his mid-year economic review on Capitol Hill last week. "The growing surplus has kept the expansion stable. Tax cuts or spending increases that significantly slow the rise of surpluses would put the economy at risk."

Listen to the man.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KENNEDY. How much time do we have remaining?

The PRESIDING OFFICER (Mr. SANTORUM). On the Democratic side, the time is until 10 o'clock.

THE SENATE'S CALENDAR OF BUSINESS

Mr. KENNEDY. Mr. President, I point out to our colleagues and friends the Calendar of Business for the Senate. This is the calendar of the business pending, the unfinished business, and a list of various pieces of legislation reported out of the committees.

The American people probably don't have this at their fingertips, but if you take the time to look at this when you visit the library, or you can write to Members of the Congress, you will find out that in the pending business the first order is a bill to extend programs and activities under the Elementary and Secondary Education Act of 1965. Right next to it, it says May 1, 2000. That means that this has been the underlying and pending piece of legislation. Yet we are denied any opportunity to address what is going to be the Federal participation in working with States and local communities in the areas of education. We didn't address it in the rest of May. We received assurances by the Republican leadership that we were going to come back and address those issues and questions. We didn't do it in June, and we didn't do it in July, although we were told we

would be able to address these issues in evening sessions and have a disposition of that legislation.

In the meantime, what have we done? As my friend from Illinois has pointed out, we have seen a tax cut of over \$1 trillion. We had something else done, too. The House of Representatives have given themselves a pay increase of \$3,800 a year. We didn't see the increase in the minimum wage. They didn't vote for that. In fact, when TOM DELAY was asked about the increase in the minimum wage, he said: That doesn't affect us. What he continued to say is we are not in the business; we are overseers of a \$2 trillion economy. And he was quite dismissive of the problems and challenges that are affecting working families at the lower wrung of the economic ladder.

We have not done the American people's business. We are not addressing the questions of smaller class sizes. We are not addressing the issue of trying to train teachers to be better teachers. We are not addressing the issue of afterschool programs. We are not addressing the efforts to try to deal with the problems of the digital divide. We are not dealing with the greater kinds of accountability of the expenditures of funds in terms of education. That is off the agenda. As has been pointed out many times since the founding of the Republic, debates on the floor of the Senate are about priorities.

The majority leaders have effectively dismissed debate, discussion, and action on education in order to have a trillion dollar tax cut for the wealthiest individuals and a pay increase for themselves. No attention to prescription drugs. Thumbs down on that. Thumbs down on a Patients' Bill of Rights. We haven't got time to debate a Patients' Bill of Rights or a Medicare prescription drug program. We haven't got the time to debate a gun issue to try to make our schools safer. But we have the time to debate a trillion dollar tax cut and a pay increase of \$3,800.

If you take the increase in the minimum wage for 2 years, we are talking about half of what the increase would be for a Member of Congress. We can't even debate it. We can't discuss it. We can't vote on it because that is not part of the agenda of our Republican leadership. That is what this is about. It is about priorities. That is what this election is going to be about, ultimately. No action in terms of the Patients' Bill of Rights, even though we are one vote short of being able to get action, to try to ensure that decisions affecting families are made by doctors and trained medical officials and not accountants for the HMOs. We are not going to have, evidently, action on the gun issues to try to make our schools safer and more secure, to try to limit the availability of guns to children in our society that results in more than 10 children every single day being killed. We are not able to do it. We want to indicate to the majority that we are going to take every step possible to

make sure we are going to address those issues. We have been cut out and closed out to date. But we are not going to do it.

Here it is Tuesday morning. Quorum calls all day Monday. Quorum calls this morning. Failing to take action on these issues, it is basically an abdication of our responsibility. We are not going to go silently into the night. I understand the hour of 10 o'clock has arrived.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DURBIN. Since there are no Republican Senators on the floor seeking recognition, I ask unanimous consent to speak 10 additional minutes.

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

CONGRESSIONAL INACTION

Mr. DURBIN. Mr. President, I thank the Senator from Massachusetts because I think he has made his case convincingly that there are many things we have failed to do in this Congress which mean a lot to the American people.

Take a look at the inaction of the Republican-controlled Congress on so many issues that are really life-and-death, day-to-day issues that families across America expect us to lead on, such as the issue of commonsense gun safety; 30,000 American lives were lost to gun violence in 1999. We lose 12 children every single day in America. As many children are dying in America because of gun violence every day as were lost at Columbine High School. It is a reminder that we have a situation with gun violence that is unprecedented in the history of the world. The obvious conclusion from the Republican leadership is, there is nothing we can do or want to do to change it.

We believe, on the Democratic side, that commonsense gun safety is something we should enact, and do it very quickly. We passed a bill here on the floor of the Senate. It had a tie vote of 49-49. Vice President Al Gore cast the deciding vote. We sent it over to the House of Representatives. In 2 or 3 weeks, the gun lobby tore it to pieces. They sent it to a conference committee. For over 1 solid year, that bill has been stuck in a conference committee because the Republican leadership is unwilling to bring forward any gun safety legislation. Yet we see these statistics where literally thousands of Americans are victims of gun violence.

In my State of Illinois, in the city of Chicago, there are now gathering together summit conferences of leaders from communities because of the unprecedented killings which are taking place—particularly of our children—with drive-by shootings. Children are being killed while lying in bed or sitting on the front porch with their parents. It is becoming too commonplace. The obvious attitude of the Republican leadership is, there is nothing they are willing to do to even try to address it.

We think if you buy a gun at a gun show, you should go through the same background check as a person who buys a gun from a gun dealer. We want to know if you have a history of violent mental illness. We want to know if you have committed a violent felony in the past. We want to know if you have a history of the kind of activity that has required an injunction to protect someone against domestic violence. We think it is only fair and just that we ask people who want to exercise their rights under the second amendment to accept the inconvenience of a few questions being asked. Yet the Republicans apparently disagree. They refuse to move any gun safety legislation.

As to the Patients' Bill of Rights, which Senator KENNEDY addresses, every day 14,000 Americans are denied their needed medicines; 10,000 are denied their needed tests and procedures. You know the stories. You know that in your hometown convenience store there is a little canister which says, can you leave your change for this little girl, who needs a certain medical treatment, which is even denied by her insurance company, for which she has no insurance. That is a reality for a lot of families who are struggling to pay for expensive medical care. It is the reality of many of these families who turn to these insurance companies. These companies say: No, it is not one of our recommended procedures; your doctor is just going to have to be told no. I have talked to those doctors who have said to mothers and fathers what their child needs, and then they turn around and find an insurance company overruling them.

We think patients in this country should come first, that quality medical care should be in the hands of professionals and not in the hands of insurance company clerks.

More than 11 million Americans have been denied an increase in the minimum wage for over 2 years. In Illinois, 350,000 people got up and went to work this morning for \$5.15 an hour. These are not lazy people. These are hard-working people who are asking this Congress to keep them in mind as we give tax breaks to wealthy people, to keep them in mind as we approve congressional salaries for those of us who serve in the House and Senate. But no, the Republican leadership has told us we have no time to consider an increase in the minimum wage.

Of course, the prescription drug benefit under Medicare—13 million seniors in America have no prescription coverage.

I met a woman in Chicago who had a double lung transplant. Her medical bills are \$2,500 a month for the drugs she needs so her body will not reject these lungs. She can't afford it. She has to turn to welfare and to Medicare. She lives in a basement with her children because, frankly, she has no income, no resources. She has had times when she didn't have the money to fill her prescription, and she has suffered

irreversible lung damage every time that has happened. That is her life every single day.

That is what it means to be poor in America—or, even those with Social Security checks who do not think themselves to be poor and able to afford prescription drugs.

Yet when we propose a plan that offers guaranteed universal coverage under Medicare for prescription drugs, the Republican leadership says: No, we think we ought to turn to these same insurance companies that have treated us so well—I use that term advisedly—under our HMO and managed-care system and ask them to give prescription drug benefits, the same insurance companies that have been cutting people off when it comes to HMO supplemental policies under Medicare.

Over 1 million Americans have been cut off, many in my State of Illinois. I don't trust the insurance companies to provide, out of the kindness of their hearts, prescription drug benefits. I think there should be guaranteed universal coverage under the Medicare system.

Another bill stopped by the Republican Congress is school modernization.

We should debate a bill that will allow us to increase the limits of immigrants coming into this country to provide those immigrants to fill highly-skilled jobs and good-paying jobs in this country that can't be filled with American workers. I think it is a reality. It is the No. 1 complaint of businesses that can't find skilled workers.

Yesterday, as I got on the plane in Springfield, IL, a fellow from a local company, Garrett Aviation, said: Let me tell you that my biggest problem in business is I can't find workers to fill the jobs.

The industries come to Congress and say: Allow us to have more people immigrate to the United States who can fill these jobs. I think it is a real problem. If we don't allow this immigration, some of those jobs and companies will go overseas.

But let's look at it in the long term. What are we doing to improve the workforce in America to make sure we have people who are skilled enough to fill these jobs and make these good incomes? Are we dedicating our money in our schools and in training to make this happen? I don't think so.

In the 1950s, we were afraid of the Russians. When they launched Sputnik with their advances in science, we passed the National Defense Education Act. We said: We are going to help kids across America pay for their college education. We believed that these kids, once trained, would make America strong so we would not have to worry about this threat from Russia.

I know about that program. I was one of the beneficiaries. I borrowed money from this Government to go to college and law school. I hope many people think that was a good investment. Some may not think so. I paid the money back. Shouldn't we do the same