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House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, March 21, 1995, at 12:30 p.m.

Senate

MONDAY, MARCH 20, 1995

(Legislative day of Thursday, March 16, 1995)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, the Reverend Lloyd John Ogilvie, D.D., offered the following prayer:

Let us pray:

The Word of the Lord sounds a clarion call in our souls as we begin this new week:

''Let not the wise man glory in his wisdom, let not the mighty man glory in his might, let not the rich man glory in his riches; but let him who glories, glory in this, that he understands and knows me, that I am the Lord, exercising lovingkindness, judgment, and righteousness in the earth. For in these I delight,'' says the Lord.—Jeremiah 9:23–24.

Lord, thank You for this decisive declaration of Your priorities for us as individuals and as a nation. Forgive us when we try to grasp the glory for ourselves, our party, our position, our past. We live with the ever-present question, ''Who will get the glory?'' So often we take false pride in our accomplishments, and the accumulation in our self-made kingdoms of thingdom. Often we miss the real purpose of life: to know You and emulate Your love, justice, and righteousness. We turn from all our lesser goals of aggrandizement and focus our lives on this ultimate calling.

We commit this day to seek what delights You. We want to give You the glory for all we have and are, for the opportunities to serve You by being servants of others, and for the awesome responsibilities of leadership You have entrusted to us.

And so we grasp the challenge of this day with an attitude of gratitude. To God be the glory. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. DOLE. Mr. President, leaders' time has been reserved, and the Senate will immediately begin controlled general debate of S. 4, the line-item veto bill, until the hour of 5 p.m. today.

At 5 p.m. today the Senate will begin consideration of S. 4. Therefore, amendments may be offered beginning at 5 p.m.—may be offered. However, I have stated there will be no rollcall votes during today's session.

Mr. McCAIN addressed the Chair.

The PRESIDING OFFICER (Mr. THOMAS). The distinguished Senator from Arizona is recognized.

LINE-ITEM VETO

Mr. MCCAIN. I thank the Chair for his recognition.

Mr. President, I would like to begin by addressing some of the remarks that were made on Friday by the distinguished Democratic leader. I think it is pretty clear now what the strategy of the opponents of S. 4 will be.

Very frankly, Mr. President, it will be to attempt to foist off on the American people the idea that a majority vote in one House constitutes a veto. It will be the idea that the traditional belief that a two-thirds majority is required to override a veto is now replaced by a simple majority in one House.

Mr. President, as a result of the 1994 elections, the American people sent a message and a clear and unequivocal one that they want the pork-barrel spending stopped. They want it stopped. They figured out that the money that they sent to Washington, DC, does not all come back. In fact, it comes back to different States and congressional districts in different amounts, but some of it always stays here in Washington, DC.

In Senator DASCHLE's remarks on Friday, he said:

> The President is prepared today or tomorrow or any time to reiterate what he said all along.

He said he just came from a meeting with the President of the United States.

> He supports the line-item veto. It is that simple. There is no question about it.

Mr. President, if that is true, and I do not question the distinguished minority leader's remarks, I would like to hear from the President. We on this side of the aisle would like to hear

● This ''bullet'' symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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from the President. The American people would like to hear from the President of the United States. I would like to see a strong letter from the President of the United States to every Member of this body before we take up the debate on S. 4 this afternoon and amending it that he supports the line-item veto, and the line-item veto means two-thirds vote by both Houses in order to override.

If there is no question about it and if the President of the United States is committed, as he was in the quote from ''Putting People First'' where he said he needed a line-item veto, where he personally told me 2 years ago that he was in support of the line-item veto, and just recently in a number of public occasions the President of the United States has said that he is in favor of the line-item veto, it is time for the President to weigh in and support it and support it strongly. Otherwise, what is going to happen is that those who know they no longer can take the line-item veto head on and defeat it on a procedural motion or just defeat it on a straight up-or-down vote will make every attempt to succeed by us being unable to get 60 votes to cut off debate because they will support a watered-down, meaningless charade that they call a line-item veto which allows an override of the President's veto by the majority of one House of Congress.

Mr. President, it took a majority vote of two Houses of Congress in order to put the pork in. So let us not kid ourselves about what the issue is here.

I have to go back, though. The distinguished minority leader said—the fact is so for most Democrats:

> I have supported a line-item veto since coming to the Congress. I did 15 years ago and I do today. I always have. I believe that it is an important aspect of good legislating.

I wish that that had been displayed on the numerous occasions in the last 8 years that Senator COATS and I tried to get the line-item veto up for a vote. We were blocked from doing so, Mr. President, on each occasion on the votes, on a procedural matter which prevented us from getting an up-or-down vote.

In 1989, Senator DASCHLE voted ''no'' as far as allowing the line-item veto to be brought up, as the vote was on a budget point of order. A budget point of order was raised against our efforts to bring up the line-item veto as an amendment. In November 1989, Senator DASCHLE voted ''no.'' In 1990, Senator DASCHLE voted ''yes.'' In 1992, Senator DASCHLE voted ''yes.'' And on a motion to table in 1993, Senator DASCHLE voted to table.

So I must say that the position of my friend from South Dakota on this issue has been somewhat mixed.

In 1993 on a motion to waive the Budget Act, the vote was 45 to 52. Senator DASCHLE voted ''no'' to waive the Budget Act as late as 1993, so that we could bring the line-item veto up for consideration.

But I will accept Senator DASCHLE at his word. I will accept the minority leader at his word that ''everybody wants a line-item veto.'' But if they really do support the line-item veto, Mr. President, they will support the meaning of the word ''veto.''

The word ''veto,'' according to the Constitution of the United States, calls for a two-thirds majority in order for the veto to be overridden. Section 7 of the Constitution of the United States:

> Every Bill which shall have passed the House of Representatives and the Senate, shall, before it becomes a Law, be presented to the President of the United States; if he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two-thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two-thirds of that House, it shall become a Law.

Mr. President, the Constitution of the United States describes what a veto is and what is required in order to override that veto.

Mr. President, the Senator from South Dakota goes on to say:

> I recognize that 43 States have already done what we would like to do here. Forty-three States have already acknowledged that Governors ought to have an opportunity to review and send back for further review items in legislation.

Mr. President, he does not mention that it requires a two-thirds vote to override a Governor's veto. In the 43 States out of 50 that have line-item vetoes that Senator DASCHLE obviously approves of, there obviously clearly is a two-thirds vote required in order to override.

Mr. President, may I ask how much time is divided between the two sides?

The PRESIDING OFFICER. Under the order there are 209 minutes for each side. The Senator from Arizona has used 8 minutes.

Mr. MCCAIN. I thank the Chair.

Mr. President, last Friday, the Democratic leader, as I mentioned, took the floor of the Senate to lay out his views regarding the line-item veto, which I assume are in league with many others on the other side of the aisle. I must say I found the statements confusing and contradictory. The Senator from South Dakota vowed his support for the line-item veto, then in the course of remarks expressed his opposition to the pending bill and the expected substitute, both of which provide true line-item veto authority.

Mr. President, he alleged that the separate enrollment substitute was something the Senate has never seen before. The facts are quite to the contrary. The Senate voted on this measure in 1985. It has been introduced in every Congress since that time. In fact, two separate enrollment bills have been introduced in this session, cosponsored by Senators on the other side of the aisle and cosponsored by a number of our Democratic colleagues.

But most confusing of all, the Senator from South Dakota went on to pledge his support for a measure that is not a line-item veto at all, a process known as the expedited rescission which would allow a simple majority in either House to block a Presidential veto of wasteful or unnecessary spending. I am disturbed by the contradiction, and it begs the application of the tried and true admonition: ''Watch what we do, not what we say.''

I just quoted from the Constitution of the United States, but I wish to emphasize again that this issue of the line-item veto will come down to whether we enact a true veto, which is a two-thirds majority in both Houses in order to override a President's veto and eliminate the unnecessary spending and wasteful spending that has become epidemic to the point where we now have nearly a $5 trillion national debt, or whether we will enact some kind of sham or charade or false line-item veto which will allow the President's veto to be overridden by a simple majority of one House.

Mr. President, that is simply not acceptable. It is also, frankly, a terrible fraud that we would perpetrate on the American people.

Each year the Library of Congress distributes an information packet on legislative procedures which House and Senate Members send to their constituents, many of whom are students educating themselves on how Congress works. This packet describes the veto override process as follows:

> Overriding a veto requires a two-thirds vote of those present who must number a quorum and vote by rollcall.

That is what we tell students, and it is perfectly correct. But in this Chamber in classic Orwellian fashion we seem to be redefining the process and, contrary to the facts, call expedited rescission a veto. Why? Because it is politically convenient. It sounds tougher.

Mr. President, the American people have not had enough reform. They have had enough rhetorical bait and switch. Substance is what counts, substance is what the American people deserve, and substance is what we are duty bound to legislate.

Let me also point out, Mr. President, that by a vote of 294 to 130, the other body adopted the line-item veto that we are considering today and will be taking up formally this afternoon. The same proposal of a simple majority in one House was also voted in the other body, and that vote was overwhelmingly in rejection of it. I have talked to the leadership of the other body, and the fact is clear that they will not accept anything less than a true line-item veto.

I must say I was somewhat surprised, if not a little amused, by the remarks of the Senator from South Dakota in which he criticized separate enrollment as too cumbersome and time consuming. The President of the United States, the Speaker of the House, and

the President pro tempore will have to sign more paperwork.

I know they are busy people, and I am sorry for the extra burden but, Mr. President, if eliminating wasting of the taxpayers' dollars and reducing the deficit spending on this and future generations is not important, please tell me what is. If our political leadership is not here to ensure that the fruits of our constituents' labors are not squandered and that Government functions in a lean and efficient manner, then what are we here for? Is it about the debated trappings of the Founders' oak desks, gilded ceilings, and marble halls, no matter how it is exercised?

No, I do not believe it. I categorically reject that any extra paperwork resulting from the line-item veto is a waste of time. Given the tens of billions of dollars that will be saved, it may be the best cost beneficial expenditure of time in the Federal service.

As Senators, we take an oath to uphold and defend the Constitution of the United States. There is not one amongst us who does not regard that pledge, that responsibility with the highest sense of duty and obligation.

When we debate the issue of public expenditures, there is always intense discussion regarding the intention of our Founding Fathers. Mr. President, the Framers vested the President with veto authority as part of that miraculous system of checks and balances that distinguishes our national character from any other in the history of mankind. They knew that the veto was an essential check on the legislative branch. They had no idea how wise they were.

Mr. President, I will show you the first spending bill approved by Congress. It was one page. And I can tell you that what the Congress in its early years enacted were single-page bills that were addressing one item and were sent to the President's desk.

It was not until sometime around the Civil War that the so-called riders began to be added to appropriations bills and other bills, and one of the first to really complain vociferously about it was President Grant. And, of course, as we know, that has proliferated and proliferated to the point where I remember in 1984 when President Reagan, speaking in the State of the Union Message had displayed a 1,300-some page—I believe it was 2½ pounds—continuing resolution.

Now, Mr. President, which would the American people prefer, a 1,300-page continuing resolution, most of which had never been seen or read by the majority of the Members of both bodies, much less the President of the United States, or would they prefer a single bill that they know is going to contain much-needed and vital funds, their taxpayers' dollars for much-needed projects or efforts? I think the answer is obvious. I think it is long ago time for us to look seriously at single enrollment.

Another thing about single enrollment is that maybe we will reduce some of the rampant numbers of riders and additional appropriations and items that are tucked into appropriations bills which most of us never see until long after the bill is passed and has reached the President's desk.

I urge my colleagues to look at the way we used to do business in the early days, and when we are debating this issue of the intentions of the Founding Fathers I do not believe that there was a single Founding Father who believed that we would be considering bills of thousands of pages in length with tens of thousands of line items associated with them. I think we could avoid many items—for example, fruit and vegetable market analysis, Russian wheat aphid, wood utilization research, et cetera, et cetera—that we find highlighted on an annual basis unfortunately after the fact.

Let us take a look and see what 200 years has done to the legislative process. I want to show the continuing resolution, as I mentioned, in 1984. It is thousands of pages of every kind of spending. We told the President either to swallow the whole thing or to shut down the Government. Is this what James Madison and Thomas Jefferson had in mind? I do not think so.

In the coming days, some will question whether we have the constitutional authority to separately enroll bills for presentation to the President, even though article I section 5 of the Constitution leaves to Congress the determination of its rules and what shall constitute a bill. I wonder where those who handwring about the constitutionality of separate enrollment were in 1984? I did not hear any outcries of indignation of the constitutionality of thousands of pages of continuing resolution passed in the form of a single bill.

In 1985, when the Senate debated separate enrollment, the argument was made that the President never sees the details of appropriations bills and that the line-item veto would simply empower bureaucrats at the Office of Management and Budget. They used the ignorance argument to oppose separate enrollment.

Mr. President, the allegation of Presidential ignorance cries out for separate enrollment. Perhaps it is high time the Chief Executive sees where taxes are going specifically. Maybe when he is asked to affix his consentual signature to a sentence saying that millions of dollars will be appropriated for a research participation center at a specific university or for military construction at a base to be closed by the Pentagon, the bells will ring, the lights will flash, and line-item veto of our expenditures will give rise to line-item responsibility by those both in the legislative and executive who have been invested with stewardship in the public purse. Allowing the President to remain ignorant of what it is he signs is a very poor and uncompelling argument against the line-item veto.

The assertion will also be made that line-item veto will give the President the opportunity to extort Members of Congress; the President would get a leg up in the executive-legislative contest, or tit for tat. The President would say, either I get your vote for this bill that I want, Congressperson, or I will kill your project.

There are two fundamental flaws in this argument. First, despite being an extremely cynical assessment of the President, it completely ignores the court of public opinion, before which the President and every other elected official must be called to account and the judgments of which vote-seekers are extremely sensitive to. Legislative extortion, if it were to occur, would be a gold mine for the fourth estate which is always eager to shed sunlight on such mischief. No doubt practitioners in the public arena would feel the swift rebuke of public disapproval.

The second is the argument never takes into account the current and more supportive practice of log rolling, ''I'll support your pork if you support mine,'' which leaves its mark on practically every appropriations bill and which has given Congress approval ratings somewhere between Stalin and peptic indigestion. The ''go along to get along'' is far more dangerous than the prospects of legislative extortion which, if it does occur, would only manifest itself if Members willingly give in to such pressure. Surely we think better of ourselves and our colleagues than that.

The debate that will take place over the next several days is sure to be spirited and the debate we are certain to hear much more about is the balance of power. The allegation that line-item veto distorts the balance of power will become, I suspect, the mantra. The statement will be made, and it is correct, that Congress retains the power of the purse. How have we exercised that power? What is the fruit of that virtually unchecked authority? Yearly deficits of nearly $250 billion, an amount that will triple in 10 years if we stay the present course; a $4.6 trillion millstone of debt we have hung around the neck of future generations; a yearly budget one-fifth of which must be dedicated to pay the interest on our debt.

Mr. President, I point out again, from the earliest days, from the earliest Congresses of the United States, expenditures and revenues were roughly equal. I have a chart that indicates that was so throughout this Nation's history.

Also throughout this Nation's history, beginning with Thomas Jefferson, Presidents exercise the right to impound funds. Thomas Jefferson impounded $50,000 which the Congress of the United States had appropriated to procure gunboats. The threat no longer existed, the President of the United States, President Jefferson, did not

spend that money, and from then on every President of the United States, to a greater or lesser degree continued that practice of impoundment of funds.

In 1974, the Congress of the United States passed the present Budget and Impoundment Act which deprived the President of the United States of that ability and put the rescission process basically into the hands of the legislative branch. In other words, if the President of the United States proposes a rescission and if the Congress does not act, then that rescission is not enacted. So, by merely passively reacting to a Presidential rescission, the Congress of the United States virtually stymies any President's efforts to reduce wasteful and pork-barrel spending.

In 1974, that is when expenditures and revenues began to diverge in a dramatic fashion. We have not, throughout this Nation's history, had this burgeoning debt that I just described, or anything like it, except in times of war. And the Congress and the people of the United States, when those times of war were over, have quickly acted to bring us out of deficit by their practice of appropriating so the debt was removed, because for nearly 200 years Congress and the people of the country realized that a burgeoning debt, laid on future generations of Americans, is nearly an unconscionable act—it is, in fact, an unconscionable act.

But in 1974, because of the shift in power, the shift in power that will be debated right here on this floor, the ability of the executive branch of the United States to exercise fiscal responsibility and fiscal restraint on the Congress of the United States disappeared and the deficits began to grow and the debt began to accumulate.

I will have a pie chart at some time during this debate that shows how much of the Federal budget in 1974 was spent on paying interest on the national debt. It was a very small amount, somewhere around 1 or 2 percent.

Now, this year, we will spend more on paying interest on the national debt than we will on national defense. I do not know how you pay off a $4.6 trillion debt. I do know this, that there are many experts who are saying that the recent decline in the dollar was directly related to the Congress' failure to enact a balanced budget amendment to the Constitution of the United States because our debt is so large and requires such a huge influx of foreign dollars that we are very vulnerable to the vagaries of the investment policies of foreign investors and foreign nations.

All that aside, I do not know, as the Senator from Missouri stated so eloquently on Friday in his presentation, how in the world you can expect any family, any business, any government to operate on a continuously deficit basis and not sooner or later have a crisis of enormous proportions. And the longer we wait and the larger this debt gets, the greater will be the cataclysm when we finally face up.

I was fascinated, again on Friday, when we strayed back into the issue of Social Security and raiding the Social Security trust funds and the terrible impact that a balanced budget amendment to the Constitution would have on the Social Security trust funds. I not so proudly point out I was one of two Republicans who voted for the amendment that would protect Social Security. But the fact is, we cannot protect Social Security, we cannot protect Medicare, we cannot protect anything—there is nothing we can protect—if this country goes bankrupt; if we do not stop amassing this huge debt that is a millstone around the neck of future generations of Americans.

So, to argue that Social Security must be protected I think is a legitimate argument. But to ignore the consequences of a failure to balance our budget on Social Security or any other program—because either the country goes bankrupt or we debase the currency through inflation thereby reducing the national debt in real terms. And what happens, though, when you debase the currency? When you debase the currency, as we have found time after time in other nations throughout the world, and nearly so in this Nation a couple of times, you destroy the middle class and the middle class is the fundamental pillar of democracy as we know it.

So let us not kid ourselves about balance of power. The balance of power has resided basically in a very fundamentally balanced fashion for nearly 200 years. In 1974 that balance of power was skewed dramatically on the side of the legislative branch.

Let me also mention another thing that seems to come up quite often. During the many years that passed, 8 years that I have been a Member of this body, when I would bring up the line-item veto, one of the first responses would be, ''Well, you would not support that if it was a Member of the other party who was President.'' I have always stoutly denied that to be the case, and indeed I am now proving that is not the case. But the fact is, too, that this President of the United States will probably, if when given this power—and I believe he will sooner or later be given this authority—will veto an item that I think is wrong. Because he and I are of different philosophy and different party, he will take some executive actions that I do not agree with. It may be harmful in the short term, especially in the area of national security. Clearly, I am in strong disagreement with the administration on how much funds should be spent on national defense and this President of the United States may choose to veto some items especially brought up on the floor, such as the ballistic missile defense capability. I am willing to take that risk because, if we bankrupt the country, we are not going to have any ballistic missile defense capability at all.

So I would like to state again, it matters not who is the President of the United States or what persuasion or what party. What matters is that are we going to be able to stop the terrible things that have gone on for so long which have caused us to find ourselves in a deplorable situation where paying off the national debt is rapidly becoming one of the largest portions of our national budget.

Mr. President, in the case of the separate enrollment being constitutional, I think it is important for us to consult with various leaders who are experts on the Constitution. I think it is important that we understand that the Congress has the right to present a bill to the President of the United States. As I mentioned article 1, section 5, each House of Congress has unilateral authority to make and amend rules governing its procedures. A separate enrollment speaks to the question of what constitutes a bill. It does nothing to erode the prerogative of the President as that bill is presented. Under the rulemaking clause, our procedures for defining and enrolling a bill are for ourselves to determine alone.

There is precedent provided in the House rule, the so-called Gephardt rule. Under this rule the House clerk is instructed to prepare a joint resolution raising the debt ceiling when Congress adopts a concurrent budget resolution which exceeds the statutory debt limit. The House is deemed to have voted on and passed a resolution on the debt ceiling when the vote occurs on the concurrent resolution. Despite the fact that a vote is never taken, the House is deemed to have passed it.

The American law division of the Congressional Research Service has analyzed separate enrollment legislation and found it constitutional.

Johnny Killian wrote:

> Evidently, it would appear to be that simply to authorize the President to pick and choose among provisions of the same bill would be to contravene this procedure. For a separate enrollment, however, a different tack is chosen. Separate bills drawn out of a single bill are forwarded to the President. In this fashion, he may pick and choose. The formal provisions of the presentation clause would seem to be observed by this device.

Laurence Tribe also has observed that the measure is constitutional. He recently wrote,

> The most promising line item veto idea by far is . . . that congress itself begin to treat each appropriation and each tax measure as an individual ''bill'' to be presented separately to the President for his signature or veto. Such a change could be effected simply, and with no real constitutional difficulty, by a temporary alteration in congressional rules regarding the enrolling and presentment of bills.
>
> Courts construing the Rules Clause of Article I, Sec 5 have interpreted it in expansive terms, and I have little doubt that the sort of individual presentment envisioned by such a rules change would fall within Congress' broad authority.

The distinguished Senator from Delaware, Senator BIDEN, during his tenure as chairman of the Senate Judiciary Committee wrote extensive additional views in a committee report on a constitutional line-item veto. He wrote about a separate enrollment substitute he offered:

Under the separate enrollment process instituted by the statutory line-item veto, the items of appropriation presented to the President would not be passed according to routine lawmaking procedures. Congress would vote on the original appropriations bill, but would not vote again on the separately enrolled bills presented to the President. The absence of a second vote on the individual items of appropriation has raised questions of constitutionality. For the following reasons, such concerns are unfounded.

1. No change in congressional authority:

Each House of Congress has the power to make and amend the rules governing its internal procedures. And, of course, Congress has complete control over the content of the legislation it passes. Thus, the decisions to initiate the process of separate enrollment, to terminate the process through passage of a subsequent statute, to pass a given appropriations bill, and to establish the sections and paragraphs of that bill, are all fully within Congress' discretion and control.

A requirement that Congress again pass each separately enrolled item would be only a formal refinement—not a substantive one. It would not prevent power from being shifted from Congress to the President, because under the statutory line-item veto Congress will retain the full extent of its legislative power. Nor would it serve to shield Congress from the process of separate enrollment, because Congress will retain the discretion to terminate that process.

2. House Rule XLIX: Statutory Limit on Public Debt.

Rule XLIX of the House of Representatives empowers the enrolling clerk of the House to prepare a joint resolution raising the debt ceiling when Congress adopts a concurrent resolution on the budget exceeding the statutory limit on the public debt.

This procedure, which has been in existence since 1979, provides a clear precedent for the separate enrollment of items of appropriation. The House never votes on the joint resolution. Nonetheless, the House is ''deemed'' to have voted on the resolution because of its vote on the concurrent resolution. House Rule XLIX states, in part:

The vote by which the conference report on the concurrent resolution in the budget was agreed to in the House * * * shall be deemed to have been a vote in favor of such joint resolution upon final passage in the House of Representatives.

The committee report continues:

House Rule XLIX has not been found unconstitutional because of its modification of routine lawmaking procedures. The joint resolution engrossed by the clerk is transmittal to the Senate for further action, and then presented to the President for his signature. This process has been in effect for a decade. Despite the absence of a separate vote by the House on the joint resolution, there have been no constitutional challenges.

Mr. President, I would like to quote from an editorial written in the Los Angeles Times on July 23, 1985.

Growing support for the line-item veto in the Senate and the House is a reflection of the Pogo principle in contemporary politics, ''we have met the enemy, and they is us.'' The budget process is in shambles, the deficit is out of control * * *

Mind you, Mr. President, this was written in 1985.

The budget process is in shambles, the deficit is out of control, and Congress is the problem. Our systems of checks and balances which functions adequately, even brilliantly in most areas, is out of kilter in the area of the budget. Congress has too much power over the purse and the President has too little. The line-item veto is, while neither the miracle cure that the proponents promised nor the disaster that the opponents feared, is one of the few available tools to redress imbalance. The fundamental issue is fiscal responsibility, and it has little to do with partisan politics or the current budget wars that pit a Republican President against a Democratic House, and even against his own Republican Senate. A larger principle and a longer perspective are at stake. When 100 Senators and 435 Representatives have primary responsibility for the budget, no one is adequately responsible. The traditional veto power of the President, which worked well until the 1970's, is still sufficient to keep most other legislation in check. But it is too unwieldy to impose significant discipline on the appropriations process. In 1983, and 1984, the 98th Congress produced 623 bills that were sent to the White House and signed into law. Only 27 were appropriations bills. But they made up in size and scope for what they lacked in number, dispensing hundreds of billions across the entire range of a myriad of Federal programs.

Very occasionally, Presidents have been bold enough to veto one or another of these behemoth appropriations bills because they have objected to particular provisions. More often, the massive nature of the modern appropriations process has overwhelmed the executive veto power, and the President acquiesces in bills that by any standards are badly flawed. By giving the President a stronger role, the line-item veto would instill a new and needed measure of Presidential accountability and Federal spending, and reduce the excesses of a congressional process that too readily focuses on individual districts and separate interests, not the national interest. In any event, the line-item veto is hardly a riverboat gamble. Forty-three States have already given a similar power to their Governors who universally regard it as an indispensable tool of budget control, at least until they become U.S. Senators.

Presidents since Grant have sought the line-item veto, but until now Congress has refused to cede the power, and with considerable justification because earlier Congresses seldom brought in budgets that were unbalanced. The Congress has only itself to blame for the irresistible pressure to yield some of its power to the President. We gave that to the Treasury with massive tax cuts and huge increases in military spending in the past 4 years and the country will continue to sink into an irreversible morass of deficits unless corrective action is taken. Everybody talks about balancing the budget, but nobody is currently doing much about it. Congress claims it is the President's fault for failing to use the veto: ''Stop us before we spend again.'' The President pleads, in turn, that he fervently detests deficits but does not have the power to fight them fully. So let us give it to him and help him live up to his own rhetoric, and let us see to it that Congress will be looking over its shoulders as it packages and passes future appropriations bills.

Mr. President, that is from a column, written in the Wall Street Journal on July 23, 1985, by Senator EDWARD M. KENNEDY. I agree with everything Senator KENNEDY says. If he was worried about the debt and deficit being out of control in 1985, it has increased by trillions of dollars since then. I look forward to working with him and other Members on the other side of the aisle who, back in 1985, supported a motion to invoke cloture on the then separate enrollment bill that was brought up at that time.

Mr. President, I am also going to address the issue of the separate enrollment and how many extra items that would require for the President's signature. Mr. President, this is the Commerce, State, and Justice appropriations bill. It was the longest appropriations bill that was passed last year. As you can see, it is about an inch thick, and it is in fairly small print. Of all of the 13 appropriations bills, this is the longest. Using modern computers which, I am happy to say, our enrolling clerks in the Senate and the House have access to, it took approximately 4 hours to take this bill, which was the longest of the appropriations bills, and convert it into this, which is 500 different bills.

Mr. President, there is a difference between these two. But the fact is that the statements that are made about a Mack truck that will be required to take it down to the White House, et cetera, et cetera, do not work.

I also suggest, when you are looking at this, Mr. President, that there is probably good opportunity that about this much of it would probably never appear, never have to be enrolled if the line-item veto were a threat because there are probably about this many appropriations that were added that were unnecessary, wasteful, and, in some cases, outrageous. So when we are talking about the huge difference that it would make, as far as enrolled items are concerned, as opposed to a regular appropriations bill, yes, there is a difference.

If there is a difference between these two and taking the time for the President of the United States to sign 500 bills, I would ask how much would we save in tens of billions of dollars of wasteful and unnecessary spending, and would it be worth that additional time? I think the American people would argue that if it takes a little extra time to have a bill signed separately and it would save billions of dollars, they would opt for the latter.

Mr. President, finally, I say—and I do not want to take too much time because the time is equally divided on both sides—this afternoon we will be in formal debate on S. 4. I expect the majority leader to come forward with a substitute to S. 4, which is a compromise that we have agreed to, and there are certain aspects of it that I think improve the bill. There are also aspects of it which I think are negotiable.

We know where the crisis will lie. Sometime on Wednesday or Thursday, a motion to invoke cloture will be

voted on, which, as we all know, requires 60 votes. I do not know how that will turn out. I am confident that, of the 54 Members on this side of the aisle, they will all vote in favor to cut off debate, even if one or two of them may oppose the bill in its present form. I look forward to negotiating with them and working with them. But the fact is, to not even have this issue come to a final vote before the Senate would be a very serious mistake.

I also want to point out that the construction of the issue, again, lies not on whether it is separate enrollment, not whether some new entitlement programs are covered and which ones, not whether targeted tax benefits is covered or not; it will boil down to one single issue, have no doubt about it, and that is whether we would have a two-thirds vote on the part of both bodies in order to override the President's veto—that is what 43 Governors have and that is what the constitutional meaning of veto is—or whether we will have a majority vote of one House, sufficient to override the President's veto, which will then make the very meaning and intent of trying to impose some kind of fiscal discipline on the entire U.S. Government a sham and a charade.

I know that my partner, the Senator from Indiana [Mr. COATS], feels as I do, that we would be willing to negotiate any other aspect of this legislation, because there is no legislation which cannot be improved. But there is one nonnegotiable issue. It is nonnegotiable with the other body, which voted overwhelmingly in favor of this legislation and against a watered-down version of it, and that is the two-thirds version.

For the record, by a vote of 294 to 134, with 70 members of the Democratic Party voting ''yes,'' this version of the bill was passed, with a two-thirds majority required. There was a Stenholm expedited rescission substitute that was defeated by 266 to 156.

I believe that is the will of the American people. They are fed up. They are tired of pork, tired of wasteful and outrageous expenditures of their tax dollars. I believe that this issue is a defining issue if we are ever going to achieve that goal.

Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time be equally divided on both sides.

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

The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, we are here before the U.S. Senate and the American public today to talk about a line-item veto. Mr. President, we have talked recently about a lot of issues that some people believe are gimmicks. We know, for example, that we, the Congress of the United States, have the power to more evenly match the money that we receive, the money that we spend, in effect, to do a better job of balancing the budget.

Another one of the gimmicks that is floating around is term limits. That is to arbitrarily have a cutoff date as to how many years a person can serve in the House or the Senate. Mr. President, we know that the most important and effective term limit is the ballot box.

On November 8, we had a remarkable term limit go into effect. I was speaking to one of my friends in the House of Representatives just the other day. This man is beginning his third term, and out of 435 Members of Congress, I think he is number 180. He is way below half. I have served 8 years in the Senate. I am 56th, I believe, in seniority. So I am almost in the top half, having been here only 8 years. There is a hue and cry to do things with what we call quick fixes; to do things that sound good, to divert attention from our solving problems in the way that our Founding Fathers established in the Constitution as to how they should be handled.

Let us talk, Mr. President, about the line-item veto. The Articles of Confederation, which was an original document for a very short period of time that directed this country, had a form of line-item veto in it. The man who drew up the Constitution of the United States determined that was something that was not good and should not be in the Constitution.

The effort to have a line-item veto is not something that was first devised by President Reagan, who was the first to bring it up in recent memory. No, that is not the case. The fact is, the line-item veto comes up about every 20 years and has since this country was formed.

Why has it not passed up to this point? It has not passed because it is a bad idea. It is a bad idea, especially bad for States that are sparsely populated.

Mr. President, if, in fact, the President wanted to line-item veto something, it would make good sense, and I am sure his advisers would indicate, that the President likely should not go after the State of California, the States of New York, Texas, or Florida, but rather should go after South Dakota, Wyoming, Nevada, Idaho, States with small congressional delegations who do not have the ability to fight back with strength, with numbers.

The line-item veto is not opposed by liberals. The line-item veto, Mr. President, is opposed by some of the most outstanding conservatives in the country. For example, James Kilpatrick, who is certainly a bona fide conservative, has written on numerous occasions about the line-item veto, and has said, among other things:

There is, indeed, something ridiculous, perhaps hypocritical is a better word, in the current fit of hand-wringing over the deficit. All the old demands for a quick fix are surfacing once more. The line-item veto, in its pure or impossible form, would not work at the Federal level. At least it would not work as effectively as its advocates suppose. There are no line items for Social Security benefits, food stamps, crop subsidies, interest on the national debt, and other untouchable programs.

Mr. President, we not only have James Kilpatrick, but two qualified conservatives who wrote an article together—they have written many articles, but I am going to refer to one—Bruce Fein and William Bradford Reynolds. Bruce Fein is certainly, by all accounts, one of the leading constitutional scholars in America today. People may not agree with his results all the time, but liberals, moderates, and conservatives agree that he is a fine constitutional scholar. And William Bradford Reynolds, of course, is a partner in a large D.C. law firm and he worked for President Reagan as an assistant attorney general. He was the Assistant Attorney General for Civil Rights during the Reagan administration.

What these two men have said is, ''The short answer is that the line-item veto is unconstitutional.'' These gentleman go on at some length, Mr. President, to point out the historical arguments behind the line-item veto. And if you read anything about the line-item veto, you realize that the Founding Fathers consciously kept out of the Constitution any ability of the President to interfere with the ability of the Congress, especially the House of Representatives, to do anything with the purse.

The historical argument is concluded by another professor that they talk about, largely by negative inference, that the veto authority in these settings did not entirely foreclose the exercise of the line-item veto. They debunked that. They say that certainly is not the case.

Then, Mr. President, they go on to outline why the Founding Fathers did not want anything to do with the line-item veto. And it goes back to the battles that were held in England over the centuries dealing with the power of the King and the power of the Parliament. As you know, during those battles, wars were fought. And what the Founding Fathers did not want to have happen is that, after the Congress set a standard as to spending, as to money, they did not want the President to be able to go in and willy-nilly nitpick those moneys.

In fact, when the Colonies were here, the Founding Fathers knew what King George and other kings had done to the Colonies. The King of England had the power, after the Colonies passed a law, to repeal it. The Founding Fathers wanted no part of that.

So, the Founding Fathers reacted, according to Reynolds and Bruce Fein, reacted strongly to make sure that

there was nothing to allow the President to overrule the actions of the Congress.

And after the constitutional fathers met and deliberated for long periods of time, what emerged was a veto power. They were very restrictive in what power the President of the United States should have.

Mr. President, that was based, I repeat, on centuries of dealing with Parliament and the King and decade after decade of dealing with the Colonies and the King of England. And what emerged is set forth in article I, section 7, clause 2 of the Constitution.

A look at the genesis of this, Mr. President, is that during the course of the debates in the Constitutional Convention, it clearly shows and, in fact, disabuses any notion that it was intended as a line-item veto authority to the President's power under clause 2. The veto power in explicit terms applied to ''any enrolled bill,'' and the President's constitutional authority was solely to approve it or not. The Constitution does not suggest that the President may approve part of a bill or indicate any Presidential prerogative to alter or revise the bill presented.

In fact, to put it another way, the Congress acts as the author of the legislation, the bill, and the President as the publisher. Absent, as indicated by Fein and Reynolds, an extraordinary consensus in Congress, the President retains the ultimate authority to decide, in effect, whether to publish the law. He does not have to. That is the key.

That is what I said when I first came on this floor today. We now have in our constitutional framework the ability of the President to veto a bill if he does not like it. We have had Presidents who have been courageous and have done that.

The most successful in exercising the veto, according to Fein and Reynolds, was Rutherford B. Hayes. He did not like these unrelated riders. We do it now. But he did not like it. He wanted legislation to be germane. As an effort to prove his point, he kept vetoing appropriations bills, and it paid off. It paid off for him, Mr. President, because Congress usually is unwilling to take the heat of being responsible for having something that is ridiculous in an appropriations bill. So Rutherford B. Hayes was extremely good in what he did, in chastening Congress.

But also take a more recent example. President Bush. I am a member of the Appropriations Committee. We passed appropriations bills. There was one where President Bush said, if you put—this is very controversial. Whether you are pro-life pro-choice, it is very controversial.

Whether we agree or disagree with President Bush, he said, ''You put abortion language in that appropriations bill, and I will veto it.'' He dared Congress to do that. Congress did it. He accepted their dare, and he vetoed. It was late in the session. People said he would never do that. Well, he did it.

Who prevailed? The President of the United States prevailed. That was taken out by the Congress and sent to him in a form he wanted. The President today has the right to veto appropriations bills. We have 13 appropriations bills. If there is something in them that he does not like, he can veto the whole bill.

I believe if there is as much bad in those appropriations bills, that is what he should do and not violate the Constitution. I believe that, as with President Bush, such a response, according to Fein and Reynolds, is far more likely to produce the desired legislation stripped of objectionable riders than would be the unconstitutional and wholly irresponsible exercise of a line-item veto, which would most certainly not be upheld in a court.

So we have talked about conservatives. Certainly Kilpatrick is a conservative. Certainly Fein is a conservative. Certainly Reynolds is a conservative. I do not think anyone would dispute that George Will is a conservative.

George Will, Mr. President, is also opposed to the line-item veto. He has written about it on a number of occasions, but most recently February of this year. George Will, as we all know, has a great way of putting things on paper. Certainly, his ability to put things on paper to him is much better than his spoken word.

This article he wrote is outstanding because what he indicates is that the State of North Carolina refused to ratify the Constitution until we had the Bill of Rights. Their State constitution has never given the Governor any veto power. He goes on to say that we should follow that example. They should carry the threshold question—the Congress—of whether the line-item veto merely serves conservative values. He goes on to say that it does not. I am not going to belabor the point, Mr. President, other than to say that I think it is clear that conservative scholars, conservative pundits, conservative writers, believe the line-item veto—I should not say all of them, but a significant number, and certainly the respected scholars I have mentioned. I could have gotten more of the writers that I have mentioned. I could have gotten more, but I think certainly it is enough.

Will ends by saying the intended consequence of a line-item veto is to deter spending, but lacks a national rationale. However, the unintended consequence might be to make Congress even more conscienceless than it is about voting such spending. Indeed, the line-item veto might result in increased spending if Presidents agreed not to exercise it on legislative projects in exchange for legislative support on other matters. The Nation should not be overeager to do what liberty-loving North Carolina has been so reluctant to do.

My point as far as this phase of my presentation, Mr. President, is that the line-item veto is not being opposed by a bunch of Northeastern liberals, as is referred to so often by some of my friends in Nevada, but rather some of the more thoughtful opposition to the line-item veto comes from conservatives throughout this country, not the least of which are George Will, James Kilpatrick, Bruce Fein, and William Bradford Reynolds.

It is not just opposition from the conservatives. There are many others who oppose the line-item veto. For example, Mr. President, there is an excellent column that was written, again in February of this year, by Cokie and Stephen Roberts in the Baltimore Sun. I think it does a good job of talking about why the line-item veto is an ineffective way to achieve what we need to achieve, and that is to do a better job of matching our income with our outgo.

It is pretty clear that, according to Roberts, the Founders left no doubt that Congress, particularly the House of Representatives, elected every 2 years, should control the purse. I do not think there are many who would dispute that. They go on to say:

> We think it is pretty clear that the line-item veto would shift power down Pennsylvania Avenue from Capitol Hill to the White House. That is why Executives—Presidents and Governors of both parties like it. Taking some of the purse string out of the body closest to the people might not be so bad if it resulted in a real ratio of red ink. It won't. A swipe at a highway here, a dam here, even a space station or super collider won't make a significant dent in the deficit.

That is debatable.

They go on to say that a President could line-item the entire space operation, the entire highway program, all agriculture subsidies, all education subsidies, eliminate every item in what is called the discretionary budget, including the entire U.S. Congress and its staff, all the Federal courts and prisons, wipe out everything the Government pays for except defense, Social Security, Medicare and Medicaid, and interest on the national deficit, and there would still be a budget deficit.

But, Mr. President, in the legislation that is before the Congress, or certainly will be—the amendment that I have seen I understood will be offered—the President will be unable to line-item anything in these four or five big programs. This is why, representing a small State, I am opposed to the line-item veto.

They go on to say: And think of the political mischief. The President wants to punish a State that did not support him in the last election. Easy. Just line out programs of benefit to Kansas, for example. A President, eager to please his friends and punish his enemies, could happily lose the veto and never lose anything.

As it stands now, Presidents often swallow something they do not like in order to get something else they like in legislation, and that means they have

to share power, that they cannot control spending singlehandedly. That is just fine with us, and I submit, Mr. President, that is just fine with the Founding Fathers, because that is what they intended.

Carrying forward with my point that the opposition to the line-item veto does not come from the conservatives or the moderates, but also from the liberals, the Las Vegas Review Journal, a paper in Las Vegas, had an article which ran over the weekend by Joe Sobran—who writes a column from Washington, DC—and he says, among other things:

> The drive to amend the Constitution is really a way of passing the buck. Like a man who blames his wife for his own infidelity, the Republicans are saying in effect that the fault for their own inability lies in the Constitution.

That is not the way it is, Mr. President. I believe that the line-item veto, as it is presented here, is a ploy, a dodge, a gimmick. And I believe the case is extremely overstated. We know that 46 percent of every dollar we spend is entitlements. We know that about 14 or 15 percent of what we spend is interest on the debt. That is 60 percent. We know that 20 percent, approximately, is for defense. And usually those defense numbers come to Congress from the President—not usually, they do come to Congress from the President—so the President is not likely to hack away at his own budget that he has presented. Twenty percent of the budget is domestic discretionary spending.

My fellow Senators should understand, as should the American public, that the amount of discretionary domestic spending has dropped significantly and it is dropping every time we appropriate moneys. What is discretionary domestic spending? It deals with the National Institutes of Health. It deals with construction of highways, bridges, and dams. It deals with our parks—Lake Mead recreation area, Yellowstone, and Yosemite. It deals with education. That is what discretionary domestic spending is. The only area the President can line-item veto is discretionary domestic spending.

Now, what we have before us is a moving target. We at first were told we will go with S. 4. Then we were told we are going to go with the McCain balanced budget procedure. Then we were told a compromise had been worked out with Senators EXON and DOMENICI. When there was general acceptance of that proposal on this side of the aisle, it was determined—because we supported it—it must not be good and, therefore, it went back to the drawing board. I think we do not want to solve these problems as much as talk about them.

I think the legislation suggested by Senators DOMENICI and EXON, the chairman of the Budget Committee and the ranking member of the Budget Committee—two men who have had a great deal of experience dealing with money matters relating to this Government—I think it was a good compromise. It did not give away constitutional prerogatives to 1600 Pennsylvania Avenue. It was a good compromise, something I could support.

But now we have something different. Now we have a process where, when an appropriations bill passes, it would be broken up into hundreds of line items. This is absolutely unconstitutional. It just will not sail. We know that.

There have been a number of different things written on this. For example, I see the Presiding Officer here, the senior Senator from the State of Iowa. The Iowa Law Review says:

> Arguably, the bicameral process is violated if the enrolling clerk presents proposed legislation to the President in a form not approved of by the House and the Senate. The presentment clauses, therefore, may require that a bill is presented to the President, for approval or veto, be in the form in which the bill passed through both Houses. Otherwise, such a bill is unconstitutional.

So, in effect, if we pass a bill and we sent it to the enrollment clerk and the enrollment clerk breaks this up into different sections, it is unconstitutional. We cannot send something to the President and have somebody else chop it up for us. If we want 400 separate appropriations bills, then we have to present them to the President. We cannot have an enrolling clerk do that. It is clearly unconstitutional, and many scholars have written about this, but the most recent, I think, and one of the most erudite is that from the Iowa Law Review.

It goes on to say:

> Put differently, Congress cannot delegate to an enrolling officer in either House the legislative function of deciding how many appropriations bills shall be presented to the President, or the form those bills shall take.

The only thing that can go to the President is what we pass in the form that we pass it. Otherwise, you can imagine the mischief that could take place.

So now this moving target has a bill that is going to break up the 13 appropriations bills into thousands of different bills—not hundreds, but thousands of different bills. I think that that is certainly unwise and something that we should not do.

Reading from a Harvard Law Review article:

> Item veto advocates may be overstating their case * * * much of the budget is uncontrollable.

About 60 to 80 percent—if we include defense, it is 80 percent. If we do not include defense, it is 60 percent.

> * * * of the budget is ''nondiscretionary,'' and, as such, is not even addressed by the appropriations process. Of the remaining 40 percent that is considered discretionary spending, nearly half is appropriated for defense expenditures.

As I outlined earlier.

> The congressional ''pork barrel'' spending so commonly criticized thus only constitutes approximately 20 percent of the budget. Yet, it would be difficult to cut a substantial portion of this spending because much of this money funds worthwhile projects, such as highway repair or cancer research. These figures demonstrate that even a President armed with the line-item veto could hardly spare the country from outrageous debt overnight * * * A determined President using the line-item veto might be able to cut * * * 1 percent * * * of the total annual budget.

And that is a worthwhile goal, if it does not violate the constitutional prerogatives established by our Founding Fathers.

Mr. President, we had published last week ''The Senate of the Roman Republic.'' You will recall over the last Congress, the senior Senator from West Virginia gave a number of speeches dealing with the line-item veto and the loss of power of the Roman Empire indicating that when you give away power that the legislative branch has to the Executive, as they ultimately did with the great Caesar, it destroys a country. And that is what he wrote about. His opening statement, I think, is worth reading, paragraph 2:

> In search of antidotes for this fast-spreading fiscal melanoma of suffocating deficits and debts, the budget medicine men have once again begun their annual pilgrimage to the shrine of Saint Line-Item Veto, to worship at the altar of fool's gold, quake remedies—such as enhanced rescission, line-item veto, and other graven images—which, if adopted, would give rise to unwarranted expectations and possibly raise serious constitutional questions involving separation of powers, checks and balances, and control of the national purse * * *.
>
> On the other hand, Mr. President, some of these people inside Congress, and outside Congress, who constantly press for the line-item veto, enhanced rescissions or other quack nostrums know, or ought to know, that these are nothing more than placebos, spurious magic incantations, witch's brew, and various brands of snake oil remedies.

Skipping a paragraph or two:

> Mr. President, the deficit problem is not caused by congressional appropriations. Since 1945, and through last year, beginning with Truman, and following with Eisenhower, Kennedy, Johnson, Nixon, Ford, Carter, Reagan and Bush, the total appropriations—supplementals, regular, and deficiencies—have amounted to about $200,848,154,902 less than the totality of all the budget requests that these nine Presidents have submitted during all those years.

So, in short, Mr. President, the Congress has the terrible reputation of being spendthrifts, spending all this money we do not have. Every year we have come in with less money through Democratic Presidents and Republican Presidents than they have submitted to us. I think that says a lot.

Just like the battle that took place with the balanced budget amendment, that was an effort to balance the budget using Social Security moneys. We need not change the Constitution to balance the budget. We have the authority to do that. The President today has the authority to veto appropriations bills. If there is spending that is out of line in those bills, he has the right and, I believe, the obligation if it is something that is not in the best interest of the people of this country to veto it. If it is something that is as

outrageous as some people would lead us to believe, his veto will be upheld and we would send him back an appropriations bill that did not have that information in it, did not have that request in it.

For example, there was a lot of public outcry because in an agriculture appropriations bill there was a provision in it a few years ago that appropriated $500,000 to the State of North Dakota to commemorate, to redo—I do not know what they were going to do with the money—the home of Lawrence Welk. The American people thought it was outrageous. The President had the right if he wanted to veto that agriculture appropriations bill.

Had that bill come back here, that would have been taken out in a split second. The fact of the matter is, it was taken out in the next year in a rescission and the money was never spent, as outrageous as it was. But the President has the power today to veto outrageous expenditures in appropriations bills. We do not need to pass a new law to change the balance of power, to mess with the Constitution, to have the President veto bills. We have 13 appropriations bills.

If every one of them has pork or something he does not like, he can vote to veto either one of them and go to the American public and say the reason I did that was because there was an appropriation here for Lawrence Welk's home in North Dakota, or whatever else is outlandish in that appropriations bill, and 99 times out of 100, his veto would be upheld.

Now, for us to say, well, he is not going to do it because it is a big appropriations bill and it would just cause friction between the two branches, I would rather have a little more friction between the two branches than to give up our power to the executive branch.

Remember, our Founding Fathers, in setting up the separate but equal branches of Government—the legislative, executive, and judicial—set them up so there would be friction between the branches; we would have to fight for power. That is what they wanted. They wanted us to fight for prerogative, with the legislative, executive, and judicial branches of Government. We do not need a new bill passed. We do not need to amend the Constitution for a line-item veto. The President can veto any one of the appropriations bills, if he wants, or all 13 of them. Had we had a little more courage in the past by Presidents, there would be a lot less bad stuff in those bills. I again use the example of President Bush. You may not agree with what he did, but on the abortion issue he said, ''You put that in there, I am going to veto it.'' He vetoed it, and he won. The Executive usually always wins because it is hard to override a Presidential veto.

Some have described the line-item veto as a panacea for congressional misspending. We know that is not the case. Others have described it as resulting from a profound shift in the balance of powers as we know it.

I say the Senate had an opportunity—I hope we still do—to take up and consider a line-item veto that would allow us to impose greater checks on our spending process without upsetting the balance of power between the executive and legislative branches of Government. That is why I like the Domenici-Exon approach. It did not hack away from the power of the executive branch but yet it gave the President more ability than he now has to look at matters that are wrong in our spending. I think that is what we should have done. I hope we can still do it. And while we are talking about having this line-item veto, I hope, Mr. President, that we do not lose sight of the fact we should take a look at taxes.

We have heard described lots of times, with the 13 appropriations bills, the bad parts of those appropriations bills, and the people who complain have something to complain about. There were things in those appropriations bills such that I believe the President should have vetoed the whole bill. If he did that more often, we would have better appropriations bills.

However, the one thing we have not talked about is what about the bills that come from the Finance Committee? What about these bills that have little tax shelters, tax dodges, and tax gimmicks for corporations? We have bills that are reported out of the Finance Committee where they take care of one corporation, they take care of one individual, one sector of our economy at the expense of another. If we are going to start having all of these line-item vetoes, I believe we should have a line-item veto for tax bills.

A bill comes out of the Finance Committee every year, a big bill, and in it usually are mischievous things, in this Senator's opinion, that are put in by members of the Finance Committee, put in because of pressure by special-interest groups, pressure by lobbyists, pressure from people at home, industries at home that are at the sacrifice of other parts of our economy. I think we should be able to line item that. I support that.

Take the Domenici-Exon approach and put in there the additional ability that the President would have to take out various items of that tax bill. I think that would be good.

I hope we are still going to have the opportunity to consider such legislation. The minority leader has indicated he is going to prepare a substitute. I am told and I believe it will be comparable to the Domenici-Exon approach except it will have in it more ability of the President to look at line items in bills that come from the Finance Committee. I hope that is the case.

It is my understanding that we have moved away from consideration of either of the line-item bills that were reported out of committee. Therefore, I hope the minority leader will move forward with an enhanced version of the Exon and Domenici legislation.

What we are going to take up, in my opinion, is an enormous bureaucratic nightmare as indicated by the Iowa Law Review article and other things that I have now in the RECORD. It would certainly be unconstitutional, in addition to being unworkable. The so-called line-item veto bill supported by some now I believe ought to be called the Paperwork Enhancement Act. This is directly 2 weeks following our passage of the Paperwork Reduction Act. Now we will just turn right around and increase paperwork because that is what this would do.

It is most disappointing that we are passing up an opportunity today of acting on a bill that would assure widespread support on both sides of the aisle. The Domenici version of the legislation we could have passed last Friday. We would be out of here. But some people do not want results. They want issues to talk about, gimmicks. I think that is too bad.

As I have indicated, the most popular of the two earlier measures was the legislation put together by two qualified deficit hawks, DOMENICI and EXON. DOMENICI and EXON have earned the reputation, as I said, of being two of the most outspoken, toughest deficit hawks in the Senate. The measure that they have drafted and reported out of committee made great strides toward eliminating some of the less than meritorious gains. It provided a procedure that would have allowed us to eliminate wasteful spending without undermining the constitutional duties imposed on the legislative and executive branches of Government.

It was a commonsense proposal that would have eliminated spurious tax spending of taxpayers' dollars. In effect, what it did, within 10 days of the enactment of the appropriations bill or revenue bill, the President could propose a reduction or repeal of new appropriations, and as I have indicated, I hope that will be built upon. With the Daschle proposal, the President could also repeal targeted tax benefits.

Under the Domenici-Exon legislation, the rescission bill, which is limited to the President's proposal, would be introduced in Congress. Within 10 days, Congress would have to vote on that bill. The floor rules are very simple. No amendments are allowed in the President's rescission bill. Motions to strike would be allowed. If Congress passes the bill and the President signs it into law, you would in effect have a lockbox, providing any savings, any of these savings would be devoted to the deficit by lowering the discretionary caps on spending.

The significance of this measure is that it provides for greater rescission authority without placing unbridled authority on the President, which the Founding Fathers and others have guarded against since the days of the Constitution.

The New York Times, in a recent editorial, made the case as to why we ought to consider the Domenici legislation. Its editorial about a week ago said:

> One version of the McCain-Coats legislation would dangerously increase the President's already formidable power. The other, sponsored by Senator Pete Domenici, would give the President more power than he has now, counterbalanced by reasonable congressional checks. The Senate should go on with Mr. Domenici.

Unfortunately, we are not doing that. Unfortunately, the matter we are dealing with will shatter the separation of powers doctrine, so carefully crafted by our Founding Fathers and so tightly guarded these past 200-plus years. Even if we were to accept this as a necessity to achieve the greater good, the line-item veto is rendered almost meaningless by the economic reality of our current budget.

As I have indicated before, we need to get spending under control. Mr. President, 46 percent of every dollar we spend is for entitlements; 14 to 15 percent is for interest on debt, that is 60 percent; another 20 percent is for defense.

The threshold question in consideration of any line-item veto is the extent the constitutional doctrine of separation of powers will be disturbed. We know the Founding Fathers went to a great deal of effort to make sure that was set forth very clearly in article I of the U.S. Constitution. I believe we all want the President to have more authority to get rid of matters that should not be in appropriations bills. Most of us agree that he, the President, should have the authority of a line-item veto for taxing matters also that are harmful to the country, but we need to do that within the confines of the Constitution. The legislation that either has or will be offered setting forth the enrollment procedures will not do that.

We should always realize the fallback position that we have is one that is in the Constitution and that is the President now has the authority to veto matters dealing with appropriations that are bad for the country. He cannot veto a little piece of the bill, he has to veto the whole bill. Why should he not be able to do that? Why should he not do that? It has been done in the past, and I use the example of President Rutherford B. Hayes. It was difficult. It caused the country some concern. But he prevailed.

So I respectfully submit that no matter how well-intentioned those are who are seeking to pass this legislation, recognizing the sincerity of the chief sponsor of the bill, the senior Senator from Arizona, and how diligently he has worked on spending matters during the time he has been in the House and Senate, I again respectfully submit this is the wrong way to go. I believe we should adopt the Domenici approach and do what we can to make sure this well-intentioned legislation, offered by my friend from Arizona, is defeated.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCAIN. Mr. President, I note with interest that the Senator from Nevada, who voted against the balanced budget amendment, now opposes a meaningful line-item veto, so I was interested in hearing him talk about how spending is out of control. I would be interested in hearing any of his proposals for bringing spending under control.

I also remind him, if he could not find anything that the Founding Fathers said concerning expenditures and revenues, I would refer him to a letter from Thomas Jefferson to John Tyler, November 26, 1798. Thomas Jefferson said:

> I wish it were possible to obtain a single amendment to our Constitution. I would be willing to depend on that alone for the reduction of the administration of our Government to the genuine principles of its Constitution. I mean an article taking from the Federal Government the power of borrowing.

That was Thomas Jefferson's view.

I say to my friend from Nevada—he is my friend—in all due respect, if he thinks the status quo is acceptable to the people of Arizona or Nevada or anybody else in this country, I think he is wrong. If he thinks one single majority vote in either House is really the meaning of veto, then I do not believe he is in consonance with the 43 States in this country out of 50 where it takes a two-thirds majority.

The meaning of the word ''veto'' is clearly defined in the Constitution as requiring a two-thirds majority. But I say to my friend from Nevada, in all due respect, where is it that the Senator from Nevada wants to turn to get some fiscal discipline in this country? I would like to hear his proposal. I reject his proposal that it would be a single majority vote in either House, since it took a majority vote in two Houses to put the pork in. The only way you are going to get it out is through a two-thirds vote of both Houses, in my view; the threat of that.

As far as his argument goes that the President of the United States should veto 1 of the 13 major appropriations bills, the Senator from Nevada and I were both in the other body when we were doing continuing resolutions, when everything was thrown into one appropriations bill—every single one was thrown into one massive appropriations bill. Did the Senator from Nevada expect him to veto that? Of the 13 appropriations bills the Senator from Nevada knows there are billions of dollars in each one and if the President vetoes an entire bill he shuts down the Government; he deprives the people of this country of vitally needed programs. There is not a single appropriations bill that comes to the President's desk that has billions of dollars in spending in it that, if the President vetoes it, will not deprive the people of this country of much-needed Government services.

The only way the President of the United States can effectively do what 43 Governors in this country do is selectively veto appropriations that are not needed and are unwanted and are wasteful.

At this point of the debate I am not going to tell the Senator from Nevada about the outrageous spending going on in this country because I will refrain from doing so for some time, but it is well known to the American people. If the Senator from Nevada believes that is acceptable, that is fine with me. But when 83 percent of the American people support a line-item veto, when the overwhelming majority of the American people are sick and tired—sick and tired—of running a $4.6 trillion debt, then it is time to act. If there is any living proof that the Congress is unable to discipline itself it is the fact that we do have a $4.6 trillion debt. In 1974 that debt was in hundreds of billions; now it is in trillions with no end in sight.

If we do not do something—the Senator from Nevada rejects the balanced budget amendment. ''That is not constitutional.'' He rejects my line-item veto. ''That is not constitutional.'' I ask my friend from Nevada, what does he want to do? What is it that needs to be done to bring this undisciplined, outrageous fiscal behavior under control? I would be very interested in hearing that.

I know of no expert who believes that a single majority vote by one House is going to do the job.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, I believe there are a number of things we need to do. The first thing we need to do is approach the problems head on. As I indicated during the debate on the balanced budget amendment, why do we not balance the budget the hard way, the honest way, and that is do it without using the surplus for Social Security? As has been indicated and was indicated in here last week by one of the Senators from North Dakota, the fact of the matter is you cannot use the surplus to retire the debt and also use it for Social Security. It can only be used for one. It cannot be used for both places because you cannot spend money twice, and that is what we try to do around here.

I believe we should have a balanced budget, but we should do it the hard way.

My friend from Arizona said, ''What needs to be done?'' There are a lot of things that need to be done. First of all, with the line-item veto, I believe—and this has not been responded to, of course—as I read from the articles, with a line-item veto we may be able to save 1 percent of the money—1 percent. Mr. President, 99 percent we could not, 1 percent we could. When you have a budget of $1.5 trillion that is a worthy

goal. There is no reason you should not try to save 1 percent.

But I think we should do that with a procedure that allows the Congress not to give its power to the executive branch of Government. And I do not think the American public is concerned about two-thirds or a simple majority, but rather that we do it. I am willing to support a veto that the President has, as long as it does not give up our constitutional prerogative.

I also think that one of the things that needs to be done is deal with the high cost of health care. We have done nothing about that problem. We have done nothing. I recognize—certainly accept—that the legislation that was attempted last year was too broad, we tried to do too much. We should have narrowed our scope and hopefully brought down to Earth some of the health costs that were going up every year. This year, health care costs will go up over $100 billion. The No. 1 item that is driving State, local, and Federal deficits is health care costs. It is really hurting us. We have to do something to get that under control. I do not see anything on the agenda this year to do anything about that.

What else needs to be done? I am watching very closely what is going on in the House this week. They are going to come up with welfare reform. I think that is important. We need to do something on welfare reform. I believe we can save huge amounts of money with meaningful welfare reform.

One of the areas we need to look at is immigration reform. We can save lots of money.

The costs to the States of California, Nevada, even though we are not a border State, suffer significantly because of the illegal immigration, and Arizona and New Mexico. There are lots of places we can go to save huge amounts of money. We have to make those tough, hard decisions.

My friend from Arizona said, ''What do you want? A continuing resolution?'' I do not want a continuing resolution. We have in recent years passed 13 separate appropriations bills. The President should veto those, and, if we send him a CR, a continuing resolution, which he does not like, veto that too. Because, if he is doing it based upon the fact that Lawrence Welk's home is in there or some kind of other appropriation that cries out for some type of relief, that we are going to accede to the President's wishes.

I say to my friend from Arizona, outrageous spending is not acceptable. Outrageous spending is not acceptable. We are spending too much money based upon our income, and we have to stop that. In addition to that, we are spending money in areas that we should not be spending money on. I am willing to work on those. I hope this year. We are awaiting the Senator from New Mexico, the chairman of the Budget Committee to come forward with a budget that is going to be a glidepath that will get us to a balanced budget in the year 2002 or some period thereafter. I look forward to working with my friends from the other side of the aisle to see that we can do that. But let us not do it with gimmicks, with things that sound good but really are not going to allow us to accomplish anything.

I am for a balanced budget amendment. But I want to exclude Social Security. I am for a line-item veto. But I do not want to accede authority to the President of the United States. Presidents can be extremely mischievous, especially with a small State, having the ability to say OK, Senator REID, I see that you have here something in Nevada that is very important in Nevada—maybe a new highway, maybe a new bridge, maybe a dam that is important to the people of the State of Nevada. He could say, ''If you vote with me on this item, I am not going to line-item veto that.'' Well, I would hope that I would be able to do the right thing in that instance. I hope I could. I hope the right thing would be to do what was the best for the people of the State of Nevada.

But let us not give the President that authority. He has not had it in over 200 years. He does not need it now. Veto is in the Constitution. It requires a two-thirds vote. That is why the President should use that veto if he thinks there is outrageous spending in any one of these 13 bills.

I would also be interested to hear during the debate today from those on other side of the aisle to see if they are willing to put tax measures also in this form of rescission that we are giving to the President.

So I would hope that we could accomplish something through reasonable men and women working together to recognize that there are provisions in the appropriations bills that are bad, that are wrong, and that the President should have the ability to send back to us something to take out more than he now has without giving up our constitutional authority to a President. I do not know who the President is going to be the next time or the next time. But I want to leave this body recognizing that I kept intact the intent of the Founding Fathers.

Mr. McCAIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCAIN. Mr. President, as the saying goes, everybody is entitled to their opinion, but not everybody is entitled to the facts.

I wonder if the Senator from Nevada thinks that it is coincidence, that it is just sheer coincidence, that from 1787 until 1974 the accumulated debt and deficit and yearly deficit was very low, except in times of war when that spiked up and then the Congress and the American people would take action to reduce that debt again.

I do not know if the Senator from Nevada can see this chart. But in 1974, we were running an annual deficit somewhere around $25 to $30 billion. The Budget Impoundment Act was enacted in 1974 which prevented the President of the United States from doing basically what the line-item veto does; that is, the President of the United States, Thomas Jefferson did it first with a $50,000 impoundment of money to purchase gunboats. It has been exercised by every President of the United States. They will not spend the money thereby effectively exercising a line-item veto.

So basically, what we are talking about, what happened in the history of this country up until 1974 is that we exercised fiscal sanity. We had elected men and women to the Congress of the United States and elected men to the Presidency of the United States who insisted that we not lay a crushing burden of debt on future generations of Americans.

So in 1974, we passed the Budget Inpoundment Act. What happened to the deficit? Did it happen by accident? Did all of a sudden we lose all sense of fiscal control? All of sudden, the United States just went on a spending spree? Yes. Yes. Yes. We did. Why did we do it? Because there was no restraint, either Republican or Democratic Presidents alike.

It is laudable that we have now reduced the annual deficit some, but all estimates are that the debt and the deficit after a couple of more years will go up again and skyrocket. We have now accumulated a $4.6 trillion debt, about $4 trillion more than we had in 1974.

So facts are facts. From the first Congress of the United States until 1974 we basically had a balanced budget. We for all intents and purposes did not spend more money than we took in. Thomas Jefferson in 1789 clearly stated, as I just quoted:

> I wish it were possible to obtain a single amendment to our Constitution. I would be willing to depend on that alone for the reduction of the administration of our Government to the genuine principles of its Constitution. I mean an article taking from the Federal Government the power of borrowing.

What we did, Mr. President, in 1974 with the passage of the Budget Impoundment Act was we gave the Federal Government the power of borrowing with no restraint. Now we borrow and borrow and borrow to a $4.6 trillion debt.

I agree with everything that my friend from Nevada said. We should enact health care reform. We should take care of the skyrocketing health care costs to Americans. We should do a lot of things. But what have we done? Nothing, nothing to reduce the debt that is now $4.6 trillion. Our forefathers must be rolling over in their graves when they see what we have done, when they look at the mountains of Federal budget that is being spent to pay interest on the debt that we have not stopped accumulating.

So I say to my friend from Nevada, I agree with everything he says. I appreciate his advice and counsel as far as what we can do to stop the spending.

But I would suggest to you that every President has said they need the line-item veto as a tool whether it be as President Ford or President Carter or President Bush or President Reagan saw it, and now as President Clinton sees it.

I wonder how the Senator from Nevada reconciles his views with that of the President of the United States? The fact is that a veto is a veto is a veto, which means two-thirds majority, a majority vote in one House is less than an overriding veto because it took a majority vote in both Houses in order to put the unnecessary wasteful spending in.

So, I say to my friend from Nevada. I appreciate his input as far as the macro issues that we have to resolve. I would also suggest to him that the abuses that he describes would so naturally accrue to any President of the United States threatening Senators or Members of Congress who were doing certain actions, line-item projects in their State. I could hardly wait for a President of the United States to do that to me. I could hardly wait. There are the media, the people of my State. It is the last time that a President of the United States or his party would ever carry my State in a Presidential election if he tried to blackmail me or any representative of my State. In 43 States of America, including a former Governor of Missouri who spoke on Friday—and I do not believe the Senator from Nevada was ever Governor—the Governor never threatened to blackmail anybody. He said he could not balance the budget in his State without having the line-item veto, which he and 42 other Governors have.

Again, I do not think we can reconcile the facts. There are opinions as to what happened and as to what we need to do. But there are facts that indicate that the Federal debt and deficit are out of control and almost every expert in America, including 83 percent of the American people, say, ''Give the President of the United States the line-item veto.'' When they say veto, they mean veto, and they do not mean overriding by one House of Congress.

I say again to my friend from Nevada, with 70 Democrat votes, the line-item veto that is being proposed here was passed by the House of Representatives, and I believe their will is perhaps more in tune with American public opinion today than is true over here in this body.

I yield the floor.

Mr. REID. Mr. President, I am going to vacate the floor shortly. But I want to make sure the record is very clear that there is no way I think spending is now under control, even though we have made significant progress. This is the third year in a row where we have a declining deficit—the first time in 15 years. Federal payroll is about $150 million less; economic growth is the highest since the days of President Kennedy. Good things are happening, but we have much more to do. What we have to do—and more important than anything else, as indicated by the Senator from Arizona—is to do something about the deficit that is already here and the deficits that come about every year. We must do something about that. I served a year on the entitlement commission. We have a lot of work to do and we have a lot of programs that need to be looked at, because 46 percent of every dollar we spend is for entitlement programs.

The Impoundment Act, there has been a lot written about that. But it was an effort to go after President Nixon—the so-called imperial presidency that people talked about. I think a lot of things done as a result of Watergate were not good Government. It was a reaction to a man rather than a form of Government. That is why I am so concerned about what we do here.

The record should be very clear. The deficits have accumulated. But the big jump, of course, as indicated on the chart my friend just showed the Senate and the American public, occurred during the Reagan years, when in fact we cut back on our income and increased spending considerably. We cut back on the revenues, reduced taxes, and increased defense spending and other spending, and as a result of that, trillions of dollars in debt accumulated. We have to do a better job of taking care of those problems than we did. The problem with the debt going up is not as a result of passing a law to do away with the Impoundment Act. It is as a result of simple mathematics. When you spend more than you take in, you accumulate a debt. That is what happened beginning in the Reagan years, and that is what is happening now. We need to get that under control.

I am not here to argue that every matter and every appropriations bill is good. I think there are things in appropriations bills that should not be in there, that are the result of compromises of committee members, and as a result of back-room politics, for lack of better words. The President should have an easier way of getting to those items, and I am willing to give him that. If we are unable to arrive at that, I hope President Clinton, and other Presidents that follow him, would be more demanding in what they ask in their appropriations bills. I am confident and hopeful that we can arrive at a reasonable compromise in the next few days in this body.

It is my understanding that there is going to be no effort to stop this motion from proceeding. We are going to go ahead to the bill. There is no attempt to delay it. But I think it is a question of how to approach a problem. I believe that the approach of my friend from Arizona—as well-intentioned and as desperate as he is to get spending under control—is not the right way to go. I hope he and other sponsors of the legislation will step back and look at what we have in the Domenici proposal and see if the proposal that is going to be offered in the form of a substitute is not something that would better serve this country. We need to get spending under control, and we need to work on some of the things I have talked about and some of the outrageous things that the Senator from Arizona has talked about over the years that have taken place in appropriations spending bills.

Mr. McCAIN. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time be deducted equally from both sides.

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

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. GRASSLEY. Mr. President, I ask unanimous consent to speak as if in morning business for 7 minutes.

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

INTEGRITY OF THE DEPARTMENT OF DEFENSE BUDGET

Mr. GRASSLEY. Mr. President, over the next few days, I intend to give a series of speeches on the integrity of the Department of Defense budget.

Before I get started, and for the benefit of all new Senators, I want to give some background on how I got involved with these defense issues.

I want to share a small piece of history with my colleagues. I think we can learn from this history and hopefully we can avoid past mistakes. But we cannot learn from our mistakes if the history remains buried in old issues of the CONGRESSIONAL RECORD. So I want to share my experiences with, particularly, my new colleagues, because over half of the Members in the Senate today were not Members of this body 10 years ago when President Reagan's massive military buildup was fiercely debated right here in this Chamber. I think that was a defining experience for me.

We made a major decision when we stopped the Reagan defense buildup that, at that point, had been going on for 3 or 4 years. This process helped to shape my thinking, as I said. Even though it took place more than 10 years ago, I think it still is having some ripple effect today. Its mark on current defense policy is unmistakable. So it is important to understand the dynamics of that debate, at least from my perspective.

I was convinced—almost from day one—that the Pentagon, through its actions, was bent on launching a wasteful budget buildup. I was convinced that we were about to throw huge sums of money at a problem better solved by structural reform and honest management.

Let me say that by the time we finally made a decision to stop the Reagan defense buildup and freeze the defense budget, we had, in fact, wasted a lot of money.

So, seeing this, I did—and there were several others that did, as well—what I could to stop this waste of money. I offered an amendment to freeze the defense budget. That was on the fiscal year 1986 budget resolution. My amendment was adopted on May 2, 1985, by a one-vote margin of 50 to 49. That act alone threw a monkey wrench into the Reagan administration's plan to continue their ramp-up of the defense budget.

But, more than anything else, it was the spare parts horror stories in the early 1980's that changed my thinking on this issue. You know, the $750 pair of pliers or the $7,000 coffee pot. The spare parts horror stories were a turning point. They convinced me that the plan for this massive ramp-up of defense expenditures was a colossal taxpayer ripoff. These spare parts horror stories undermined the credibility of the Reagan defense buildup. The spare parts horror stories turned me into a defense reformer. They drove me to watchdogging and to digging into fraud, waste, and abuse at the Pentagon.

That was early in my Senate career.

I began watchdogging from my vantage point as a member of the Budget Committee and as chairman of the General Oversight Subcommittee of the Judiciary Committee.

I am not, nor ever have been, a member of the Armed Services Committee, and only served 4 short years on the Appropriations Committee.

So, as a conservative Republican, it is not easy for me to take on these issues, not being on the appropriate committees. But if common sense tells me something is not right, I speak out and I dig. I am still digging today, and I hope a lot of my colleagues are digging as well.

As a consequence of my position on defense, I took a lot of heat from Republicans during the 12 years of the Reagan-Bush administrations. Most of my colleagues on this side of the aisle think that defense is some kind of sacred cow. They think it has been inoculated and should be immune from criticism. They take a dim view of my position on defense.

The Democrats, by comparison, gave me no heat at all. In fact, on defense issues, I got a lot more support from Democrats than I did from Republicans.

In the 1980's, Democrats—plus a handful of Republicans like Senator ROTH, for example—helped me ferret out waste and abuse at the Pentagon.

I had the privilege of working closely with a number of Democrats, some in the House, some in the Senate—Senators like Senator PRYOR, Senator LEVIN, Senator BOXER, and others—to bring about some defense reform. We worked together to freeze the Department of Defense budget. We worked together to beef up independent testing of a new weapons system. We crafted the false claims bill, which brought $1 billion of fraudulent wasted money back into the Treasury, and we passed the whistleblower protection legislation. And we worked together to cut out wasteful spending.

That is my point, Mr. President.

When we had a Republican President and a Democratic Congress, it was very unpopular for a Republican Senator to take on a Republican President on defense. But I was not afraid to do it.

Then in 1993, as you know, we got a Democratic President with a Democratic Congress. I kept right on doing what I had been doing—digging into fraud, waste, and abuse at the Pentagon—even though some of my Democratic allies at that point seemed to disappear into the weeds because they did not want to be criticizing a Pentagon run by a political appointee of their party.

Now we have a Republican Congress, Mr. President, but we still have a Democratic President. And it happens that this Democratic President is considered weak on defense.

Once again, it is very unpopular to tangle with the Pentagon. But I intend to keep right on doing it as we move into this budget season once again.

Because the same old problems persist. So we need to keep right on digging. We need to keep right on watchdogging just like before, because really, Mr. President, nothing has changed.

I only hope that the Members on the other side of the aisle will be there when I and the American people need them. I say that because they are the President's party. I hope a few of my Republican allies will help me bring some fiscal discipline to the Pentagon budget.

I hope all the new Members of the Senate who were not here the last time we debated this issue will study it very closely. I hope that the new Republican Members who ran on a campaign of no longer business as usual, they ran on a campaign to make a difference, everything I have seen from the new Members of this body—who are all Republicans—they are showing, every Member, that they have not changed one iota since November 8, the night of their election.

They are equally committed to showing the people of this country it is no longer business as usual. They are equally committed to making sure that things change. They have made an impact on the other Members of this body who are not new, both Republican and Democrat. They are keeping the focus where it ought to be.

I am saying, especially to those new Republican Members of this body, that I hope they will take as tough a look at how money is being spent in the Defense Department and that they will not buy the argument that you can throw money at the Defense Department and automatically get more defense, any more than I know these new Members will accept the argument from the other side of the aisle on social welfare, education, and a lot of other domestic programs, that all we have to do somehow is spend more money and we automatically get more and better programs.

The fact of the matter is, it does not matter whether it is Republicans or Democrats, Republican spending on defense or Democrat spending on social programs, we only get for our money what we make sure we get for our money. It is not how much money we appropriate. It is how that money is spent that we ought to be concerned about. And it will determine whether or not we have a strong national security program, or whether we have a strong education program, or a strong welfare program.

I hope that my allies—and I hope we have some new allies, as well—will fight just as hard with me for a good, sound, defense policy now that the Republicans are the majority party in this Congress. I hope they will help me make sure that the taxpayers' money is spent wisely and, most importantly, according to law. I will have four or five speeches later on in the next few days on how some of this money is not being spent according to law.

I hope they will help me make sure that the citizens get a full and accurate accounting of how their money was spent by the Pentagon. And I hope that my speeches will help set the stage for a better understanding of the problem and more sound decisions on defense. I hope they will help the new Senators understand that just throwing more money at the Defense Department will not automatically give Americans greater and better defense.

Tomorrow I plan to talk about the accuracy of the Department of Defense budget and accounting data. As I go along, I hope to draw on my experiences with the defense issues of the 1980's. I want to use those experiences as a way of trying to bring today's defense debate into sharper focus. I yield the floor.

LINE-ITEM VETO

Mr. COATS. Mr. President, while we have several speakers lined up today to speak on the line-item veto, none is here at this time. I think what I will do is take the occasion to delve into a little bit of the history of line-item veto so we could at least make that part of the record.

On Friday, I spoke at length in response to the minority leader's presentation before the Senate, of his concerns and objections about the line-item veto and the direction he thought he should go. I do not know that I need to repeat those at this particular point.

Let me reflect back a little bit on how we got to this particular point and why line-item veto was considered necessary by a number of our former

Presidents and a number of Governors, and in attempting to put it in the historical context, perhaps we can better understand the case for it today.

HISTORY OF THE LINE-ITEM VETO

Reflecting upon the experience of the U.S. Government, Confederate rebels met to draw up a new constitution.

An individual by the name of Robert Smith—not the same ROBERT SMITH who so ably represents the State of New Hampshire in the Senate today—but Robert A. Smith, in addressing the people of Alabama, had this to say: ''We have followed with almost literal fidelity, the Constitution of the United States,'' reflecting on his drafting of a constitution for when they anticipated a new Confederate Government.

We have followed with almost literal fidelity the Constitution of the United States, and departed from its text only so far as experience had clearly proved that additional checks were required for the preservation of the Nation's interest. Of this character is the power given the President to arrest corrupt or illegitimate expenditures, and at the same time approving other parts of the bill. There is hardly a more flagrant abuse of its power, by the Congress of the United States than the habitual practice of loading bills, which are necessary for governmental operations with reprehensible, not to say venal dispositions of the public money, and which only obtain favor by a system of combinations among Members interested in similar abuses upon the Treasury.

That speech could have been given yesterday. That speech can be given today. Yet here we have Robert Smith more than 100 years ago in writing with his colleagues a new constitution, basing it upon the experience that this Nation had at that point with its then Constitution, the experience of granting to the legislative body a power that was not checked by the checks and balances of those powers given to the executive branch.

As Robert Smith said, ''We basically are writing our new Constitution on the basis of the existing U.S. Constitution because that Constitution is a sound model for what any new Constitution ought to be made of.'' ''Yet,'' he said, ''based on our experience, that has clearly proven that there are some changes that need to be made, some additional checks,'' as he said, ''were required for the preservation of the Nation's interest, checks necessary to arrest corrupt or illegitimate expenditures on the part of the legislative branch.''

I go on to quote Robert Smith:

Bills necessary for the support of the Government are loaded with items of the most exceptional character, and are thrown upon the President at the close of the session, for his sanction, as the only alternative for keeping the Government in motion. Even, however, under this salutary check, the evil might be but mitigated, not cured, in the case of a weak or highly partisan President, who would feel that the responsibility of such legislation rested but lightly on him, so long as the unrestrained power and duty of originating appropriations depended upon a corrupt or pliant Congress—hence the conventions of confederate States wisely determined that the Executive was the proper department to know and call for the moneys necessary for the support of Government, and that here the responsibility should rest.

In closing, he said:

* * * By giving the President the power to veto objectionable items in appropriation bills, we have, I trust, greatly purified our Government.

America fought a painful and bloody war to save the Union. We are standing here today because that war was won. Millions of our fellow Americans won their freedom and put an end to one of the most disgraceful chapters in American history. And yet a germ of an idea was born in the Confederacy that took root across our country. The idea was enhanced accountability for the taxpayers money through the line-item veto.

After the Civil War, line-item veto authority spread like wildfire in the States. Today, 43 Governors enjoy the same power we are fighting to give the President of the United States—the authority to veto wasteful spending items.

Line-item veto became a reality in the U.S. possessions as well. Congress, though it failed to give the President line-item veto authority, gave this power to the Governors General of the possessions. The line-item veto was granted to the Governor General of the Philippines in 1916, and the Governors of the territories of Hawaii in 1900, Alaska in 1912, Puerto Rico in 1917, and the Virgin Islands in 1954. Thus Congresses recognized the need for and virtue of this authority which it has never given to the President of the United States and to the American people.

States have been successfully using the line-item veto, many for over 100 years. Today, almost uniformly, the Governors endorse giving the President of the United States the same tool for controlling spending.

A Cato Institute survey of 118 U.S. Governors and former Governors—including Jimmy Carter, Ronald Reagan, Michael Dukakis, and Bill Clinton reveals a strong consensus that a line-item veto for the President would be an effective method of reducing the massive Federal deficit: 67 of respondents were Republicans, 50 Democrat; 19 were serving Governors when they responded; 92 percent of the Governors believe that a line-item veto for the President would help restrain Federal spending; 88 percent of the Democratic respondents supported the line-item veto; 55 percent of the Governors believe Congress has too much authority over the Federal budget, versus only 2 percent who think the President has too much authority.

When asked ''Was the line-item veto a useful tool to you as Governor in balancing the State budget?'' 69 percent said the line-item veto was a very useful tool, 23 percent said it was a somewhat useful tool, 7 percent said it was not useful, 91 percent of Democratic Governors said the line-item veto was very useful or somewhat useful.

The survey also asked, ''Do you think that a line-item veto for the President would help restrain Federal spending?''

Ninety-two percent of the respondents replied yes.

Eighty-eight of Democrats agreed.

Since the Budget Reform and Impoundment Act of 1974, every President has complained that Congress has usurped the executive branch's traditional powers over the budget process. The Governors agree.

''In your opinion, does Congress or the President have too much authority over the Federal budget today?'' The survey asked. The majority responded, ''Congress has too much power.''

Nine of ten Governors—regardless of party—support a line-item veto for the President as a way to restrain spending. A majority of Governors think that Congress has too much authority over the budget process.

Here is what some Governors have actually said:

The line-item veto is a useful tool that a Governor can use on occasion to eliminate blatantly 'Port Barrell' expenditures that can strain the budget. At the same time he must answer to the voters if he (or she) uses the veto irresponsibly. It is a certain restraint on the legislative branch.—Keith H. Miller, Alaska, Republican (1969–70).

I support the line-item veto because it is an executive function to identify budget plan excesses and wasteful items. It is an antidote for pork—Hugh L. Carey, New York, Democrat (1975–83).

Congress's practice of passing enormous spending bills means that funding for everything from Lawrence Welk museum to a study of bovine flatulence slips through Congress. The President may be unable to veto a major bill that includes such spending abuses because the majority of the bill is desperately needed. A line-item veto would let the President control the irresponsible spending that Congress can't. A line-item veto already works at the State level. It not only allows a Governor to veto wasteful spending, it works as a deterrent to wasteful spending legislators know will be vetoed—Pete Wilson, California, Republican, (1991–?).

Legislators love to be loved, so they love to spend money. Line-item veto is essential to enable Executive to hold down spending—William F. Weld, Massachusetts, Republican (1991–?).

When I was Governor in California, the Governor had the line-item veto, and so you could veto parts of a bill or even part of the spending in a bill. The President can't do that. I think—frankly of course, I'm prejudiced—Government would be far better off if the President had the right of the Line-item veto.—Ronald Reagan, California, Republican (1967–75).

I believe it provides a check and balance which is helpful even if only because it requires legislators to consider the potential for veto and may thereby make them more accountable—Mike Sullivan, Democrat, Wyoming (1991–94).

It can be a surgical tool to highlight foolishness, and thus help the Executive make his case.—Pete Du Pont, Delaware, Republican (1977–85).

To the detriment of the Federal process, the President is not held accountable for a balanced budget. Congress takes control over budget development with its budget resolution, after which, the President may only approve or veto 13 appropriation bills. Without the line-item veto the President has minimal

flexibility to manage the Federal Budget after it is passed—L. Douglas Wilder, Virginia, Democrat (1990–94).

Almost every President since Ulysses S. Grant has made the same case as the Governors. Only one President in the 20th century has not requested the line-item veto.

In a message to Congress on August 14, 1876, President Grant claimed ''discretionary authority'' over the items of appropriations bills. In signing the river and harbor bill he said:

If it was obligatory upon the Executive to expend all the money appropriated by Congress, I should return the river and harbor bill with my objections * * * without enumerating, many appropriations are made for the works of purely private or local interest, in no sense national. I cannot give my sanction to these, and will take care that during my term of office no public money shall be expended upon them * * * under no circumstances will I allow expenditure upon works not clearly national.

No objection was made to President Grant's interpretation.

After deprecating the practice of combining appropriations for a great diversity of objects, widely separated in their nature and locality, in one river and harbor bill, President Arthur, in his second annual message to Congress, dated December 4, 1882, suggested two suggestions to this problem:

First, enactment of separate appropriation bills for each internal improvement, or, alternately, and

Second, a constitutional amendment empowering the Executive to veto items in appropriations bills. He then listed 14 States whose constitutions gave the item or specific veto authority to their Governors and declared:

I commend to your careful consideration and the question whether an amendment of the Federal Constitution in the particular indicated would not afford the best remedy for what is often a grave embarrassment both to Members of Congress and the Executive, and is sometimes a serious public mischief.

President Arthur repeated this recommendation in his third annual message, dated December 4, 1883, and in his fourth annual message, dated December 1, 1884.

PRESIDENT FRANKLIN ROOSEVELT

In his budget message for fiscal year 1939, President Roosevelt, after calling attention to the use of the item veto ''in the majority of our States'' and remarking that ''the system meets with general approval in the many States which have adopted it,'' said:

A respectable difference of opinion exists as to whether a similar item veto power could be given to the President by legislation or whether a constitutional amendment would be necessary. I strongly recommend that the present Congress adopt whichever course it may deem to be the correct one.

PRESIDENT TRUMAN

In the second volume of his memoirs, Harry S. Truman wrote:

One important lack in the Presidential veto power, I believe, is authority to veto individual items in appropriation bills. The President must approve the bill in its entirety, or refuse to approve it, or let it become law without his approval * * * As a senator I tried to discourage the practice of adding riders deliberately contrived to neutralize otherwise positive legislation, because it is a form of legislative blackmail.

PRESIDENT EISENHOWER

In reply to a House request for recommendations on possible budget cuts, President Eisenhower addressed a letter to Speaker Rayburn, dated April 18, 1957, containing 10 recommendations including the following one:

And, tenth, to help assure continuing economy on the part of the Congress as well as the executive branch, take action that will grant the President the power held by many State Governors to veto specific items in appropriation bills.

The plea for a line-item veto was illustrated dramatically by President Reagan when he slammed down a 43 pound, 3,296 page spending bill. It was a bill that represented 1 trillion dollars' worth of spending—not one penny of which he had the power to veto, unless he rejected it all.

Most recently, President Clinton has asked that this Congress send him the strongest line-item veto measure possible. He has called the line-item veto ''one of the most powerful weapons we could use in our fight against out-of-control deficit spending.''

He also said:

I am strongly in favor of a line-item veto. I have it. I've used a bunch as Governor. And, interestingly enough, in my last legislative session, I didn't have to use it one time because I had it. See? . . . I keep telling my friends in Congress, they would be better off. They think they have got to pass some piece of pork barrel for the folks back home. Let me take the heat.

Interestingly, many Presidents argued for the line-item veto while they still had considerable leverage over spending. Until the Budget and Impoundment Act of 1974, Presidents exercised their authority to rescind money, and thus control spending they felt was wasteful. This was a practice that had its origins with our first President.

In his article, ''The Line-Item Veto: Provided in the Constitution and Traditionally Applied,'' Stephen Glazier wrote:

At the beginning of our Government under the Constitution, during the administrations of Washington and Adams, Congress passed very general appropriations bills that permitted the President not to spend appropriated funds . . . . In Washington's day the practice was called ''impoundment.

Perhaps the most significant early impoundment was during Jefferson's Presidency, when he refused to spend $50,000 appropriated by Congress for gunboats. He also refused to spend money on two new fortifications.

This instance and other early instances were mostly attributed to the fact that, unlike today, appropriations bills were

Quite general in their terms and by obvious . . . intent, left to the President . . . the power for . . . determining in what particular manner the funds were spent (1971 hearings, testimony of Assistant Attorney General Rehnquist).

Under the Grant administration, we saw more significant withholding of funds. Upon signing a measure which appropriated funds for harbor and river improvements, Grant sent a message to Congress saying that he did not plan to spend the total amount because some appropriations were for ''works of purely private or local interest, in no sense national.'' Grant asserted that no expenditures might be made except for ''works already done and paid for'' (CONGRESSIONAL RECORD 5628 1876).

Grant's Secretary of War also refused to spend $2.7 million of the $5 million which had been appropriated by Congress. The House asked the President to respond with legal authority for impounding of funds. The Secretary of War replied that this act was in no way mandatory and that it was not fiscally practical or legally appropriate for the President's discretion to be limited than by the interests of the public service. Most of Congress agreed with the President.

President Roosevelt impounded funds in the 1930's to cope with the emergencies of economic depression and war. In the 1940's Budget Director Smith ordered impoundment of amounts ranging from $1.6 to $95 million which had been appropriated for the Civilian Conservation Corps' surplus labor force, civilian pilot training projects, surplus marketing corporation among others, because the projects did not have priority ratings to obtain the scarce resources.

The Truman Presidency impounded funds appropriated for a 70-group Air Force and giant aircraft carriers.

Eisenhower impounded funds appropriated for various defense projects, most notably funds for strategic airlift aircraft, $140 million, and procurement of Nike-Zeus—$135 million—hardware; in 1956, $46.4 million to increase Marine Corps personnel strength was impounded. In 1959, $48 million for hound dog missiles, $90 million for Minuteman Program funds, $55.6 million for KC–135 tankers. In 1960, $35 million for nuclear-powered carriers.

Kennedy's administration was responsible for a controversial impoundment of funds for the RS–70 long range bomber. Congress appropriated nearly two times the amount that Kennedy had requested. Secretary of Defense McNamara refused to release the excess funds. Later, Congress voted to direct a lesser amount for the RS–70.

President Johnson felt impoundments for domestic programs were legally sanctioned. Attorney General Clark said that the impoundment of highway trust funds was lawful. The Budget Director said that it was the general power of the President to operate for the welfare of the economy and the Nation in terms of combating inflationary pressures.

The most controversial of Presidential impoundments were during the Nixon Presidency. Each year since first assuming office, President Nixon had

impounded 17 to 20 percent of controllable funds appropriated by Congress. Nearly $12 billion appropriated for the building of highways—funds impounded of a cross-Florida barge canal, on which $50 million had been spent and which was already one-third completed—and pollution control projects had been withheld. Hundreds of millions of dollars appropriated for medical research, higher education—$18 million of the Indian Education Act, rural electrification, rural environmental assistance, public housing—over $70 million of HUD's 312 housing rehabilitation, loan programs, urban renewal and myriad other programs were impounded. In 1973, the U.S. Court of Appeals for the Eighth Circuit became the highest court to ever decide a case dealing with Executive impoundments. In Missouri Highway Commission versus Volpe, the issue of whether the Secretary of Transportation could refuse to obligate highway funds which had been apportioned to Missouri, because of the status of the economy and the control of inflation. The court ruled that the highway funds could not be lawfully impounded for the reasons asserted. This case did not, however, settle the constitutional question pending before the White House and Congress.

Because of the sweeping nature of the Nixon impoundments, Congress responded. On October 27, 1972, Congress passed the Federal Impoundment and Information Act, which requires the President to submit reports to the Congress and Comptroller General detailing certain information concerning funds which are appropriated and partially or completely impounded.

The act essentially forbade the President from impounding funds, unless Congress acted to approve that impoundment. But, the act did not force Congress' hand. By simple inaction, the funds would automatically be released.

Under current law, the President sends up his recommended cuts, and if Congress does not act to approve them, they become meaningless. The cuts simply die on the vine as Congress spends more and more and accuses everyone but themselves of fearing tough spending choices.

Over the years, the congressional attitude toward Presidential rescissions has become one of nearly total neglect. In 1991 President Bush proposed 47 rescissions for a possible savings of $5.55 billion. Only one rescission was approved by Congress. We saved $2.1 million—a drop in the bucket.

Since 1974, Congress has approved a mere 30 percent of the President's rescissions. We have chosen to ignore more than $41 billion which the President identified as unnecessary spending.

In 1974, Congress ignored all the President's rescissions, a 100 percent failure rate. In 1975, 56 percent were ignored. In 1976, we failed to enact 86 percent. More recently, in 1983, 100 percent of the President's rescissions were ignored. In 1984, we failed to enact 67 percent and in 1985 we failed to enact 60 percent. By 1986 and 1987, we failed to enact 95 percent and 97 percent of those rescissions. Since 1974, we have acted on only 31 percent of the President's rescissions. In the meantime, our debt has more than quadrupled. Clearly, Congress has found the new impoundment procedures a bit too convenient.

When I first came to the Senate in 1989, Senator MCCAIN and I worked together to craft a legislative line-item veto to reverse these trends and restore some equilibrium between the Congress and the President. We have offered that bill every Congress, and we have forced the Senate to vote on it. But our bill has always been subject to a filibuster or to a budget point of order.

In November 1989, I first offered my legislation as an amendment to another bill because the Senate would not even consider it on its own merits. That effort failed by a vote of 40 to 51. In June 1990, Senator MCCAIN and I tried again. This time we went down by a vote of 43 to 50. Progress, though not much.

But each time I'd brought the line-item veto to the floor I was subject to a chorus of advice. Address pork spending, I was told, while an appropriations bill is actually on the floor. Do not worry so much about giving the President line-item veto authority. Just offer an amendment to strike wasteful spending. So I tried it.

Right after Desert Storm, the Congress was called on to pass a dire emergency supplemental to defray the costs of the war. It was legislation which came after noble sacrifice and unprecedented victory. And yet even this bill was a target of wasteful spending.

It contained $1 million for the Maine Department of Agriculture to study potato virus. It included $609,000 for poultry inspection; $351,000 for new furnishings for the Library of Congress; $100,000 for the United States-Canada Salmon Commission. All this in a dire emergency supplemental to pay for the war costs of Desert Storm.

But perhaps most disturbing, the bill required that the Navy overhaul and upgrade the U.S.S. *Kennedy* at the Philadelphia Navy Shipyard, giving it a Service Life Extension Program [SLEP]. This was a classic case where special interests went far beyond what was actually needed or requested. The Navy strongly opposed the work for two compelling reasons.

First was cost. While the SLEP at Philadelphia would cost the taxpayer $1 billion, the Navy felt that a simple overhaul—at half the price—was all the work that was required. In addition, the Navy had downsized its fleet, so extensive service to older carriers was not needed. The Navy could simply deactivate the older carriers.

So the issue was $1 billion of spending that the Department of Defense said was unnecessary. I decided that this would be a good candidate for an amendment on the floor. I would take the advice of those who said that Congress can provide its own form of line-item veto by simply amending bills. That experience taught me a lot about the business-as-usual pork practices that are now so common in this distinguished body.

When I offered my reasons for opposing this spending, a good number of my colleagues agreed. My amendment passed with a healthy majority of 56 votes. Yet when the doors closed on the conference committee, the funding was quietly restored to the bill without debate. What was won on the Senate floor after a lengthy floor debate, was quietly easily restored behind closed doors.

Since that time, Senator MCCAIN has gone to heroic lengths to scrutinize appropriations bills and help save the taxpayer money. He and his staff have been on the floor during debate on most appropriations bills to ensure that last minute deals funding unauthorized projects are not cut to slip spending into bills.

But those efforts alone are not enough. We have learned that they simply do not work. We need true reform. We need the line-item veto. So we have pursued our efforts in each Congress.

But we have not been the first in Congress to try. The line-item veto was first introduced on January 18, 1876, by Congressman Charles Faulkner of West Virginia. It was referred to the Committee on the Judiciary where it died. About 200 line-item veto bills have since been introduced. In nearly every succeeding Congress the proposal has been reoffered in varying forms.

The proposed amendment has for the most part been buried in the Judiciary Committees. Very few have been reported, and those which have, were reported adversely.

In 1883 on a motion to suspend the rules so that the House Judiciary Committee might be discharged and House Resolution 267 passed, the motion was defeated: This has been one of the few occasions in which the item-veto principle has been subjected to a vote in either House.

On April 21, 1884, for the first time, the Senate Judiciary Committee favorably reported a Resolution—S. Res. 18 by Mr. Lapham of New York—proposing to amend the Constitution so as to confer on the President the power to veto items in appropriation bills. By unanimous consent on December 9, 1884, Senate Joint Resolution 18 was made special order of business for December 17. But on that date and again in February the resolution was passed over in the Senate indefinitely.

In this century, the line-item veto continued to be actively considered.

In 1938, the line-item veto passed the House of Representatives, but failed to be considered in the Senate.

In 1957, Congressman Stewart Udall had this to say:

> The tendency in the Congress naturally is that the local interest is predominant. Each of us have projects, we have Federal programs we feel are vital to our districts. In

our system of checks and balances, it seems to me a good argument can be made that it is good and it is wise to have someone outside the legislative, namely the executive, also weigh and particular proposal against the national interest, and I think that is essentially what the item veto would do.

Congressman Charles Bennett added:

As far as I can ascertain, our Constitution and practices in the early days of our country contemplate that the President would find the means readily available to him to veto an appropriation. This is no longer possible for a President in 1957, not because of any change in the Constitution, but because of the practice of Congress in bringing in very large bills from the standpoint of money and from the standpoint of number of items and diversity of items covered. The evil is not so great in authorizations, because in authorizations there is no emergency generally involved. There is an emergency in having adequate funds to carry on the Government, and when you have a large sum of money in an appropriations bill involving many employees and may facets of Government, there is an emergency in passing such a bill; so that the President has an almost impossible situation confronting him if he desires to see any economies made in these bills that are so multiplicitous in material and detail and in dollars.

In 1957, the Nation ran a budget surplus of $3.4 billion, and our country's debt was $272 billion. In other words, the total debt our Nation accumulated in the first 181 years of our history was approximately equal to our annual operating deficits today. And in 1957, our Nation's books showed no red ink. Yet Members of Congress were arguing for a significant change in the name of the national interest and in the name of good government. They were arguing for the line-item veto.

Today, the situation has changed radically. The Nation's total Federal debt has increased 1,665 percent to $4.8 trillion. We will borrow more in 4 days this year than we borrowed in the entire year of 1958.

The arguments of 1957 still stand. Line-item veto helps to balance the parochial interest with the national interest; it enables a President to rationally deal with omnibus spending bills. Nothing has changed but the urgency of our circumstances.

According to CBO:

Failure to reverse [current] trends in fiscal policy and the composition of Federal spending will doom future generations to a stagnating standard of living, damage U.S. competitiveness and influence in the world, and hamper our ability to address pressing national trends.

And when we proceed to S. 4 on Monday, it will be the first time in the history of the U.S. Senate that the legislative line-item veto will be actually considered as a free standing bill in its own right.

Last November, anger against Congress burnt white hot. With their votes, the American people decisively demonstrated their deep frustration with the status quo. Last week, the U.S. Senate fueled that anger and betrayed their trust. By failing to pass a balanced budget amendment, we clearly demonstrated that we as an institution are more concerned with preserving our power than with protecting our Nation's posterity.

Let us show the American people that we are serious about radically changing the way Congress does business. Let's show them that we intend to present appropriations bills without embarrassment. Let's send the message to taxpayers that, under our guidance, their dollars will not be wasted. Let us act to boldly eliminate the dual deficits of public funds and of public trust. Let us resist the urge to continue business as usual.

Let us finally pass the line-item veto. The time has come.

As I said, this is a speech that could be given today, a time-honored—''honored'' is the wrong word—a time-abused practice of the legislative branch of submitting to the executive, to the President a bill which, as Smith says, is necessary for the support of Government but loaded with illegitimate expenditures, knowing that the President's only choice is to accept the entire bill or reject the entire bill, because he does not have the power to line-item veto, or to reject a part of that bill that is not necessary to the future of this country or not deemed a wise expenditure.

That is what we are all about. Nothing has changed. Nothing has changed in over 130 years. Nothing has changed since the formation of this country and the adoption of this Constitution because, as Smith says, we are doing this based on our experience, what the legislature has accomplished and what the country has experienced in terms of the inability to check, check, as he said, an illegitimate or corrupt expenditure, the flagrant abuse of the power by the Congress through its habitual practice of loading bills necessary for governmental appropriations.

Subsequent to that, America fought a painful and bloody war to preserve the Union, to keep us one Nation, united. Millions of our fellow Americans won their freedom and put an end to one of the most, if not the most, tragic chapters in American history. Yet, at the time, the germ of an idea was born in the Union that took root across the country. The idea has enhanced accountability for the taxpayers' money through the line-item veto.

After the Civil War, line-item veto authority spread like wildfire throughout the States. Today, 43 Governors enjoy the same power that we are fighting to give the President of the United States: The authority to veto wasteful spending items.

Line-item veto became a reality in the United States possessions as well, not just the States but the possessions. Congress, though it failed to give the President line-item veto authority, gave this power to the Governors General of the possessions. The line-item veto was granted to the Governor General of the Philippines in 1916 and the Governors of the territories of Hawaii in 1900, Alaska in 1912, Puerto Rico in 1917, and the Virgin Islands in 1954. Thus, Congress recognized the need for and the virtue of this authority which it had never given to the President of the United States and to the American people.

States have been successfully using line-item veto since, many for over 100 years. Today, almost uniformly the Governors endorse giving the President of the United States the same tool for controlling spending that they enjoy. As someone on this floor—it may have been the Senator from Missouri who is presiding in the chair—said on Friday, we are not aware of any rush in any State legislatures across the country in these 43 States to take away their Governor's authority under line-item veto. If that is happening in any of the legislatures across this land, we are not aware of it.

It seems to have worked very well, this check and balance system, the power to appropriate, the power to say, ''Yes, but not 100 percent of what you have sent we think is in the national interest, we in the executive branch think is in the national interest. We will take 97 percent of it, but this 3 percent just does not go to expenditures in the national interest,'' and then to turn that back to the Congress, and the Congress, if it wants, can override that decision, but it takes a two-thirds vote to do so.

A Cato Institute survey of 118 former Governors and current Governors, including Jimmy Carter, Ronald Reagan, Michael Dukakis, and Bill Clinton, reveals a strong consensus that a line-item veto for the President would be an effective method of reducing the massive Federal deficit. One hundred eighteen former or current U.S. Governors, bipartisan—Jimmy Carter, Michael Dukakis, Bill Clinton, Ronald Reagan—reveals a consensus and a support for a line-item veto.

That survey showed that 67 of the respondents were Republicans, 50 were Democrats, 19 were serving Governors when they responded.

Ninety-two percent of the Governors—92 percent—believe that a line-item veto for the President would help restrain Federal spending; 88 percent of the Democratic respondents supported the line-item veto; 55 percent of the Governors believe Congress has too much authority over the Federal budget, and only 2 percent think the President has too much authority.

Let me repeat that: 55 percent of the Governors believe that Congress has too much authority over the Federal budget, and only 2 percent think the President has too much authority.

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was a very useful or somewhat useful tool.

The survey also asked, ''Do you think that a line-item veto for the President would help restrain Federal spending?'' Ninety-two percent said yes; 88 percent of the Democrats agreed.

Since the Budget Reform and Impoundment Act of 1974, every President has complained that Congress has usurped the executive branch's traditional powersover the budget process. The Governors agree.

''In your opinion,'' the survey went on to ask, ''does Congress or the President have too much authority over the Federal budget today?'' The survey said and the majority responded, Congress has too much power.

Let me quote from what some of the Governors have actually said:

Line-item veto is a useful tool that a Governor can use on occasion to eliminate blatantly pork-barrel expenditures that can strain the budget. At the same time, he must answer to the voters if he or she uses the veto irresponsibly. It is a certain restraint on the legislative branch.

Gov. Keith Miller, of Alaska, Republican Governor, 1969.

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Gov. Hugh Carey, of New York, a Democrat, who served from 1975 to 1983.

Congress' practice of passing enormous spending bills means that funding the Lawrence Welk Museum to the study of bovine flatulence slips through Congress. The President may be unable to veto a major bill that includes such spending abuses because the majority of the bill is desperately needed. The line-item veto would let the President control the irresponsible spending that Congress can't. The line-item veto already works at the State level. It not only allows the Governor to veto wasteful spending, it works as a deterrent to wasteful spending because legislators know it will be vetoed.

That is a statement by current Gov. Pete Wilson, of California, Republican.

I believe it provides the checks and balance, even if it requires legislators to consider the potential for veto and thereby makes them more accountable.

Gov. Mike Sullivan, a Democrat from Wyoming.

Legislators love to be loved, so they love to spend money. Line-item veto is essential to enable the executive to hold down spending.

That was spoken by William Weld, the current Governor of Massachusetts.

When I was Governor of California, the Governor had the line-item veto, so you could veto parts of a bill or even part of the spending in a bill. The President can't do that. I think, frankly—of course, I'm prejudiced—Government would be far better off if the President had the right of the line-item veto.

Ronald Reagan, former California Governor.

It can be a surgical tool to highlight foolishness and thus help the executive make his case.

Said Pete DuPont, Republican Governor of Delaware from 1977 to 1985:

To the detriment of the Federal process, the President is not held accountable for a balanced budget. Congress takes control over budget development within its budget resolution after which the President may only approve or veto 13 appropriation bills. Without the line-item veto, the President has minimal flexibility to manage the Federal budget after it is passed.

So said Douglas Wilder, Democrat Governor of Virginia from 1990 to 1994.

Republicans, Democrats, liberals, conservatives, moderates, current, past, historical, virtually all have said the line-item veto works in their States. It worked for them. It worked in their relations with their legislators. It ought to apply to the Congress.

Senator ASHCROFT, now presiding in the chair, eloquently spoke on Friday of the line-item veto and what it meant to him when he was Governor of Missouri and how the interaction between the executive and the legislature worked to eliminate unnecessary, unneeded spending of hard-earned, scarce taxpayers' dollars. And he had a terrific chart illustrating that it not only works when you are Governor of the State of Missouri, but it works when you are head of household or father of a household and you sit down around the kitchen table with the family and say, ''Let's plan out next month's or next year's budget, the things we have to do, the things that we would like to do. Let's check our revenues and see what funds might be available, everybody submit their request and let's go down the line and see what works.''

There might be an item that you have to line out and in many cases substitute something for that. Instead of the trip to Disney World that everybody would like to take every year and stay at the hotel right on the grounds and not have to worry about being down the road or across the street and driving in and parking but just get on the tram in the lobby of the hotel and go to the next exhibit, which we would all like to do but which most of us cannot afford to do once in a lifetime, let alone once every year, you might have to adjust. You might have to go to Sea World instead or you might have to, as Senator ASHCROFT said, go to the State park for a vacation.

You line out some items. You substitute some others. You reduce it. You negotiate. That is the process that takes place under line-item veto, and that is the process that would take place if the President would have that line-item veto.

Almost every President since Ulysses Grant has made the same case as the Governors made. Only one President in the 20th century has not requested the line-item veto, only one. In his message to Congress on August 14, 1876, President Grant claimed discretionary authority of the items of appropriations bills. In signing the river and harbor bill he said, and I quote:

If it was obligatory upon the executive to expend all the money appropriated by Congress, I would return the river and harbor bill with my objections. Without enumerating, many appropriations are made for the works of purely private or local interests and in no sense national. I cannot give my sanction to these and will take care that during my term of office no public money shall be expended upon them. Under no circumstances will I allow expenditure upon works not clearly national.

No objection was made to President Grant's interpretation of that. Congress knew that it had been caught with its hand in the cookie jar. Does that mean expenditures on rivers and harbors are not necessary? Of course not. Some of those are very necessary. But in some years you cannot do as much as you would like to do in other years. And at other times there are higher priorities. Of course, the natural thing to do for Congress is to want to spend that money because, as Governor Weld said, ''Legislators love to be loved and so they love to spend money.''

Nothing brings a smile to the face of your constituents or special interest group more than the word ''yes.'' ''Yes, we will fund your request.'' ''Yes, we will give you everything you ask for.'' Boy, does that make life easy as a legislator. It is fun to go home and say, ''You know that request you asked me about 6 months ago? Done. I slipped it in the—such and such—appropriations bill. The President signed it just the other day.'' You are a hero. They hold a dinner in your honor. They give you a little plaque and you put it on the wall, ''Legislator of the year.'' Of course, we love to be loved. Of course, we love to go home and say ''yes'' to people.

However, under the process that we have operating today at the Federal level, we have a very convenient excuse to say ''yes,'' that allows us to say ''yes'' that is not available to most legislators. Most legislators are operating under either a balanced budget constitutional prohibition, a constitutional mandate to require a balanced budget or they are operating under line-item veto or both.

Do you know what that means? One of two things. It means that when those interest groups come and say, ''Can you get this money for us?'' you have to look them back in the eye and say, ''That may be a worthy project and in fact I even support it, but here's my dilemma. Right now we are running really close on the amount of revenues coming in and the amount of expenditures going out. And there's only one of two ways that I can really address your request this year. The first is to look at some other program and cut that out and substitute your program, take the money from that and use it to pay for yours.''

Of course, that is not the preferred method today because nobody wants to go over to the other group and say, ''By the way, we are going to eliminate your program, cut your program so we can give it to the new program over here,'' because everybody wants to please everybody.

The second option available to them is to raise taxes, to go to the public and say, ''We've got a new idea, a new program we would like to increase funding for. We are not willing to take the heat to cut out any existing program and so we are going to have to raise your taxes to generate more money.'' Not too many legislators like to do that, like to run home and tell people they are going to raise their taxes.

Now, the Federal legislators have a third option. Here is the problem. The third option is to say ''yes'' to everybody and then borrow the money to cover the expenditure, float some more debt so you do not have to go to the constituents and say, ''We are going to raise your taxes to pay for this.'' You do not have to go to some other program and say, ''We are going to have to cut your expenditures to pay for this.'' You say ''yes'' to everybody. And you produce an unbalanced budget—deficit spending—borrowing the money to pay for it, and we will let some future Congressman worry about the implications of that.

Well, the future is now. The future is here. That time-honored practice has now led us to a nearly $5 trillion debt. Line-item veto is one of the tools which we will use, if it is passed, to adjust significantly the way that Congress spends the taxpayers' dollars. I deeply regret we did not pass a balanced budget amendment—it failed by one vote—because it is a much more significant change in the way we would do business. That would force us, year after year after year after year, in support of the Constitution of the United States, to not spend more money than we take in. That would make honest legislators out of all of us. That would bring integrity back to the halls of the Congress, in terms of the way we address the people's interests and the people's wishes and the way in which we handle the people's money.

That having failed, the only other real game in town that will bring change in the way we make decisions about how to spend money is line-item veto. Will it balance the budget? Absolutely not. I wish it would, but it will not. But will it fundamentally change the way in which we look at how we spend taxpayers' dollars? Yes, it will. And it will help. It will add up to some real significant savings. It will change the way we do our business.

I contend, with all the promises, all the rhetoric, all the wonderful, ''Oh, we just need to summon up the will we need to get this job done,'' it just has not happened. Year after year, one decade after another, for one reason or another, Congress has not summoned up the will to get the job done. There is the human temptation of saying we will do it after the next election—and then comes the next election, and then the next election, and before you know it, it is the next decade, and before you know it we have a $5 trillion debt and, ''Yes, it is terrible, it is horrible, it impacts the next generation, but not yet; we are not quite there yet. See, we have these problems, those problems, et cetera.''

So we are talking about fundamental structural change in the way Congress does it business. Line-item veto is the second best way I can think of to do it. A balanced budget amendment is first. That failed. Line-item veto is a distant second, but frankly it is the only other game in town. It is the only game we are talking about. If somebody has a better structural way to change things around here, I am all for it.

Listen to the words of President Franklin Roosevelt. In his budget message for fiscal year 1939, President Roosevelt, after calling attention to the use of the line-item veto in the majority of our States and remarking that the system meets with general approval in the many States which have adopted it, said:

> A respectable difference of opinion exists as to whether a similar line-item veto could be given the President by legislation or whether a constitutional amendment would be necessary. I strongly recommend that the present Congress adopt whichever course it may deem to be the correct one.

The bottom line is, even though some of us would like to amend the Constitution and give the President the constitutional line-item veto authority, we do not have the votes to do that. We came one vote short on balanced budget, and we do not have the votes to accomplish that on line-item veto. But we do have the votes to do it legislatively.

As Franklin Roosevelt said, ''* * * whichever course Congress may deem to be the correct one.'' I do not know if it is the correct one, but it is the doable one. We have a doable one. We have one that can pass, and can be enacted into law. And, frankly—frankly—the way it is structured, if it does not work, Congress can repeal it. I would regret that. That is the problem with a statutory fix. But we can do it this Congress; we can do it this week.

President Truman said—and I think this is the most telling statement of all—in the second volume of his memoirs, Harry S. Truman wrote the following:

> One important lack in the Presidential veto power, I believe, is the authority to veto individual items in appropriation bills. The President must approve the bill in its entirety or refuse to approve it or let it become law without his approval.
>
> As a Senator, I tried to discourage the practice of adding riders deliberately contrived to neutralize otherwise positive legislation [Truman said] because it is a form of legislative blackmail.

I quoted that last week. Legislative blackmail, that is what it is. I do not care what sugar-coating we put on it. I do not care what justification we raise. A lot of this pork-barrel stuff is legislative blackmail.

We may have a defense emergency bill to pay for operations in Haiti, Rwanda, or Somalia that have already taken place, and the Defense Department accounts are drained. Or we may have a hurricane in Florida and we need emergency money to be appropriated to deal with those who are homeless and those who need health care and those who need emergency rations. Or we may have floods and earthquakes in California or floods in the Midwest, we have pressing national needs, and we construct a bill to take care of those needs. And at that point legislators say, ''Aha, there is one the President has to sign. I mean, this is an emergency. We have to get this money out in a hurry. That is going to have to go through the Congress. That is the one I will attach this little item I have been carrying for the folks back home. That is the one where I can get my, not national interest item, but parochial interest item attached to. We will just attach that in committee, and we will put it on the floor and we will send it to the President of the United States.''

It will be buried in there and the President will say, as every President in this century except one has said, ''If I only had the line-item veto, I could do what I have to do to accept that appropriations bill, but I could take out that unnecessary piece of spending that I know was attached on there just because they saw this train rolling through and this was a great vehicle to attach it to.''

Of course, let us understand if Congress wants to overturn that decision of the President, it can do so. It has to come down here and debate the item. Members have to cast their yea or nay on it so the folks back home understand what they voted for and have the right to say, ''What in the world? I did not send you to Washington, DC, to vote for that item. What are you doing that for?''

Right now they do not have that because legislators have a very convenient excuse. ''Oh, I don't support that either. But, you see, we had this emergency, this bill came through, and Senator so-and-so from such-and-such a place snuck that devil in here and, boy, my dilemma was either deny the health payments to veterans or emergency funds for homeless victims or money to take care of the farmers in the flooded Midwest, or reject all that in order to take care of Senator such-and-such's little item.''

The voters scratch their heads and say, ''Is there not a solution to that?'' The solution is line-item veto.

Mr. President, I am going to skip some items here. My colleague from Mississippi is on the floor. I am going to try to get to a point where I can wrap up.

But, there is a great history of abuses of the spending power by the Congress. It is a natural human tendency. I am not here pointing fingers at any of my colleagues. The only right I have is to point a finger at myself. I am a legislator. As the Scriptures say, we have all

seen it and come short of—I am paraphrasing the Scriptures here—come short of what our obligations are.

We are all guilty. We all know this is an abuse of power by the legislative branch, by the spenders. So what we are saying here is let us institute a structural reform that really liberates all of us from this insidious practice of adding pork-barrel spending to otherwise needed appropriations bills. Let us make a structural change so we, as a legislature, can restore some credibility and integrity to our work here.

It is easy to read down the lists, Senator so-and-so did such-and-such. Look at this item. Look at that item. But I am not going to do that. I am not going to do that because we are all guilty. We all need the liberation of doing what I think in our hearts we know is right.

Mr. President, as has been stated often, this adds up to some pretty big money. Senator MCCAIN and I have been offering this alternately over the past many years. We have not been able to break through the filibuster or we have not been able to break through the budget points of order to get the 60 votes necessary to get to a vote on the bill. We trust there will not be a filibuster attempt on this issue. I guess we will find out this evening at 5 o'clock when we go to the bill. We are appreciative of the fact that the Senator from West Virginia has consented to allow us to not have a filibuster on the motion to proceed so we are going to go to the bill at 5 o'clock today. We will find out soon whether or not the Congress is willing to go forward with this in serious debate and serious study.

There is going to be an alternative version, apparently, presented to the version now on the floor. It will be, we believe, substituted for a version that Senator MCCAIN and I and others, Senator DOMENICI and others have worked with Senator DOLE on which we think is a stronger version. We expand the scope of line-item vetoes to not only include appropriations but also target tax expenditures and new entitlements—not existing entitlements but new entitlements. But there is going to be a mild alternative presented, apparently, according to the minority leader—a mild alternative. We considered that, but we rejected it because it is not line-item veto. The same 51 votes that were collected to pass the appropriation in the first place can be used to thwart the President's efforts to stop that spending.

Veto means veto. Veto means two-thirds. Technically, the Constitution does not use the word ''veto.'' But it does call for a two-thirds override by the Congress for bills not accepted by the President, or returned to the Congress by the President. We are applying that same principle, that same rule, to the practice that the President is granted that authority of taking out by line-item pieces of those bills rather than rejecting the whole. So, if there is going to be a measure which fundamentally alters the way in which this Congress operates, it has to be a two-thirds vote. Anything short of that is a mild version that will have little, if any, significant effect on the way we do business.

I think that has been pretty well decided among at least Republicans. And I think it is supported by a number of Democrats who have supported line-item veto authority before, some of them former Governors, others who believe that we could need some structural changes in the way that this Congress operates. And we welcome and appreciate their support.

Members have been told, ''Just offer these amendments. If you do not like something in a bill, offer an amendment.'' Senator MCCAIN in particular has gone to heroic lengths to scrutinize appropriations bills. But they always run up against budget points of order. They always run up against reasons why it really cannot happen. Then the aggregate, in the end, very little change is made and somehow these things keep slipping through. Everybody scratches their head, and, says, ''I don't know how that got in there. It is kind of embarrassing. But I do not know how that got in there.''

For more than 100 years Members have been trying to strike unnecessary pork-barrel spending from appropriations, and the results are not all that good. In 1957 Congressman Stewart Udall said:

> The tendency in Congress naturally is that the local interest is predominant. Each of us have projects. We have Federal programs we fell vital to our districts. In our system of checks and balances, it seems to me a good argument can be made that it is good and it is wise to have someone outside the legislature, namely, the executive, also weigh any particular proposal against the national interest, and I think that is essentially what the line-item veto would do.

Mr. President, in 1957 this Nation ran a budget surplus of $3.4 billion, and our country's debt at the time was $272 billion. The total debt of our Nation accumulated in the first 181 years of our history was approximately equal to this year's current operating deficit; 181 years of effort, of spending the people's money by this legislature is equal today to 1 year of deficit spending.

In 1957 our Nation's books showed no red ink. Yet, even then Members of Congress were arguing for a change in the name of the national interest and in the name of good government. Even when we did not have a significant deficit, even when we were, the last time we operated at a balanced budget on a current year, Members were arguing for a line-item veto because they knew that it would stop a practice of, as Harry Truman said, ''blackmailing the President.''

Today however, the situation as we know has changed radically. The Nation's total Federal debt has increased 1,665 percent; 1,665 percent to $4.8 trillion. Let us go back over that. One-hundred and eighty years it took to get to $272 billion. That was in 1957. And since then it has increased. The debt has increased from $272 billion to $4.8 trillion, a number I cannot begin to comprehend—1,665 percent increase. Maybe this puts it in better perspective. We will borrow more in 4 days in 1995 than we borrowed in the entire year of 1958. We will borrow more in 4 days of this year, 1995, than we borrowed in the entire year of 1958. That is how far we have gone. The arguments of 1957 still stand. Line-item veto helps balance the parochial interest with the national interest. It enables the President to rationally deal with omnibus spending bills. Nothing has changed but the urgency.

According to the CBO, failure to reverse current trends in fiscal policy in the composition of the Federal spending will doom future generations—doom future generations. Every one of us knows that in our heart we will be dooming the future generations by what we are doing here with the taxpayer dollars, and creating a debt which we will not be able to pay as a Nation, which our children and grandchildren will not be able to pay. They will not be able to buy a house at a reasonable interest rate. They will not be able to finance an education for their children. We are dooming future generations.

That is the Congressional Budget Office conclusion. We will doom them to a stagnating standard of living, they said. We will damage U.S. competitiveness and influence in the world, and we will hamper our ability to address pressing national trends. If there is time to do something, it is now, not next Congress, and not next century; now.

So when we proceed on this bill today at 5 o'clock, it will be the first time in the history of the U.S. Senate that the legislative line-item veto will actually be considered as the freestanding bill in its own right.

Last November anger against this Congress burned white hot. With their votes the American people decisively demonstrated their deep frustration with the status quo. Last week the U.S. Senate fueled that anger, and betrayed their trust 2 weeks ago by failing to pass a balanced budget amendment. We demonstrated that we as an institution are more concerned with preserving our power than with protecting our Nation's prosperity.

Let us show the American people that we are serious about changing the way this Congress does business. Let us show them that we intend to present appropriations bills without embarrassment. Let us send the message to taxpayers that under our guidance their dollars will not be wasted, and let us act to boldly eliminate the dual deficits of public funds and of public trust. Let us resist the urge to continue business as usual. Let us finally pass the line-item veto.

Mr. President, the time is now.

Mr. President, I yield the floor.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. LOTT. Mr. President, I wish to be heard on the line-item veto. But just for a moment, I would like to observe the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. LOTT. Mr. President, first, I want to thank several Senators for their tireless effort to put together a process whereby this line-item veto legislation could be considered by the Senate. Without the tenacity and the dedicated work and support of Senator COATS from Indiana, who has just been speaking, and Senator MCCAIN of Arizona, the moment for this consideration would never have occurred. I think they deserve a lot of credit for pushing it through the years, many times as amendments to other bills. They have seen their efforts meet with defeat. But they continued to push for it because they know it is the right thing to do.

Also, I take note of the fact that they have worked with a number of other Senators to come up with a compromise that will be the basis for our consideration as the week goes forward. The majority leader, Senator DOLE, has put a high priority on this legislation. He committed early on that this would be on the Senate agenda early in the session. I think it is probably the fifth bill we have considered this year, and I think he certainly deserves credit for moving line-item veto to the top of our priorities. Senators DOMENICI and STEVENS have played decisive roles in bringing us to the point where this legislation could be laid down, so we could move forward on this important issue.

The quest for a line-item veto has been a 10-year quest. An idea so simple has had a very complicated history; an idea so needed has been needlessly blocked, in my opinion, by politics or by institutional concerns which I do not think are well founded.

We hear from the opponents that there is a plan, perhaps, for a filibuster against the compromise proposal that will be offered later today, sometime around 5 o'clock or later. We also hear from the other side that this may be opposed on a partisan basis, or that it is really not needed by the people. I hope none of that will happen. We have had too much of that already this year. We have already had filibuster after filibuster or slowdowns. We have had to go to cloture votes. This is an important substantive issue which should be debated fully, no question about that. But I hope we will not go to a filibuster. I hope we will not get to accusations about the motives of Senators on both sides of this issue. It is an issue that the American people are familiar with. Basically, I think they understand it and support it. I think we ought to go ahead and debate the merits and have a straight vote on the substance and not get into another protracted filibuster.

The line-item veto, as a matter of fact, has a history of bipartisan support. As my friend from Indiana, Senator COATS, pointed out, Senators HOLLINGS, BRADLEY, and BIDEN have, in the past, offered bills similar to the compromise line-item veto proposal that we shall offer later today. In fact, Senator HOLLINGS has been very much involved in this legislation in the past. Senator BRADLEY has, also.

In the past, Senators EXON, GRAHAM of Florida, KOHL, HEFLIN, SIMON, and ROBB have all voted for a version of the line-item veto. The distinguished minority leader, Senator DASCHLE, of South Dakota, has voted for the line-item veto in the past. I assume he will vote for one in the next few days. He says he supports one version of the line-item veto. But it is a very, very, very weak approach, one that even President Clinton has said he could not support, because it would be very difficult for the President—this President or future Presidents—to actually have their veto sustained, because in fact the Senate, by a simple 51 vote or majority vote, could override that veto. At least, that is as I understand the proposal that will be offered by the minority leader. So we will have to take a close look at that.

The line-item veto has not been just a Republican proposal. Senators of both parties, Presidents of both parties, who believe that we must restore a constitutional balance and fiscal sanity, believe in giving the President this line-item veto authority. That is why I hope we will move quickly on this bill, with the least possible partisan bickering. We need to allow the President —even a Democratic one—the ability to veto waste and pork or line items that have not been properly considered or sufficiently justified. We need to begin to get our debt, which now runs up to something like $13,000 for every man, woman, and child in this country, under control. And it will continue to grow. As has been stated today already, we are looking at a national debt of almost $5 trillion. Where will it end?

I have been for this line-item veto as far back as the late 1970's, when President Carter was in office. I wanted to give him that authority. I was for it during the Reagan-Bush years. I wanted them to have that authority, and I am still for it. President Clinton has supported it and wants to be involved in trying to get this legislation passed by the Senate. So it is bipartisan. It should be nonpartisan.

There have been differences of opinion, and different approaches have been offered in the past. But I think we have come to the point where we have to quit arguing over the approaches and decide to go with one line-item veto or another, but it must be a real one, one that requires a two-thirds vote for the Congress to override the President's action.

So we have before us one that will be offered this afternoon, a solid bill, one that has unity of purpose, to give this authority to the President. It points a way to a future of more controlled spending on the Government's part. It will help us to begin to reduce the size of Government. It will not solve the deficit problem, but it can help. In fact, in discussing this matter with President Clinton, he said when he had the legislative veto as the Governor of Arkansas, it was not that he had to use it so much, it was just the mere presence, the mere existence of that opportunity that provided a chilling effect on excessive or wasteful spending.

Since we are talking about the future versus the past, let me say that those who oppose the line-item veto, on the whole, in my opinion, really are clinging to the past—the way it has been done over the years here in the Congress. As a matter of fact, if you go back and look at the history, Presidents all the way back to Thomas Jefferson had ways, and, in fact, used different ways, to try to control Government spending. The tool used most often was impoundment.

So the Presidents had impoundment from Thomas Jefferson's days all the way up to the 1970's when, during the Nixon administration, the Congress passed the Budget Impoundment Act of 1974. I voted for that act and sometimes I think maybe it was a mistake. When I first came to Washington as a young Congressman in 1973, I was amazed—having served as a staff member and then a Congressman—that really there was no process whereby the Congress looked at the budget. There was never any process where we racked up the revenues coming in and expenditures going out and added them up and admitted what the situation was, admitted how much of a deficit we were creating each year and how much that was adding to the national debt. There was no process to do that. I thought there should be a budget process in the Congress. So I accepted the Budget Impoundment Act of 1974, even though I was opposed to taking away the authority of Presidents to impound funds. I thought Presidents should have the authority to say, no, we should not spend that, it is not the right way, or the times have changed, whatever; but that authority was taken away. In its place we were giving to the President the ability to send up rescissions. But the truth of the matter is that the Presidents' rescissions have not gotten much consideration from the Congress. I will talk more about that in a moment.

So, over the years, we have taken away the ability of the Presidents to really get involved in trying to control and limit or stop spending. So if there

has been a shift in power in this area, it has been to the Congress, away from the President. I tell people in my State of Mississippi that Presidents do not even have the authority, are not required to, and do not sign budget resolutions, that they are out of the budget process other than to send up a budget, and then the Congress sometimes considers it, sometimes throws it out in the street and ignores it, and Congress passes its budget resolution without the President being involved in having to sign a joint resolution on the budget. I think the President should have that authority.

The President does have the authority to sign or veto appropriations bills en bloc. But he must sign it all, whole hog. He cannot say, ''We shouldn't spend in this area,'' or ''There is a problem in this area.'' He has to sign it all or veto it all.

So Presidents over the years have lost a lot of their authority over how the people's money is spent.

Now, I acknowledge under the Constitution the appropriations process rests in the Congress. We should originate the appropriations bills in the House and vote on them in the Senate and we should have a very key role. But I think it is important also that the President have a role.

Now, as a Member of Congress for the past 22 years, I have watched the Congress on occasion try to control itself, control spending. But it never really has happened. Oh, occasionally we will rise up and cut spending a little bit. We did that in the 1980's. We saved a little in the early 1980's. But then the temptation is too great to keep spending, more programs for everybody, more programs for everything, very little consideration really being given to the taxpayers of America.

And for those Americans that are preparing their income tax returns right now, I imagine they are pretty agitated, pretty angry, pretty disgusted with the complicated forms, and taxes seem to be going up every year to pay for a lot of wasteful spending and bureaucracy and regulations and waste and fraud.

We have to find a way to get a grip on it.

And there are those who will stand up, I am sure, in the next few days or next couple of weeks and say, ''All Congress has to do is to do it. We do not need a balanced budget amendment to the Constitution. We don't need a line-item veto. All we need to do is do it.''

I agree. Let us do it. But for 22 years, I have watched the Congress not do it. Congress cannot or has not controlled its insatiable appetite for spending the people's money. It is too easy to spend money. It is hard to control spending.

When we go home as Senators, we sometimes have conflicting messages given to us. Sometimes we want to please everybody. This applies to all of us; I do not exempt any of us; we all get involved in it. When we go home, our constituents say to us, ''Control spending. You need to get the deficit under control. What about the debt?''

And then, as we start out the door, they say, ''Oh, but don't cut Big Bird. Don't cut the Corporation for Public Broadcasting.'' Or, ''Don't cut the farm subsidy.'' Or, ''Can you get us some more money for highway construction, bridge construction, waterway projects, and Farmers Home Administration projects?''

And, by the time you get out the door, you have 17 requests sticking in your pockets for programs not to cut or places they want more money spent.

Now, you cannot have it both ways. We either are going to control Government spending or not.

Do the people really want the deficit brought under control or not? Are the people really worried about here and now, the present, their wants and desires, what they would like to have from the Federal Government, or does anybody worry about the debt that we are dumping off on our children and our grandchildren? When does fiscal responsibility set in? It should set in now.

What we are talking about is change—changing the status quo. Are we going to continue the way Congress has done business for 40 years, or are we going to begin to get a grip on the size of the Federal Government, the waste in the Federal Government, controlling our spending appetite and, yes, allowing the President to be involved in that process, also?

That is why we need this line-item veto. It will be one more mechanism, one more tool that can be used by Presidents to try to control spending, not only in the appropriations area.

And I think the Appropriations Committee members are right. They are not causing the major increases in spending and in the deficit every year. So much of it is in the entitlement areas. So when it was suggested by some of the Senators, in the compromise bill we are going to have offered later on today, that targeted entitlements ought to be included, I also said, ''I agree. Include everything. Anything that is spending.''

Any program that is targeted to a special interest or a small group of people or even one person or one corporation, give us, or the American people, that one last avenue where it can be reviewed. Give the President the line-item veto authority.

I trust the Presidents. At least, we know that it is that person who is the restraint of last resort. In the case of the Congress, quite often the people that are advocating programs are one of 535 people in the House and the Senate. You cannot even get a grip on who really did it.

Somebody said, let us not shift this authority away from the Congress to the President. Well, as a matter of fact, it is not really the Congress. Out of 435 House Members, there might be 10 Congressmen that really, really, know what is going in these appropriations bills or these entitlement bills. In the Senate, maybe there is a half-dozen that really knows what is in this appropriations bill or that appropriations bill, or what is in an entitlements package. So you are really talking about giving the President of the United States one last opportunity to control the maneuvers of 18 or so Members of Congress. That is what you are really talking about.

So I think the line-item veto, used to target wasteful spending, is the wise thing to do. I am even willing to support a line-item veto power for an area that I refer to as the tax area.

Now, in Washington—and only in Washington—when the people get to keep their money, their own money, the money they worked hard and earned, in Washington, that is called a tax expenditure. That is the Government spending money by letting the taxpayers keep their money. How ridiculous can you get?

The man and woman out there working every day, 8, 10, 12 hours a day, two jobs, if they get to keep their money, in Washington, that is a tax expenditure. Only in Washington can that happen.

But, a so-called tax expenditure or a tax cut can also be a special deal. I have watched in wonderment in the past after we passed major tax bills, when I was in the House, the Ways and Means Committee would have transition rules. I never quite figured out what that meant. But sooner or later, I figured out what it means is a lot of special deals for a lot of Members of the House and particularly of the Ways and Means Committee.

Every member of the Ways and Means Committee would get a little deal, a little line item, a little insignificant thing, just a few hundred million here or maybe a billion there. And then it would come over to the Senate. We would pass another tax bill. And then you would have the transition rules and this member of the Finance Committee or that member of the Finance Committee would get a special deal.

Maybe I am just mad because I never got one of those. But it puts a burden on me as a Senator looking out for my State. If I do not get some of these special deals, my constituency maybe is left out and some other constituency in some other State gets a special deal.

But that is ridiculous. We should stop that kind of stuff. That is what leads to waste of the people's money, waste of the taxpayers' dollars.

And so if we can develop language that says, yes, in a narrow way, in a targeted way, where there is a special deal for a limited number of people or limited number of corporations, I am willing to look at that. Let the President look at that.

I mean he is not a czar. He is not some person off in some foreign country. We are talking about the President of our United States.

I call the line-item veto accountability—accountability. Let us at least put the monkey on the President's back. Let him have the authority. And if he does not use it, then we know who to blame.

Now, you can hardly even find out who sponsored these transition rules. You cannot even dig around in a report and find out why this new Federal building is being built or who for. Let the President have this line-item veto authority. I think that it will begin to turn things around.

For the future, if we do not change our ways, it will be very bleak. Higher and higher deficits, less and less savings, bigger and bigger Government spending—these are what we have to look forward to without change now.

And that is what the American people voted for in 1992 and in 1994. They want change. Are they going to get it? Not unless there is a change of attitude in this body.

We lost the balanced budget amendment by one vote. If any one of 34 Senators would have changed their vote, we would have added that to the Constitution or given the people a chance to vote on it to put it in the Constitution through the ratification process.

And now the line-item veto. This would be a major step forward.

We have not let small differences of opinion block us from securing a better future. We should not let politics stand in the way of a better fiscal discipline in the future.

The forces of the past that are fighting with their last breath in this city say that we are giving the President too much power if we pass the line-item veto.

I just think that is wrong. The bill does not expand the power of the President. It allows the President to use the veto authority he already has to pare out waste, pork, and abuse. Congress still has the power to overturn the President. If the President is truly wrong, the Congress will overturn him.

Also, why be afraid of allowing this current President to use his power? We, on this side of the aisle—the Republicans—are ready to give this authority to President Clinton so he can have the opportunity to pare spending. We believe the line-item veto wielded by any President is a way to limit Government.

People might say, well, maybe President Clinton just wants this special deal. Other Presidents might not have felt that way. Let me just read what some of the former Presidents have said, going all the way back—I mentioned Thomas Jefferson—but let me go back to Ulysses S. Grant. He urged the Congress to give him the line-item veto. He said, ''I will not complain about the extra workload.''

President Chester B. Arthur, after deprecating the practice of combining appropriations for a great diversity of objects widely separated in nature and locality in one river and harbor bill, President Arthur, in his second inaugural message to Congress on December 4, 1882, suggested that the Congress enact separate appropriations bills for each interim improvement, exactly what we are talking about doing right here. He wanted that authority to line out some of these projects that really were not justified.

President Franklin Roosevelt, in his budget message for fiscal year 1939, pointed out the advantages of the line-item veto in the majority of our States and remarked that the system meets with great general approval in the many States which have adopted it. Forty-three State Governors have this authority. Most of them have not abused it. And a lot of them do not use it very much.

Franklin Roosevelt supported this initiative. President Truman said, ''One important lack in the Presidential veto power, I believe, is authority to veto individual items in appropriations bills. The President must approve the bill in its entirety, or refuse to approve it, or let it become law without his approval.'' That is exactly what we are talking about doing in the compromise legislation we will be considering later today.

President Eisenhower backed a line-item veto. And the list goes on. The Presidents have all recognized the great need for this authority. There have been many complaints in recent history, back in the 1960's, 1970's, about the Imperial Presidency, but not enough about the spendthrift Congress.

If Congress alone could control our spending habits and cut out pork, we would not have the deficit we have today. But we have it.

The line-item veto puts Congress on notice that every Government program and policy will be under scrutiny. Spending and tax policy will no longer be done in the dark. I could talk for a long time about how that happens in some of our conferences that occur between the House and the Senate. The forces of the past say line-item veto will not solve the deficit. I say the line-item veto is a step in the right direction.

As the saying goes, it might just save $100 million there, or a few million there, or maybe $100 million there. Sooner or later, it adds up to real money. But it is a start, and it will help put such a chill on a lot of useless spending that the President would never even have to use the line-item veto.

Surely, a nation cannot spend without bounds forever. Surely, a country cannot rob from its children always. Surely, a government can change its ways. The line-item veto is part of a comprehensive strategy, including the balanced budget amendment, to limit the growth of Government. That is what we are talking about doing here today with this legislation.

Mr. President, as the debate goes forward, I am going to talk more about the specifics of how we will have separate enrollment in the legislation we will be considering. I will talk more about the constitutional questions that have been raised about this legislation. I think that will be a very important discussion.

I am satisfied that what we have proposed today, what will be laid down this afternoon, is constitutional and we will debate that at great length.

Just one final point before I yield, because I see there is at least one other Senator waiting to speak. It has been maintained over the years that the President has the rescission authority, but it is just that they have not used it that much, or maybe the Congress just has a little different idea of how it ought to be used.

As a matter of fact, I remember when I was in the House one time, the President sent up—I guess this was during the Bush administration—sent up a couple billion dollars in rescissions. The distinguished Republican leader in the House at the time, Bob Michel, called in his appropriators, the college of cardinals, who sat around the table and said: We have a couple of billion of rescissions from the President. Can we go forward with those? Can we have these savings? The college of cardinals went away and they came back and said, ''Well, we think maybe we could get about $69 million out of $2 billion.''

What happened in 1990, 1991, 1992, 1993, and 1994? Congress enacted rescissions, but also replied to new spending. So it is the same old deal. Even if the President tries to save a little money, Congress says, ''Voila, a little more money. We can spend that.''

Mr. President, I am glad we have come to this point. I hope my colleagues will really look seriously at this line-item veto. Let Members make it bipartisan. Let Members have it supported by the Congress and by the President. The House of Representatives has already done its job. The President, a Democrat, agrees with the Republican House. Now it is in the hands of the Senate.

We will make the decision on the line-item veto. I maintain that this decision is a lot bigger than just this one item of the line-item veto. The bigger issue is whether or not we really have any desire to control spending. If we do, we will adopt this legislation.

I yield the floor.

Mr. COATS. Mr. President, under the unanimous-consent agreement, it is my understanding that time is to be allocated between the two managers of the bill. I would like to ask the Chair what the current time situation is.

The PRESIDING OFFICER. The Republicans control an hour and the Democrats control approximately 2 hours and 30 minutes.

Mr. COATS. Mr. President, I might just note to my colleagues that we are getting kind a time imbalance situation here. It is our thought the time would be allocated back and forth, and we would be roughly equal when we moved to the hour of 5 o'clock. That is not happening.

I had a number of speakers for the proponents of line-item veto that wished to speak. I am concerned about the allocation of time and not having an opportunity to speak. I would just state to my colleagues that those who are interested in speaking today, if they could notify me, we will try to ensure that they have the opportunity to speak. Those who are speaking in opposition to this, this is a good time to come to the floor in order to state their opposition.

Otherwise, we may be in a situation where we have a lot more speakers for a line-item veto than against a line-item veto, and run out of time for those who are for, unless the minority is willing to yield some of their time, which they generously did on Friday. I just give that notice to my fellow Senators.

I would now like to yield whatever time he may consume to the Senator from Missouri.

Mr. ASHCROFT addressed the Chair.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. ASHCROFT. Mr. President, it is my pleasure to have an opportunity to speak today on behalf of the line-item veto. As I have said many times over the course of the last several months, a balanced budget is an aspiration or a goal. It is like saying that we intend to live within our means. The question then becomes how do we move from an aspiration to the actual achievement of our goal? One of the ways is to have the right tools. The line-item veto is just that.

I was very interested in the comments offered by the Senator from Indiana, Senator COATS, earlier in the day. He was talking about special interests and their impact on the appropriations process. Often, a number of special projects are inserted to benefit specific districts or States. Then, when either the Senate or the President acts on the bill, there is no real opportunity to knock these things out because they are voted on as a group. As a result, we end up spending a lot of money that we would not spend if each of these items were to be held up individually to the light of day.

I think this is a critically important point. We should understand that there is a difference between the national interest and the special interest; for example, it could be in the interest of an individual State to get several transportation projects from the Federal Government. However, this allocation of funds, while in the interest of the State, might not to be in the best interest of the Nation.

All too frequently, Members who are elected to represent the State interest or the interest of a specific district are willing to participate in putting these projects into legislation. Consequently, it is important to look at one person alone who is endowed with the ability to protect the national interest, the President of the United States. He is the only individual who is elected by citizens from every State and territory in the Republic.

So it is appropriate, then, that the President be given the tool with which to protect the national interest. I think the President needs that tool. Every President this century, with the exception of one, has asked for it. They have asked for it even in times when we were not facing the overwhelming deficits we are facing now.

If it is not good for America, in the long run, it cannot be good for our States. I think people all across America have finally decided they do not want any more special favors for their locality if it means that the United States as a whole will suffer. It is kind of like racing home to a different room in a big house and putting more and more rich goods and furniture into the room and not attending to the maintenance of the entire house.

I think we have come to the conclusion that if we do not protect the structural integrity of our house, it will not matter how many benefits we drag home to our room. For if the house falls down, those things which we think we are enjoying will be of little value.

Incidentally, the figures on the debt continue to rise. The end of the debate over the balanced budget did not end the increase in the debt of the United States. Every 4 days we increase the debt as much as we did in the entire year of 1958. That is how headlong we are racing into debt—$4,815,827,000,000 of debt, and we are moving, according to the President's projected budgets over the next couple years, to a $6-trillion-dollar-plus debt by the year 2000.

One of the things that was of interest to me in the last several weeks was the way in which the world markets responded to our failure to pass the balanced budget amendment. There was a crisis in confidence about the value of the dollar, and no matter to whom you talked, no matter which economist you interviewed, they all indicated there was a substantial impact of a loss of confidence that flowed from the failure of the U.S. Senate to pass the balanced budget amendment. One of the ways the world markets reflect disenchantment is to devalue our currency. They just will not pay as much for a dollar as they once did. Another way is that those who finance U.S. debt will be less likely to hold it.

What happens if the interest rate on our debt goes up? If interest rates go up by one-one hundredth of 1 percent—this is known as a basis point in the financial industry—that is $350 million a year. If interest rates go up by 1 percent it will cost the United States of America $35 billion in additional interest.

So what we do here does make a difference. It makes a substantial difference. It is time for us to enact the line-item veto so that we can put a tool in the hand of the President of the United States to help him manage, in the national interest, the expenditure of the resources that the people of this great country provide as a basis for our conduct of government.

Some people try to estimate how much the President would be able to cut out of the budget. I believe almost all of the estimates about how much the President would cut underestimate the real impact of the line-item veto. Because many of the projects which have been tucked away in appropriations bills are so embarrassing and self-serving, I do not believe any Senator would ever want to add them in the first place if they thought they would come back for individual inspection. So, as a result, I believe there would be a tremendous chilling effect on spending.

President Truman, who hailed from my home State of Missouri—and, of course, I hailed from his home State—said that there was a great deal of legislative blackmail that went on in bills that needed to be signed. That is part of this culture of spending which is, in my judgment, a detriment to this country. It is not good for America. It is not good for our individual jurisdictions, and we must reject it.

I have said in the past, and I would like to say again, that the people of this country all operate with the line-item veto. Every kitchen table in America has one. You sit down at the kitchen table, and you put your budget together. You talk with the family about what you can afford and what you cannot afford.

The average family that sits down at the kitchen table engages in what I call kitchen table budgeting, and they do so in a way which provides balance, as well as a set of spending priorities. I preformed this same function not only as the head of my household, but also as Governor of the State of Missouri. I can remember in every year having to knock out some expenditures, one year for staff expenses at the public defender's office. We wanted to have the defense that was appropriate in our public defender's operations, but we had to cut a couple hundred thousand dollars there. We simply had to draw the line through the increase.

I remember one year when some folks who were powerful politically wanted to have $15,000—just $15,000—to restore and repair a cemetery. It was not a public cemetery. It was not a State cemetery. It was not on State land. They thought they just might be able to talk their way through the legislature with it, and, sure enough, they did. But as a Governor I had the opportunity to draw a line through it and to send it back.

There were other worthy things that had to be eliminated or reduced. The lawyers of the State were building a new law school when I was Governor, and I had a rule that I expected the institutions to come up with 20 percent of the funds for capital projects. I thought, if we were helping people with their education, some of these well-to-

do lawyers could chip in and help build the new law school.

They got through the general assembly a full appropriation so that they would not, these lawyers, these poor lawyers who were strapped for funds, have to provide 20 percent of the funding. But I had to draw a line through those extra funds and knock it back to 80 percent. In the end, they came up with the resources, and we have a great new facility at one of the finest law schools in the country. The reason we did, though, is that we have the kind of financial integrity that would protect us in the long run. The Governor of the State has the responsibility to keep spending in line. Mr. President, 43 Governors do. I did not do anything special as Governor of the State of Missouri. It is common for Governors to do that. And just as Governors do it, we do it around our kitchen tables.

I have put together a chart here representing a budget for a normal family of four, a family that earns about $35,000 a year, monthly income of $2,900.

The first thing you have to pay is your Federal income taxes. And if you take this $670 and you subtract it from the $2,990, you get down to $2,320 for the month. You move down to food, subtract it, and you have $1,870. Then, you need to make your car payment. You subtract the $300 from the $1,870, and you come to $1,570.

You have a Super Nintendo that the kids are screaming for. That is another $100. That would take you to $1,470. And clothing of 200 bucks to get the kids ready for summer. That takes you from $1,470 to $1,270.

Utilities are a must. That is $150 from $1,270 to $1,120. And then Freddy needs braces, and that is $150 a month, which takes you from $1,120 to $970; eliminating the trip to Disney World takes you to $820. And rent—you do not want to fail to pay the rent—$210. Car and property insurance, another $110. Wait a second. I see I have run out of money before I have reached the end of my list.

When you run out of money before you get to the end of your list, what you have to do is start to set priorities. You have to have a line-item veto or you go into debt. What are we going to do? Are we going to pay the interest on the credit card? We better. Are we going to continue to have a telephone? Well, that is probably a necessity in today's society.

How do you handle it, when you come down here and you are only a third or two-thirds of the way through the list and you run out of money? Simply put, you make some adjustments in what you spend. You implement what I call the line-item veto.

This is the way we handle it at our house. You know, we are $320 short here at the end of the chart. We are going to have to make that up. If we knock out cable TV at $40 that will move us closer to our goal. Unfortunately, we're not quite there. Perhaps you could knock out this trip to Disney World; that would save you $150 a month over the twelve months in which you would save for the trip. Suddenly, we are $190. We still, however, need $130 more.

Wait a second, Super Nintendo, you could remove that from the list of expenditures. Now you are at $290. You still need another $30. You could eliminate the swimming lessons at $30. That would get you to $0. Or, alternatively, you could reduce your general entertainment funding from $100 down to $70, score the swimming lessons as a form of entertainment, and still get to $0. Mr. President, this is the way the average family does it. You simply sit down, total up your resources, and then ensure that you don't subtract more from your resources than you actually have.

This is what proponents of the line-item veto want for the President. I want to put this big, black Magic Marker in the hands of the President. I trust him enough to say, ''President Clinton, you take the line-item veto and mark off the things that we can't afford. You mark out the provincial, you mark out the parochial, you mark out the targeted spending that does nothing to help America. Then, you send it back here and force two-thirds of the Senate to vote to restore the individual appropriations.

Mr. President, I believe it can work, and it is critically important that it does work. Because the debt of this country is being displaced on to the next generation. It is one of the truly tragic and unreported tragedy of our times. We need someone with the authority and the responsibility to draw a line through the Super Nintendos, through the things we do not fundamentally need and save this country for the next generation.

We are $4.8 trillion in debt and the yet-unearned wages of the next generation are calling out for management, calling out for fiscal restraint, calling out for fiscal responsibility. We cannot allow ourselves to continually be the subject of the legislative blackmail of which Harry Truman spoke. We should give the President the authority to do in the Oval Office what every family does at the kitchen table.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. DEWINE). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HOLLINGS. 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. HOLLINGS. Mr. President, on the subject of a line-item veto, let me say that I want to join with those who believe that we should fix responsibility. Specifically, we have been trying over many years to do just that. Back in 1990, we reported out of the Budget Committee, by a bipartisan vote of 13 to 6, S. 3181, my separate enrollment line-item veto bill. Unfortunately, we were never able to see it enacted. I joined later with the distinguished Senator from New Jersey, Senator BRADLEY in extending this mechanism to wasteful tax expenditures as well as appropriations. We had a 53 Senators support us in 1993, but budget rules at the time would have required 60 votes.

I say fix the responsibility in the sense of fixing it to a single Member of not only 100 here, but 435 on the other side of the Capitol; one in 535. I can put an amendment to any particular measure and, if I get a majority vote, it passes. I think the President of the United States ought to be able to put up an amendment, so to speak, with respect to the denial of a particular item and get a vote; namely, two-thirds to override what he may have disapproved of.

So often, the President will come, as President Reagan did during his 8 years in office, with a big stack of books and papers. He would say, ''Now look. Congress has given this to me at 12 o'clock last night, and I had to either sign it immediately or close down the Government the next day.''

If my memory serves correctly, President Reagan vetoed only one spending measure at the very beginning of his first term. Thereafter, there was almost a working agreement between the Congress and the President of what was veto bait and what would be approved by the President. In conference, the conferees would say, ''We will have to leave these things off.'' As a result, there was a sort of comity between the White House and the Congress that those vetoes were not necessary.

I suspect the case was much the same with President Bush. However, I should note that in his 4-year period, our past President never vetoed one red cent of spending. He never vetoed a spending bill.

So it was not really a thing that was causing so much a culture of costliness, as my distinguished friend from Missouri was previously referring to, but in the public's mind, there was a cynical game being played in which neither the President nor the Congress was willing to accept responsibility for spending money on certain programs.

Mr. President, I used the line-item veto 35 years ago as Governor of South Carolina. It was very, very helpful to this particular Governor, at that time receiving a AAA credit rating, which I am sorry to observe at this particular time has been lost. But this Governor was the first southern Governor from Texas up through Maryland to get a AAA credit rating. I was proud of that. I could talk to my colleagues. I had the vetoes and used them to help balance the budget.

But without a line-item veto, we are treated to spectacles similar to the flap over Lawrence Welk's home that occurred a few years ago. If I remember correctly, the distinguished former

Senator from North Dakota, Senator Burdick, did not even realize that someone had stuck in money for Lawrence Welk's home. That was an embarrassment to both Houses of Congress, all the Congressmen and all the Senators.

A line-item veto not only fixes responsibility but, more than anything else, saves the body from the embarrassment and the charge that we are willy-nilly passing pork-barrel projects.

Now, with respect to the relinquishment of power, as the old saying goes down in my backyard, ''I studied my humility under the mental rules.'' You do not have to worry about the power of the Senator. In this day and age we have Senators who not only hold up the President but who hold up the whole Congress as well. You are not lacking power. If a Senator wants to put in Lawrence Welk's home, and he does not like the idea that the home has been vetoed by the President, he has plenty of opportunity to speak extensively if he pleases. But in the light of our fiscal dilemma, the present gamesmanship has to stop. I think it is unforgivable that we engage really in the procedures in the process rather than the substance.

I remember my distinguished friend, the chairman of the House Budget Committee, said on December 18 on ''Meet the Press'' that he was coming in January with all of the spending cuts before they came with the tax cuts, and that he had three budgets and did not have to wait on the President's budget. He said that we would start moving immediately in January. Of course, the House passed the tax cuts, and are yet to pass specific spending cuts.

It is now getting toward the end of March and the Budget Committee has yet to meet to start marking up a budget. They tell us it will be sometime in May before we even begin. Mr. President, I hope the RECORD will reflect that at least this Senator thinks we ought to be getting to the substance.

If I could digress for a moment back to the debate on the balanced budget amendment, I would like to refer one more time to section 13301 of the Budget Enforcement Act, wherein a line says: Thou shalt not use the Social Security trust funds in any calculation of budget deficits.

I ask unanimous consent at this particular point to have printed in the RECORD the vote at that time, on October 18, 1990, where we got a vote of 98 to 2 in favor of section 13301.

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

[ROLLCALL NO. 283]

YEAS (98)

Democrats (55 or 100%)

Adams	Bentsen
Akaka	Biden
Baucus	Bingaman
Boren	Kerrey
Bradley	Kerry
Breaux	Kohl
Bryan	Lautenberg
Bumpers	Leahy
Burdick	Levin
Byrd	Lieberman
Conrad	Metzenbaum
Cranston	Mikulski
Daschle	Mitchell
DeConcini	Moynihan
Dixon	Nunn
Dodd	Pell
Exon	Pryor
Ford	Reid
Fowler	Riegle
Glenn	Robb
Gore	Rockefeller
Graham	Sanford
Harkin	Sarbanes
Heflin	Sasser
Hollings	Shelby
Inouye	Simon
Johnston	Wirth
Kennedy	

Republicans (43 or 96%)

Bond	Kassebaum
Boschwitz	Kasten
Burns	Lott
Chafee	Lugar
Coats	Mack
Cochran	McCain
Cohen	McClure
D'Amato	McConnell
Danforth	Murkowski
Dole	Nickles
Domenici	Packwood
Durenberger	Pressler
Garn	Roth
Gorton	Rudman
Gramm	Simpson
Grassley	Specter
Hatch	Stevens
Hatfield	Symms
Heinz	Thurmond
Helms	Warner
Humphrey	Wilson
Jeffords	

NAYS (2)

Democrats (0 or 0%)

Republicans (2 or 4%)

Armstrong	Wallop

Mr. HOLLINGS. Mr. President, I also ask unanimous consent that an article entitled ''Impact: Stop Playing Games With Social Security'' be printed in the RECORD.

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

[From the State, Columbia, SC, Mar. 12, 1995]

IMPACT: STOP PLAYING GAMES WITH SOCIAL SECURITY

(By Senator Fritz Hollings)

''Nobody, Republican, Democrat, conservative, liberal, moderate, is even thinking about using Social Security to balance the budget.''—Sen. Trent Lott, R-Miss., ''Face the Nation,'' Feb. 2

In the recent weeks of floor debate and television interviews, many senators repeatedly pledged not to use Social Security funds to balance the budget.

They even passed an amendment by Senate Majority Leader Bob Dole to instruct the Budget Committee to develop a budget that didn't use Social Security funds but would conform with the constitutional balanced-budget amendment.

In the meantime, while Dole was struggling to pick up one vote to pass the amendment, five Democrats vowed they were ready, willing and able to vote for Social Security. In fact, the night before the vote, the five sent Dole a letter of commitment to vote for the amendment if Social Security were protected.

On March 2, the constitutional amendment failed by one vote. And over that weekend on ''Face the Nation,'' Dole again reaffirmed his intent on Social Security when he said ''We are going to protect Social Security.''

If he remains that committed, why did he refuse to put his word on the line in black and white on March 2 and pass a constitutional amendment by at least 70 votes? Because he knew that accepting the five Democratic votes would have cost him an equal number of votes of Republicans determined to spend Social Security surpluses on the deficit.

Dole didn't want to expose his Republican troops or expose the truth. While Republican rhetoric pledged to protect Social Security, Sen. Pete Domenici, chairman of the Budget Committee, and other Republicans were telling Dole that the budget could not be balanced without using Social Security surplus funds.

All of this word-batting—of saying one thing in public and trying to work around it in private—has led Americans to believe that there is a free lunch, that all we have to do to eliminate the deficit is to cut spending. The vote on Social Security exposes this myth.

Republican senators have no real intent on eliminating the deficit; they just want to move it from the federal government to Social Security.

Currently, Section 13.301 of the Budget Enforcement Act prohibits the use of Social Security funds for the deficit. But part of the balanced-budget amendment would repeal current law.

Even with all the promises tendered to correct Social Security with future legislation, any civics student knows you can't amend the Constitution with legislation. That's why the five Democrats—me included—insisted on including Social Security protection in the wording of the constitutional amendment.

Dole's stonewalling against our five votes on the constitutional amendment reveals another harsh truth: $18 trillion in spending cuts is necessary to balance the budget in seven years. But many senators reveal their intent to use Social Security surpluses when they state that only $1.2 trillion is necessary. Let face realities:

There won't be enough cuts in entitlements. A jobs program for welfare reform will cost. Savings here are questionable.

You can and should save some on health reform, but slowing the growth of health costs from 10 percent to 5 percent still means increased costs. Social Security won't be cut, and any savings by increasing the age of retirement would be allocated to the trust fund, not the deficit.

Both the GOP's ''Contract with America'' and President Clinton have called for increases in defense spending. Result: No savings.

Therefore, savings must come from spending freezes and cuts in the domestic discretionary budget.

Coupling these cuts and freezes with a closing of tax loopholes still isn't enough to meet the target of a balanced budget in seven years. That's why Domenici has determined that Social Security funds will have to be used.

But using Social Security won't eliminate the deficit. It simply would increase the amount we owe Social Security. Already we owe $470 billion to the trust fund. If we keep raiding it, the government will owe Social Security more than $1 trillion by 2002. Harsh realities. But there's a fifth and even harsher

reality. All of the spending cuts in the world aren't politically attainable now. Domenici knows it's hard to get votes for enough cuts. To his credit, he tried in 1986 with a long list of cuts by President Reagan and the Grace Commission. But he got only 14 votes in the Senate.

Rep. Gerald Solomon, a New York Republican, also tried a list of $1 trillion in cuts just a year ago in the House. He got only 73 votes of 435.

In addition, the problem of balancing the budget with spending reductions is exacerbated by the ''Contract with America's'' call for a $500 billion tax cut.

The reality today is that a combination of cuts, freezes, loophole closings and tax increases must be cobbled together to put us on a glide path to balancing the budget. Now is the time to stop the finger-pointing, the blaming of the other guy. Now is the time to stop dancing around the fire of changes in the process.

It's a pure sham to think that constitutional balanced-budget amendment will give Congress discipline.

It you put a gun to the head of Congress, it will get more creative. The proof is in the pudding that's being cooked all over town.

Some tout abolishing departments like Commerce and Education. But their functions would continue somewhere. Others say send everything back to the states. But that way, the states would pick up deficits instead of the federal government.

Of course we know some want to use $636 billion in Social Security funds. And there's talk of picking up $150 billion by recomputing the Consumer Price Index and another $150 billion by re-estimating the growth of Medicare and Medicaid.

There are even those who want one-time savings, like selling the electric power grid or switching to the capital budget system.

In other words, there are people throughout town who are figuring out ways to make the federal budget appear balanced with hardly any cuts. With a balanced-budget amendment, they would be able to play this game for seven years.

Time out!

The gamesmanship, the charade, must stop. If this nonsense goes on for seven years, the United States will be down the tubes.

For all the talk about eliminating the deficit, the debt snowballs. Why? Because we add $1 billion a day to the debt by borrowing to pay interest.

In January and throughout February, I offered 110 spending cuts or eliminations from domestic discretionary spending. This was worth $37 billion in the first year and put deficit reduction on the glide path toward a balanced budget by 2002.

But even if these politically impossible cuts were agreed upon, the interest cost on the debt is growing at more than $40 billion a year.

The United States is in a downward budget spiral and we are meeting ourselves coming around the corner. Like the Queen in ''Alice in Wonderland'' told Alice: ''It takes all the running you can do, to keep in the same place. If you want to get somewhere else, you must run at least twice as fast as that!''

Let's get past all the shenanigans. Let's include Social Security protection in the balanced-budget amendment. Then we could pass the amendment and get down to the hard work of balancing the budget.

Mr. HOLLINGS. Mr. President, the point of this particular article, of course, is in responding to the statement of the distinguished majority leader that we will call up the balanced budget amendment later this year. What the article plainly outlines it that we can call up the balanced budget amendment this afternoon and immediately pick up five votes if they only put in black and white what they say verbally. They say time and time again that ''We are not going to use Social Security funds.'' In fact, after the particular vote, the distinguished majority leader, on ''Face the Nation,'' said, ''We are not going to use Social Security funds.'' All we are asking for is to put that rhetoric into constitutional language.

When Members on the other side of the aisle get into these demeaning antics of holding up signs depicting Senators as ''Wanted,'' like a rogue's gallery for flip-flopping, that, of course, is a double-edged sword. Maybe we should go out in front of the Capitol and get the pictures of the leaders on the other side who voted for the Hollings-Heinz amendment in 1990 and who now have flip-flopped.

Mr. President, let me conclude this afternoon with a comment about a particular article. I ask unanimous consent that this article be printed in the RECORD.

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

[From the State, July 1991]

LINE-ITEM VETO CAN CUT THE NONSENSE

(By Ernest F. Hollings)

Taxpayers are fed up with spending bills that are chock-full of baubles for the folks back home.

In one widely publicized line-item caper, the 1991 agriculture (agricultural) appropriations bill earmarked $500,000 to spruce up Lawrence Welk's birthplace in Strasburg, N.D. Now we all know that, in Washington terms $500,000 isn't ''real money,'' but thousands and thousands of these little line-item outrages add up to real money indeed. Budget Director Dick Darman now says that the 1991 federal deficit will top $280 billion—a new record—with next year's deficit skyrocketing to $348 billion. These mega-deficits—and the nearly $380 billion in interest we pay annually on the national debt—constitute the worst case of waste, fraud and abuse in government today.

Right now, the burden of budget cutting is almost exclusively in the hands of Congress, and—no surprise—this one-sided arrangement just isn't working. Telling Congress to cut out the pork is like telling Liz Taylor she can't have any more husbands.

The line-item veto would give the President a cleaver and oblige him to join the fray as a more active player in the fight against waste. If he's politically courageous and puts his veto where his mouth is, then those annual deficit totals will start heading south instead of north.

Certainly, the line-item veto has worked superbly in South Carolina, as well as in the other 42 states that have it. During my term as Governor, I repeatedly used the line-item veto to eliminate millions of dollars in unnecessary spending. In the process, I was able to balance four state budgets and win the first AAA credit rating of any Southern state.

In contrast, the Washington budget process relegates the executive to the sidelines. After the President submits his budget proposal in January, he—along with members of his party in Congress—can effectively wash his hands of the messy business of actually writing a budget. He doesn't have to cooperate in the drafting of bills, and the President can even disclaim responsibility for the bills he signs into law.

Accordingly, we are subjected to the showmanship made famous by President Reagan: With TV cameras rolling, the President holds up the massive text of an appropriations bill, feigns disgust at all the wasteful spending larded into its thousands of line items, then signs the bill under mock protest, claiming that the devil—i.e., Congress—made him do it.

And who can blame him? As it now stands, the President has only two options: He can sign an appropriations bill, or, if he objects to one or more specific line item provisions, he can veto the bill in its entirety. My line-item veto bill would give the President a vital third option; to veto wasteful specifics in an appropriations bill while signing into law the overall measure.

Opponents of my bill invoke high-falutin constitutional arguments; they claim that a Presidential line-item veto will skew power toward the executive branch. But these critics simply miss the point. The point of the line-item veto is to eliminate waste and get a handle on the deficits. Given the magnitude of our budget crisis, it is grossly self-indulgent to make a fetish out of legislative prerogatives. The issue here is not the separation of powers; the issue is Congress and the White House sharing co-responsibility and co-accountability for paying the bills.

The line-item veto has another purpose, too: To restore the credibility of our government in Washington. Congress' reputation as an institution suffers the death of a thousand blows as these line-item excesses are made public on the evening news.

My line-item veto bill has passed in the Budget Committee with a 13–6 majority. But, realistically—with so many senators of both parties jealous to protect their personal and institutional prerogatives—it will be an uphill fight on the Senate floor.

This opposition is misguided. With the budget ox in the ditch, it is silly to squabble over whether Congress or the White House will hoist him out. Clearly, it's a job we must do together—urgently.

Mr. HOLLINGS. This article is entitled ''Line-Item Veto Can Cut the Nonsense.'' We put this article in our own hometown newspapers back in July 1991. We have been working many years now to get a line-item veto. I have used it, and 43 Governors use it today.

I commend the leadership on the other side of the aisle for bringing this matter to the attention of our colleagues. As I understand it, when the Republican leadership presents their so-called compromise at 5 p.m. today, they will put before the body legislation that includes the separate enrollment mechanism that I have long championed. You should not be misled by this political rhubarb about 2,000 items and 2,000 vetoes. That has not been the experience of any Governor, and it is not going to be the experience of the National Government.

The fact of the matter is that Prof. Laurence Tribe of Harvard gave to our good colleague, Senator BRADLEY from New Jersey, a letter supporting the constitutionality of the separate enrollment mechanism.

I know the chairman of our Budget Committee, Senator DOMENICI of New Mexico, has been trying hard to get a line-item veto of some ilk or character

into the hands of the House and to pass the U.S. Senate. If the compromise is based on the separate enrollment approach, then bless them all, because that is exactly what we voted out of the Budget Committee, Republicans and Democrats, 5 years ago. That is what 53 Senators including Senator BRADLEY and myself voted for on the floor of the U.S. Senate. That is what stands constitutional muster. It allows the President to use his existing constitutional authority to approve or disapprove; and upon disapproval by veto, a two-thirds vote is required of both Houses to override.

I thank the Chair and yield the floor.

Ms. SNOWE addressed the Chair.

The PRESIDING OFFICER. The Senator from Maine.

Ms. SNOWE. Mr. President, as we all know, a couple weeks ago, we lost the balanced budget amendment by one vote. We turned back the tide of change that was pushed forward by the people of this country in the last election. That vote truly prevented us from changing the economic course of this entire Nation. Fortunately, and hopefully, we will have another vote on that issue at some point in the future. But, until that time, we have a moral obligation and, I believe, an economic responsibility, to continue the fight against increased deficits and a ballooning national debt.

We in the Senate must take up that fight because it is obvious that the President and his administration have abdicated all fiscal responsibility and interest in ending the economic status quo. We just have to look at the latest budget proposal offered by the administration for fiscal year 1996. We still have $200 billion in annual deficits. We cannot allow them to be acceptable commodities for the future. We have a $4.8 trillion debt and we can expect, with the administration's projected budget for the next few years, that the budgets will add another $1.3 or $1.5 trillion in addition to the national debt. We have $200 billion currently in interest payments each year. That certainly is something that needs to be addressed.

If you look at the President's budget estimates and what has been reestimated by the Congressional Budget Office, it is interesting, in the March 8 CBO report, they reestimated the administration's deficits, because they were underestimated, over the next 5 years, by between $14 to $82 billion, for a total of $209 billion. In 1996, they underestimate the deficit by $14 billion; in 1997, by $18 billion; in 1998, $34.6 billion; in 1999, $58.6 billion; in 2000, $81.6 billion.

That is what we are addressing over the next few years. So while we have lost the balanced budget amendment—at least for the time being—I hope then that we can consider and pass the line-item veto.

The line-item veto is an idea whose time has come. In reality, the line-item veto is an idea whose time came, went, and now has come back. In 1974, the Congress passed the Impoundment Control Act which, among other things, stripped the President of the power to impound specific and often wasteful spending programs from the Federal budget. It was a right our Chief Executive had been afforded already for almost 200 years.

Perhaps not coincidentally, 1974 marked the year that truly ushered in the era of perpetually unbalanced Federal budgets and established one of Congress' worst fiscal losing streaks: 26 straight years of unbalanced budgets and mounting national debt. While the retention of Presidential impoundment powers in 1974 may not have prevented a $4.8 trillion debt, it may have helped decrease part of the more than $4 trillion that has been added to our debt since that period of time.

The line-item veto is another critical tool to help us reach our goals and to put us on the path toward fiscal responsibility, and America needs it now more than ever before.

I would like to first commend the sponsors of this bill for their tireless work and for their ongoing commitment to eradicating waste and unnecessary spending from the Federal budget. The Senator from Arizona [Mr. MCCAIN] has argued the merits of a line-item veto for the past 7 years, since his election to the Senate. He has been ably joined by the Senator from Indiana [Mr. COATS], whose record on fiscal responsibility is one of the best in this Chamber.

I think the majority leader deserves credit for his role in bringing this legislation to the floor.

I am a cosponsor of the legislation, the original draft of S. 4, that provides for a line-item veto.

I must admit in this debate that, unlike my colleagues from Kansas, Arizona, and Indiana, I am a newer convert to the merits of the line-item veto, so I understand the concerns and feelings of those who may be reluctant and reticent to support a Presidential line-item veto. But I have come to the conclusion that it is necessary, over the last few years, to support this legislation because we have been unable to enforce the kind of discipline necessary to control Federal spending.

I do not believe that any of us think that the decisions will be easy, but they never have been for any American generation pushing for positive change in our country.

As one poet said, ''Change is not made without inconvenience, even from worse to better.''

Despite these inconveniences, we must make a clean and swift break from the failed policies of the past—especially in our budgeting process. in the words of Thomas Schatz, president of Citizens Against Government Waste, ''The first step is to reverse old assumptions. Congress has often viewed programs as perpetual, without taking enough time to evaluate their effectiveness.'' The premise has been: How much was spent last year, and how much are we supposed to spend this year. As Schatz says, our question should be ''whether the money is spent well or should be spent at all.''

I believe that we have no other choice than to use all the tools available to us to control Federal spending. The American people would have a hard time believing in some of the things that we do provide funds for—$1.1 million for a plant stress lab. I suppose pork just would not be pork if Congress did not spend $1.5 million for a national pig research facility. All these projects were identified by the Citizens Against Government Waste as examples in their annual analysis of the Federal budget, appropriately called the ''Pig Book.''

They also identified $213 million in pork projects in the 1994 Interior appropriations bill and an astounding $367 million in the 1993 Interior appropriations bill. While to many in Congress these numbers may seem like a drop in the proverbial bucket, it is not insignificant to the American people. They want to know that their hard-earned tax dollars are being used wisely and efficiently.

Now, wasteful spending—pork—may be funny to comedians. It may provide fodder for the cannons of American's radio talk show hosts, and it may be the perennial target of deficit and waste watchdog groups, but, ultimately, it is not a laughing matter for the American taxpayer. And it has become Congress' worst oversight.

In these days of perpetual deficits and growing debt, the litany of Federal excesses gives new impetus for the waste-cutting power of a line-item veto. It will allow us to look at Government differently. It will allow us to examine the Federal budget process differently. It will allow us to change the power structure of an appropriations process that has bequeathed our Nation and future generations a legacy of deficits and debts. And it will allow us to finally put an end to the fiscal status quo.

We hear time and time again that opponents of a line-item veto have said that the result of giving the President line-item veto authority is almost insubstantial, and insignificant considering the size and scope of the Federal budget. In fact, wasteful Government spending has cumulatively constituted a growing portion of our deficits and debt over the years. In fact, President Johnson used this authority to eliminate 6.7 percent of Government outlays in 1967. An equivalent percentage of today's budget would amount to over $100 billion—nearly half of our fiscal year 1996 deficit.

A more striking example of the significance and impact of wasteful spending can be shown not between total dollars in wasteful spending and the total Federal budget, but between waste and the average family budget.

As Citizens Against Government Waste showed in 1994, a median-income, two-earner family paid $5,581 in Federal income taxes. This means that $10 billion in pork wastes the combined taxes of approximately 1.8 million median-income families. Eliminating $1 billion in wasteful spending could actually provide $1,000 in tax relief to 1 million American families.

The biggest cost of wasteful spending cannot and should not be measured in terms of dollars and cents. Even more important is the effect of wasteful Government spending in terms of moral imperative. Congress' fiscal irresponsibility demonstrates a clear lack of principle in our Nation's governing institutions, and it is a continuing debasement of our democratic process which results in an erosion of confidence.

Opponents of a line-item veto have also failed to address how they would curtail Congress' ongoing practice of funding hundreds of projects and programs each year without the benefit of hearings, proper legal authorization, and frequently in violation of the rules against earmarking. We cannot continue to survive as a supposedly open, democratic, and free Government under late-night deals and last minute insertions of wasteful programs in joint House-Senate conference committees. It is a practice that completely disregards the due process of lawmaking as enshrined by our Founding Fathers.

Since the power of Presidential impoundment was taken away in 1974, Presidents have been required to submit spending cut requests—rescissions—for congressional approval, but only one-third of these have been granted. Under this current system, Congress can kill these requests through inaction, leaving no one to be held responsible for the wasteful spending often targeted by rescission requests.

Some opponents of this measure might suggest that, since the 1974 change in law, Congress has actually rescinded $20 billion more than Presidents have requested. However, Congress has ignored 564 rescission proposals offered by Republican Presidents alone, and accepted only 37 percent of all rescissions proposals presented to it. And of the 1,084 rescissions proposed by Presidents from Ford to Clinton, Congress has ignored all but 399. Just imagine how much more deficit reduction could have been attained if both Congress' and the President's rescission proposals had been adopted.

Now, there is nothing wrong with the fact that Congress found about $93 billion in rescissions savings since 1974—and that $70 billion of this amount was derived from original proposals independent of the President.

I am sure we will hear a lot about this later. But the very fact is, we could have had a much greater reduction in our deficit if we had accepted both the Congress' and the President's rescission proposals. We could have had a total of $143 billion in that time period, which would have represented a 54-percent increase in total deficit reduction above the amount actually rescinded.

Now, if Congress disagrees with the President with respect to his rescission proposals, most certainly Congress could come up with alternatives to respond to the President's bottom-line figures in terms of eliminating additional spending.

There was a very convincing study that was conducted by the General Accounting Office in 1992, which found that a Presidential line-item veto could, in fact, have saved $70.7 billion in unnecessary spending between fiscal years 1984 and 1989. As this figure indicates, even paring only the most egregious wasteful spending through the line-item veto will reduce the deficit. For those of us who are serious about deficit reduction and responsible spending, $70 billion in deficit reduction over 5 years builds a very strong case for a strong line-item veto.

But while opponents will continue to persist about whether we should give the line-item veto authority to the President, clearly it will make a difference in terms of what we can do to the overall budget.

Rather than tilting the power of the purse in favor of the President, it would restore some of the balance that has been eroded by Congress' misguided budget rules that favor excessive spending and eleventh-hour reconciliation bills—bills that have become a sanctuary for pork projects.

I think we should point to the fact that more than 43 Governors in this country are required to have a line-item veto of some kind, and more than 49 State Governors have a balanced budget. So that the line-item veto may be much less necessary at the State level, where most of the Governors, with the exception of one, are required to balance their budgets. But in the national level, we do not have a requirement for a balanced budget amendment.

Without that requirement, without that self-imposed discipline, we continue to watch the rising tide of red ink and the continual rising tide of debts. This line-item veto could help provide substantial cuts in the deficit and Federal spending overall.

It will force each and every Member of the House and the Senate to justify the appropriations and the line items in each of the 13 appropriations bills. That they will have to rise and fall on their own merit. That is what it is all about.

If there is anything I have heard from my constituents in the State of Maine over and over again is the fact that people are concerned about the way in which our money is being spent. They want to know that it is being spent effectively and efficiently. They want to know that there are merits and there are justifications for the way in which we appropriate their hard-earned taxpayers' dollars. That is the bottom line.

In the final analysis, if we do anything else with the line-item veto in addition to cutting spending, we may restore the public's confidence in the way in which we expend their money. Every time they hear example upon example of egregious spending and frivolous spending, it erodes the public's confidence in the budget process, and more than anything else, erodes the public's confidence in this institution and its elected officials.

That is why I feel so strongly about this line-item veto. It is one that should be supported by Members of both parties. In fact, President Clinton, during the course of his campaign in 1992, advocated a line-item veto. He had some form of a line-item veto when he was Governor of Arkansas. In fact, he promised during his campaign that he could ax $10 billion in pork-barrel projects over 4 years if he was President of the United States. Since 1993, he has proposed $3.5 billion in rescissions and Congress has only accepted $1.4 billion. Now, the President has called on Congress to give him the line-item veto. It will be interesting to see how many Members of the President's own party will rally to his side and support this measure.

I believe the burden of proof is on those who have opposed the balanced budget amendment and those who oppose a line-item veto to suggest ways in which we are going to cut Federal spending. More than that is how we will reach a balanced budget over the next 7 years. This is an approach that makes sense.

People have asked me why Congress has not passed a line-item veto. That is a very difficult answer to give. As I said earlier on, I had reservations about this legislation some years ago about wielding and giving too much power to the President. And I have seen the mounting debts and deficits, and the fact that since the last time the Senate passed a balanced budget amendment, but unfortunately Congress did not; in 1982 we have seen the debt grow by 309 percent, $3.5 trillion.

I think that Congress needs all the help we can get. It certainly needs all the tools that it can use to reduce the size of this deficit, and ultimately and hopefully balance the budget.

Mr. President, in conclusion, it is my hope that we will be able to reach an agreement on a compromise that will give Members the necessary tools to address this most serious of economic problems facing our country. It is not only for the President but it is also the future generations. I encourage all my colleagues on both sides of the aisle to support this measure. I yield the floor.

Mr. MCCAIN. Mr. President, I thank the Senator from Maine who has had long experience on this issue, especially in the State of Maine in both bodies. I thank her for her very important statement on this issue. I hope

and know she will return to this debate as it continues in the coming days.

Very briefly, this morning I was talking about what had happened since 1974, because that was the year in which the Budget Impoundment Act was passed. I now have those specific numbers. In 1974, the deficit was $6.1 billion; the total debt was $483 billion. Repeating that, the deficit was $6.1 billion; it is estimated in 1994 to be $203 billion. And as I mentioned, the debt was $483 billion in 1974. In 1994 it was $4.6 trillion—trillion dollars.

We are now carrying an annual deficit that is about half of what the national debt was, the entire national debt. We have now gone from $483 billion in 1974 to $5.2 trillion estimated in 1996.

This is my argument, Mr. President, that for most of our history revenues and expenditures stayed basically the same, and it was not until 1974 with the passage of the Budget and Impoundment Act that we really saw the deficits and debt explode. That is because of a lack of discipline imposed on the spending habits of Congress.

Mr. President, I just had given to me by staff a listing of the National Taxpayers Union ratings for Congress, and I note with pleasure that my colleague from Oklahoma [Mr. NICKLES], is the eighth most fiscally responsible Member of this body.

I am sure he considers himself the first, but by an objective view he is rated the eighth. I think that is admirable and gives him a certain degree of moral authority on this issue, since he has been one of the most fiscally responsible Members of this body since 1981 when he came here, although he does not look like he has been here that long.

I yield the Senator from Oklahoma such time as he may consume.

Mr. NICKLES. Mr. President, I thank my friend and colleague, Senator MCCAIN, from Arizona, and I wish to join him in complimenting our friend and colleague, the Senator from Maine [Ms. SNOWE] for an outstanding speech. I agree with everything she said. It was not only a well-researched speech, but one that had great impact. I hope my colleagues will listen to it, and I hope the American people will listen to it.

I also would like to compliment my good friend and colleague from Arizona, Senator MCCAIN, for his courage in continuing to bring this issue to the floor of the Senate. He is doing it at some risk, politically. Certainly some risk to appropriation requests in his State. But he has not waivered. He has shown great conviction and courage in bringing this issue up because he believes in it. I respect him for that. I also happen to think he is right.

I also wish to compliment Senator COATS from Indiana for his courage, as well. This issue is not easy. These two Senators have been bringing this issue to the forefront when it was most aggressively opposed by the former chairman of the Appropriations Committee, Senator BYRD. I remember various times when other Senators would oppose an amendment by these two Senators just because of the line-item veto. They might even agree with them on the underlying amendment, but they would oppose it because of their position on line-item veto. I just wish to compliment Senator MCCAIN and Senator COATS. I hope that this year that their efforts will finally bear fruit, and we will pass a line-item veto.

I think it is vitally important that we pass this legislation. It will save money, and I think we need to save money. We are spending too much. Our budget process does not work very well. A line-item veto is not a panacea. It will not solve all the problems, and it will not balance the budget. But it will help.

I think the first and most important reform would be passing a constitutional amendment to balance the budget. We tried. We fought that issue for a month. Unfortunately, we lost. It takes 67 votes. We had 66 votes. We had 98 percent of the Republicans vote with us on a balanced budget amendment. Unfortunately, six of our Democrat colleagues changed position from last year, and so we lost. Maybe we will win later this year. Maybe we will win next year. Maybe we will win 2 years from now. I expect that we will. No later than 2 years from now, I think we will pass a constitutional amendment to balance the budget.

What we can we do in the meantime? What are some other much-needed budget reforms? I think the budget scholars say, first and foremost, pass a line-item veto. I think it is vitally important to do so.

I might note that most people on the Appropriations Committee say they do not agree with it. I have served on the Appropriations Committee. That committee used to have 29 members, but I believe it was reduced to 27. They probably work as hard as any committee in the Senate, and they are responsible for spending a little over $500 billion, about a third of what the Government spends right now. The members on that committee work long and hard hours.

By and large, they do a pretty good job, and we usually pass about 15 or 16 appropriations bills, including supplementals. Some of these bills are small, in the couple billion-dollar range, and some are quite large, in the $200 or $300 billion range.

But I will tell you from my experience, every single appropriations bill has had items in it that we need, and every single appropriations bill has had items we do not need and we cannot afford. If we give the President the line-item veto, we will allow him to be able to knock out or kill or strike those items that we cannot afford. We may or may not agree with him. If we disagree with him, we can try to override his veto. That is a process called checks and balances.

Right now, we do not have checks and balances. Congress is writing all the checks, and there are very few balances. A whole lot of those checks are hot, or are paid for by borrowed money, and the President is given two options. We send the President 15 or 16 appropriations bills in the course of a year and he is given two options: One, he signs the entire package or, two, he vetoes the entire package.

Some of these appropriations bills are thick; hundreds of pages, and some have thousands of lines in them. The President is not able to kill a program if he does not like it. He has to sign the entire bill or veto the entire bill. There are no checks and balances.

He submits a budget and it is often ignored. Congress passes appropriations bills. Congress knows and the President knows, we have to pay the Secret Service, we have to pay the armed services, we have to pay for many vital Government functions, so he is reluctant to use the veto pen.

This will allow the President to use the veto pen. Every President has asked for it. Every Republican President I can think of has said, ''Give me the line-item veto, I will use it to save billions of dollars.'' Now we have President Clinton saying, ''Give me the line-item veto, I will save billions of dollars.'' And we have Republicans leading the effort saying, ''Give it to him, because we think the President should have it, whether Democrat or Republican.'' Most Republicans say every President should have it, even a strong line-item veto, one that takes two-thirds to override. That means he may be able to kill a pet program of ours, something we feel very strongly about.

I will give one example. I happen to feel strongly that we should have defenses against incoming theater-based missiles, intercontinental ballistic missiles. I think we should have defenses to be able to stop those before they hit our country. We do not right now. We should develop those systems. I am afraid this President does not share that belief. If Republicans put in money in an appropriations bill for the strategic defense initiative, the President may disagree with us. He may veto us. We may not have the votes to override. I think it would be unfortunate, but I think the pluses outweigh the minuses, and we should give him line-item veto.

The President should receive overwhelming support on this side of the aisle. It may not be unanimous. The question is can he give a few votes? We know there is going to be a filibuster. We know we have to have 60 votes. I hope all Republicans will vote in favor of cloture, but we are going to need at least six from the Democratic side to get to cloture to have a final vote.

The President stated repeatedly he is in favor of the line-item veto. He needs to deliver 6 or 8 or 10 Democrats to make that happen. If he cannot deliver one-fifth of the number of Democrats, then we probably will not have the line-item veto. Some will say, ''The Senate was not able to deliver.'' I will

say, ''It was President Clinton who was not able to deliver.''

Maybe this is something we can work on in a bipartisan fashion. I would like to see that happen. Some people say Congress is too partisan. This is an issue on which most people agree with Clinton. We want to give him a line-item veto. We want his successor to have a line-item veto. We think we can save billions of dollars. Can we balance the budget with it? No. Can we take giant steps to eliminate wasteful spending? The answer is yes.

Mr. President, again, I compliment my colleagues, particularly Senator MCCAIN and Senator COATS, for their leadership. They have taken this issue on year after year, many times at considerable economic and political pain. I compliment them for their courage. I hope that this year they will be successful. I hope that this year we will make at least one really significant budget reform, and that is to give the President a line-item veto.

Mr. President, I yield the floor.

Mr. MCCAIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I thank the Senator from Oklahoma for his very good remarks on this issue, and I appreciate his continued involvement and his leadership in our party.

Mr. President, I ask unanimous consent that there be an additional 30 minutes allocated to the managers on this side.

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

Mr. MCCAIN. Mr. President, I suggest the absence of a quorum, with the time being taken equally from both sides.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCAIN. 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. MCCAIN. Mr. President, I ask unanimous consent that the time between now and 5 p.m. today be equally divided. This has been cleared with the Democratic leader.

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

Mr. MCCAIN. Mr. President, I suggest the absence of a quorum, and I ask that the time be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MCCAIN. 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. MCCAIN. Mr. President, I yield the Senator from Tennessee such time as he may consume.

Mr. FRIST addressed the Chair.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. FRIST. Mr. President, I rise today in support of the line-item veto legislation that the Senate will consider. No single measure will do more to curb wasteful Government spending than the line-item veto. I wish to commend Senator MCCAIN, Senator COATS, and Senator DOMENICI for their leadership on this issue.

Last November, the American people spoke loudly; they spoke clearly when they demanded a smaller, more accountable Government. They demanded a radical departure from business as usual in Washington. They demanded an end to wasteful, unnecessary Government spending. The line-item veto will give the President the power to eliminate unnecessary and wasteful spending items that are often hidden and tucked away in important pieces of legislation.

As a heart surgeon, I have seen many cases where a new heart was the only hope for saving a patient's life. However, I would not prescribe a new heart, a heart transplantation, when a more specific operation would do. Why remove an otherwise healthy heart if the problems could be more easily corrected with a less drastic procedure?

As the health of our Federal economy worsens, our President must be given the tools that he needs to make precise corrections in appropriations legislation. We must give him the power to strike discrete budget items when it is clear that those items do not serve the national interest. For too long, our system has allowed needless spending to go unchecked.

Mr. President, according to the General Accounting Office, if a Presidential line-item veto had been in place between 1984 and 1989, we would have eliminated an estimated $70.7 billion in wasteful Government spending—$70.7 billion. Instead, our Nation is faced with exorbitant interest payments today on our $4.7 trillion debt, the result of excessive Federal spending on programs we could not afford.

Not only is this a debate about cutting spending, it is a debate about the fundamental relationship between the Congress and the President. The 1974 Budget Act limited the discretion of the executive branch with respect to Federal spending. When the Budget Act was passed, the President was granted the power to request rescissions from the budget. In order for the rescissions to take effect, however, Congress must enact the recommended spending cuts within 45 days. Congress is not even required to vote on the recommendations. Needless to say, most Presidential rescission requests have been ignored.

Since 1974, Presidents have sent Congress 1,084 rescission requests. These requests would have cut $72.8 billion. Congress has enacted only 399 of these requests, for a total savings of $22.9 billion, ignoring nearly $50 billion in Presidential rescission requests.

It is important to point out, Mr. President, that the beginning of our chronic, exploding deficits coincides with this shift in spending power to Congress in 1974. The spending deficit for 1974 was $6.1 billion. The very next year the deficit exploded to roughly nine times that, or $54 billion. Though, indeed, there have been peaks and valleys since that time, the deficit has continued to climb to the alarming levels we are experiencing today.

It is clear to me that Congress shifted too much power to itself in 1974. Congress clearly bit off more than it could chew. The unfortunate result has been 20 years of increasingly unchecked, unnecessary pork-barrel spending with virtually no restraint from the executive branch. Future budget deficits will be even greater if this Congress fails to enact fundamental reform of the budget process, not to mention reform of programs themselves.

Mr. President, a line-item veto would restore the President's appropriate role in the budget process. As it is, all discretionary spending is governed by the passage of 13 major appropriations bills. When an appropriations bill lands on the President's desk, he has but two choices: sign it into law, or veto the bill altogether.

That is like telling me as a heart surgeon that I have but one choice with any heart patients, totally transplant the heart or nothing at all.

Under the current system, Presidents must choose between retaining pork in spending bills or disrupting major programs and shutting down entire departments. Enacting line-item veto legislation will restore accountability. Members of Congress will know at the outset, up front, that spending bills will face greater scrutiny and exposure. They will be forced to look more critically at spending proposals at the beginning of the process. And, perhaps, some of the more egregious spending requests will never be made.

No longer will a Member of Congress be able to insert, late at night in the back of a bill, hidden, where no one will see it, a piece of pork, recognizing at that time that nobody is likely to look. Perhaps constituents will then be told that the Government simply cannot afford certain projects any longer, and Members of Congress will then become better stewards of the American taxpayer dollars.

Mr. President, I am so convinced that this is the right thing to do that I am willing to give this power to a President of the other political party. President Clinton, like his predecessors, President Reagan and Bush, knows he can save taxpayers' money—if only we give him the power to do so. As Governor of Arkansas, Clinton used the State's line-item veto 11 times. In fact, 43 of the Nation's Governors have some form of line-item veto. Governor William Weld of Massachusetts testified

before Congress earlier this year that he has used the line-item veto in his State more than 1,000 times—mostly to cut pork-barrel spending put into legislation to win someone's vote. Representative MIKE CASTLE, former Governor of Delaware, wielded the line-item veto to stop the Delaware Legislature from increasing certain budget items fivefold.

Most States are required to balance their budgets. Yet 43 of our Nation's Governors have found it necessary to use the line-item veto to cut wasteful spending. Mr. President, Members of Congress are not constrained by a balanced budget amendment—all the more reason why it is essential that we empower the President with a line-item veto provision.

Mr. President, a review of past years' appropriations bills reveals page after page of extravagant spending items. Citizens Against Government Waste, a taxpayer watchdog group, estimates that more than $10 billion in pork is tucked away in last year's appropriations bills alone. This group defines pork as any project that: was requested by only one Chamber of Congress; was not specifically authorized; was not competitively awarded; was not requested by the President; greatly exceeds the President's budget request or the previous year's funding; was not the subject of congressional hearings; or serves only a local or special interest.

Let me name just a few examples from recent years' appropriations bills: $58 million to bail out New York Yankee owner George Steinbrenner's American Ship Building Co.; $300,000 in the District of Columbia for the bicycle improvement project; $110 million for construction of corridor H in West Virginia; $19 million for the International Fund for Ireland. In the past, this program has used American taxpayer dollars for a golf video and pony trekking centers; and $34.7 million for screwworm research, even though the screwworm has been eradicated in the United States.

These examples represent only a small fraction of hundreds of such pork-barrel projects approved by Congress each year. I strongly urge this Congress to show the American people that we can turn our Government away from this crash course of out-of-control Federal spending.

This legislation is sure to be opposed by members of the Senate's old guard Democrats. But the 11 freshmen were elected to bring the message of the American people to the Senate. We must change, or America may be irreparably harmed. The nation is suffocating under debt, and this Congress must take every step it can to stop the flow of red ink. Mr. President, the line-item veto is a tool that will help do that, and I urge the Senate to enact this important legislation.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. ABRAHAM). The Senator from Arizona.

Mr. MCCAIN. I yield to the Senator from Minnesota as much time as he may consume.

Mr. GRAMS. Mr. President, I rise today in support of legislation that will create a fundamental change in the way we do business in Washington. I want to lend my voice to the McCain line-item veto legislation.

It is legislation Republicans are calling for. It is legislation Democrats are calling for. It is legislation that Americans called for—loudly—when they voted at the polls in November.

The Framers of the Constitution could never have imagined the need for a line-item veto, but neither could they have imagined the garbage bills coming out of Congress that have made the line-item veto a Presidential necessity.

The garbage bill is Washington's version of packsack stew—a place to dump leftover bills that could never have been swallowed by themselves, but become more palatable when they are stirred safely inside a massive spending bill.

Too often, these extra morsels are million-dollar pieces of pork, dumped into the stew pot by a Member of Congress eager to please a special interest group back home.

But that favor for a few comes at the expense of everyone else.

Last year's package of disaster assistance following the California earthquake quickly became a garbage bill of the very worst kind.

By the time the legislation passed, it included not only $10 billion in actual emergency relief, but an extra $10 million to design a new Amtrak station in New York City, $20 million to hire employees for the FBI's fingerprint laboratory in West Virginia, $1.4 million to fight a potato fungus in Maine, and $1 million for sugar cane growers in Hawaii.

As stand-alone legislation, particularly when compared against the rest of the monstrous Federal budget, individual pork projects may not appear so ominous.

Collectively, however, they account for billions of dollars in Federal spending every year.

And by putting the legislative priorities of a few ahead of the fiscal priorities of an entire Nation, they set a dangerous precedent.

Passage of the line-item veto would help stop the fiscal recklessness that has dragged this country $4.8 trillion into debt.

Wielding a line-item veto, and without having to reject the entire bill, the President could comb through spending legislation line by line and eliminate the wasteful, pork-barrel projects when Congress does not have the courage.

When Congress just can not say no, the line-item veto would let the President do it for them.

It would also have a powerful impact on keeping wasteful spending out of appropriations bills in the first place.

My colleagues might think twice about sponsoring some pork for back home, knowing they could be forced to argue its merits individually on the floor of the Senate if it were vetoed by the President.

The American people have asked Congress to pass the line-item veto—64 percent of them, in fact, consider it a high or top priority.

The House overwhelmingly passed its line-item veto legislation on February 6 as a birthday tribute to Ronald Reagan, the President known as the bill's greatest champion.

Governors in 43 States have line-item veto authority, and why should they not? It works.

In my home State of Minnesota, Gov. Arne Carlson used the line-item veto 29 times during his first term to cut the fat out of State legislation—saving Minnesota taxpayers $164 million in wasteful government spending.

In neighboring Wisconsin, Gov. Tommy Thompson has put his line-item veto to work 1,500 times during his 8 years in office.

If the line-item veto existed on the Federal level, the Government Accounting Office says the President could have cut more than $70 billion in Federal spending between 1984 and 1989.

Last year, President Clinton could have saved the taxpayers millions by blue-penciling frivolous pork projects such as screwworm research, $35 million; honeybee research, $5 million; and chiropractic demonstrations in Iowa, $1 million.

But unlike his counterparts on the State level, the President does not have the power of the line-item veto, or the power to rein in Federal spending that comes with it.

Like every modern Chief Executive, however, President Clinton has supported Congress' efforts to grant him that tool of the line-item veto. ''For years, Congress concealed in the budget scores of pet spending projects,'' said President Clinton in his most recent State of the Union Address.

> Last year was no different. There was a million dollars to study stress in plants and $12 million for a tick removal program that didn't work. If you'll give me the line-item veto, I'll remove some of that unnecessary spending.

This year, Congress appears ready to deliver, and I, along with others, encourage President Clinton to demonstrate his commitment to this legislation by being an aggressive supporter.

This is no time to sit on the sidelines.

Even with the backing of President Clinton, however, the bill may face trouble here in the Senate. Opponents say it gives too much authority to the President; that is shifts the constitutional balance of powers.

Others claim it could lead to influence trading, with Presidents trying to sway legislators by threatening to veto their pet projects.

But those colleagues of mine who are the most outspoken opponents of the

line-item veto are perhaps the most conspicuous example of why we need it.

Congress itself has not been able to stop the big spenders. But a line-item veto could.

If the Senate can pass the line-item veto, Democrat Bill Clinton will be the first President to use it, and it will be thanks to a Republican Congress.

But this effort is not about politics, and the line-item veto is certainly not Republican legislation. It is simply the right thing to do.

We need a line-item veto.

If it can work in Minnesota, if it can work in Wisconsin where it has repeatedly protected taxpayer dollars, it can work here in Washington for the benefit of all taxpayers as well.

Again, Mr. President, I lend my voice today in strong support of legislation for a line-item veto.

I yield the floor. Thank you.

Mr. McCAIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCAIN. I yield to the Senator from Wyoming such time as he may consume.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. THOMAS. Mr. President, I have risen over the past week several times to voice my support for a line-item veto. It seems to me it is one of the things that we need to change procedurally. We need a change procedurally to make a change in this country.

This morning, however, I listened with great interest to one of our friends on the other side of the aisle who said these things that we are dealing with in the Senate over the last 2 months have been quick fixes, that we have been dealing with items that are simply short-term gimmicks. I simply cannot let that go by without some response.

It seems to me that very clearly over the past number of years the product from this Government, the product from this Congress, the product from this Senate, has not been what almost anyone would want. And in November the voters said we want some change. If you are going to have change in the outcome, if you are going to have change in the product, you have to change the way you do things. That is what these past several months have been about. That is what the election was about, it seems to me, in November. It was about things like a balanced budget amendment and putting some discipline into the process so that the Congress could, in fact, balance income with outgo.

It was about term limits, so that there could be some end to the amount of services that are carried on from one particular district when no one else in any other district can do anything about that. It was about a line-item veto where we seek to get some of the unnecessary pork-barrel kinds of things out of the huge budget that are presented to the President. These are not gimmicks. These are changes in process. These are changes that cause things to happen that cause a different result. The line-item veto is simply a reasonable response, it seems to me, to the idea that bills become so voluminous, so broad and so changed that there needs to be some way to reach into them and take out those things that are not relevant, that are not appropriate, that would not stand at all on their own merit. And there are a great many of those, particularly here in the Senate where the rules allow for amendments that are not necessarily consistent with the bill. In the House there are rules that are stricter, but here they are not. I understand that. I respect that. But it allows for things to be hidden in the highway bill that have nothing to do with highways, that would not stand for 5 minutes on their own merit.

So we need a process to change that. That is what the line-item veto is all about. It is not a gimmick. It is not a short-term fix. In fact, it is a proven way of doing it. It is done in more than 40 States, and has been done for years, and successfully, in my State of Wyoming.

Is the balanced budget amendment a short-term gimmick? Give me a break. It is not a short-term gimmick at all. What it is is a response to 25 years without a balanced budget; 50 years with something like five balanced budgets. It is a response to performance. It is a response to the question of, Do you think it is financially and morally responsible to balance the budget, to not spend more than you take in? That is a pretty reasonable question. The answer is almost invariably yes, that is immoral; yes, that is irresponsible; yes, we do need to change it. We have not changed it. There is no sign of changing it unless there is some discipline. Some discipline applies to the process. That is what the balanced budget is about.

Are term limits short-term gimmicks? I do not think so. This place is built on seniority. It is built on how long you have been here. That is fine. The problem is, people say, ''Well, you have an election every 2 years. You have an election every 4 years. You can change that.'' People in Wyoming cannot do anything about it, nor in Colorado or Massachusetts or somewhere else.

So you have an extraordinary amount of authority lying in someone who happens to be there for 40 years and is not going to be exchanged by his people at home because of that authority. Term limits make some sense. These are not short-term gimmicks. Unfortunately, we have seen over the last month the sort of rapid response team of those who are opposed to change. Every time there is an idea that we ought to change something, suddenly there is this great aroused response that, no, we cannot do that because it is a short-term gimmick.

Mr. President, the real test, it seems to me, of responsive government, the real test of good government, is if there is indeed a response in Government from the requests and demands of voters. That is not a new concept contrary to something that should happen in democracy. It is something that has happened in this country for years. In the 1800's, even up to the 1930's, in every generation, there was a response from voters and a change in government—as there should be.

In the beginning, however, in the 1930's when Government became larger and a greater part of our lives, the change becomes more difficult. As I remember the numbers of President Roosevelt in the 1930's, there was something like 75,000 people who worked for the Federal Government. Now there is something like 3 million. So there is great resistance to change in the bureaucracy. There is probably even a higher percentage of resistance to change by the number of lawyers in Washington. That is great resistance to change.

In addition, of course, as Government gets larger, it develops a sort of a dependency on Government and voters become more resistant to really take a look at the notion of what the Federal Government ought to be. What should we expect from the Federal Government? The message, I believe, was clearly we have too much Government and it costs too much. It is not easy to change that. It is a painful experience to change that. It is much easier to continue to do what we have been doing. Lots of good people come to Washington who are uneasy about the future, who really do not have strong feelings about change, but it is easier to go forward the way it is. Change is not easy. But that is what we are asked to do. That is what is necessary to do.

The White House liaison people were by this morning, and I was delighted to meet with them. I asked them if the White House was for a line-item veto. ''Yes, sir. The President is very much for line-item veto. He has made that clear.'' That ought to have some impact. I hope that is communicated wholly to our friends on the other side of the aisle.

So, clearly, we need to change the way we do things if we are going to expect the change in the results.

Things we have been doing—the procedural things—are not nearly as much Republicans versus Democrats as those who are willing to make some changes and those who are for the status quo. We simply cannot continue to do that.

This is a time when we need change. And for those who resist it, I say, come on, get over it; we have to make changes, do some things right. We have to balance the budget, we have to have line-item veto to do something about pork barrel. We can do it. We simply have to come to the post and get after it. Now is the time.

Thank you.

Mr. McCAIN. Mr. President, I have just received a statement by the President of the United States that has been

released today, March 20, 1995. I would like to quote that statement by the President of the United States for the RECORD. I am very encouraged by it and also very appreciative.

It says:

The Senate is now debating the line-item veto legislation which passed last month in the House. I urge the Senate to pass the strongest possible line-item veto, and to make it effective immediately. If the Members of Congress from both parties are serious about cutting the deficit, give me this line-item veto, and I will get started right away. This is one area where both parties can, and should, come together.

I have advocated the line-item veto for a very long time. When I was a governor, I had a line-item veto and I balanced 12 budgets in a row. I advocated the line-item veto when I ran for President, and I have pushed for it since becoming President because it is a very effective tool for cutting wasteful government spending and bringing down the deficit.

We have made great headway in cutting wasteful spending. We have already cut the federal bureaucracy by 102,000 positions, on the way to cutting a quarter million. We are bringing the deficit down by more than $600 billion. My new budget calls for another $81 billion in deficit reduction.

But there is still too much waste in the Federal budget. This year I have proposed eliminating 131 programs altogether and consolidating 270 others. I proposed many of these spending cuts last year and the year before, only to have Congress tell me I couldn't cut their pet projects.

I tried to cut $16 million for the Small Business Administration's tree planting program. But Congress put it back in the budget.

Congress even spent $12 million for a Cattle Tick Eradication Project.

Well, this year, if the Congress gives me the line-item veto, I will cut each one of these programs, and a whole lot more. I also think the line-item veto should be applied to the revenue as well as the spending sides of the budget, so I can curb wasteful tax and spending provisions.

This is really about closing the door on business as usual in Washington. If Congress is serious about changing the way Washington works and getting a handle on wasteful spending, they will put politics aside, stand up to the special interests, and pass this bill.

The President, no matter what party, needs the line-item veto to bring discipline to the budget process. I urge the Senate to pass it, and make it effective right now.

Mr. President, I applaud the statement of the President of the United States. I appreciate it. I hope that now he can start some personal lobbying on that side of the aisle.

As I have said before, the crux of this issue will lie in whether we obtain 60 votes to cut off debate. We have 54 votes on this side of the aisle. Now we need 6 votes on that side of the aisle—6 out of 46. I hope that the President of the United States can prevail upon six Members on that side of the aisle to achieve that. As he says, ''I urge the Senate to pass the strongest possible line-item veto.'' There can be no mistake about what that means, Mr. President. It means a two-thirds majority to override a President's veto in both Houses, not the sham and fraud and deception being perpetrated by calling a veto a simple majority vote in one House in order to override a President's veto. That is what this debate will be all about. It will be all about the fact that, finally, after 8 years of being prevented from bringing up the line-item veto, we are now about to move to the bill for the first time. It has been blocked every time on a parliamentary procedure, a budget point of order. Now we are about to reach it. Now the President of the United States says he wants the strongest possible line-item veto enacted. Fifty-four Members on this side will at least vote for cloture. That is what this debate is about. I hope we can get six votes on the other side.

I want to comment on the President's statement about, ''I think the line-item veto should be applied to the revenue as well as the spending sides of the budget so I can curb wasteful tax and spending provisions.''

I agree with him there, also. Too many times, mammoth tax bills have been passed with so-called transition rules and little tax breaks for individuals or groups tucked into massive tax bills. I am all for it, but I am concerned about the language, Mr. President. We have to make sure the language does what it says. I am not interested in giving the President of the United States—either Republican or Democrat—the right to veto a capital gains tax cut. I am not interested in having that kind of management of the tax reform or tax bills impacted by a veto. But I am interested and committed—and I believe we can shape the proper language that specifically targets individual or special tax benefits so that we can do away with those abuses, as well.

In addition, I say to the President of the United States, not only that, sir, but we are willing to give you the authority to veto new entitlements or expansion of entitlement programs. Often we will hear in this debate that the real budget problems—and they are right—exist as far as expansive growth of entitlement programs are concerned, and new entitlement programs, which seem to come down quite often. We are willing to shape a compromise that gives the President of the United States the authority not to veto existing entitlement programs—Social Security will not be touched—but the authority to veto expanded or new entitlement programs.

I want to say again, Mr. President, that I have urged the President of the United States to get involved in this issue. I am glad he is engaged. I appreciate this very strong and, I think, important statement where he even cites examples of the problems that any chief executive has with trying to balance the budget. He mentions, ''I tried to cut $16 million for the Small Business Administration's tree planting program, but Congress put it back in the budget. Congress even spent $12 million for a cattle tick eradication project.''

Mr. President, I have a list that would stretch from here out to the steps of the Capitol of programs like that which have been put into the appropriations bills over the past 10 or 15 years—actually, since 1974. The problem is epidemic in proportion, and I am very encouraged by the President's statement. I look forward to working with him and the White House personnel as we try to corral enough votes in order to get this done, get it behind us, and move on to the other important issues of the day, such as, for example, the rescission package which will be pending before this body.

Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time be equally divided.

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

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COVERDELL. 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. COVERDELL. Mr. President, I ask unanimous consent that I be given up to 5 minutes to speak on the measure before the Senate.

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

Mr. COVERDELL. Mr. President, I rise in support of the adoption of the line-item veto, and I would like to share with the Senate a perspective that comes from having spent 19 years in the State legislature of Georgia as a member of the Senate.

Georgia, like 49 other States, had a line-item veto. While I debated back and forth various budgets and the fiscal condition of the State of Georgia, I think it is safe to say that it is in a much better state than the United States Government.

The line-item veto, along with a balanced budget amendment, are among the reasons for that healthier condition. The fact that so many of our State executives have the authority to line item and, therefore, be another force, if you would, to intervene and bring about fiscal discipline is a very healthy thing.

I think the American people know it, if the people in Washington do not, that we need many new rules of the road in order to bring fiscal order to the affairs of the United States. This is but one of many. We should have passed the balanced budget amendment.

We should probably have a spending reduction commission. We need a line-item veto. We need to redesign the process by which we manage our fiscal affairs, and we need but look at the $5 trillion of debt that we have.

The United States has spent every dime it has and $5 trillion it does not have, and it stays on a spending spree. Look at the President's budget—$200 billion in deficits as far as the eye can

see. It is obvious we have to do things like the line-item veto.

Some people on the other side of the aisle allege that the line-item veto destabilizes the balance between the executive and legislative branches, but so many States have it. They are great laboratories to review. I do not believe anybody in our country remembers waking up and reading about any State of the Union becoming unglued or destabilized or taken to the brink of ruin over the contest between an executive and legislative branch over the authority to have a line-item veto.

This is a very sensible process that will help establish fiscal order.

I remember years ago when I was running for the U.S. Senate, in fact on other occasions, people said, ''Well, you only want the line-item veto because over the recent generations, the Presidents have been Republican.'' I said at the time, ''I am going to support the line-item veto no matter who the Chief Executive is because it is sensible and reasonable.''

I find a certain irony that I would be in this capital city watching a new Republican majority fighting the Democrat minority to give a Democrat President the line-item veto. What an irony. I would think both sides of the aisle would be embracing this idea. It is their President. He is a Democrat, and I am just absolutely baffled that we find the other side of the aisle throwing barriers and tacks in the road as we try to put in place this very sensible rule that President Clinton campaigned on and said he was going to fight for.

I think I just heard Senator MCCAIN read a letter from the President indicating his support for the strongest version. You would think, Mr. President, we could end this debate in about a day given the fact that a majority of the Congress supports it and the President supports it and the American people support it 70 to 80 percent. But not in this city. No, sir, not in this city. In this city, the disconnect is so great, and in the light of the new majority going forth, the President of the United States asking for it, and the American people wanting it, we still have to fight our way through, just as we did on the balanced budget amendment, to try to bring this to fruition.

The Presiding Officer just came from the elections. I was there just 24 months ago. I think the Presiding Officer, like myself, recognizes that we are in the midst of a revolution, and the American people want to see some change in the capital city. They are tired of business being run as usual. Mr. President, they expect change to begin to happen here, and one of the cornerstones of this change is the line-item veto.

I hope that the other side of the aisle can somehow make a connection with what is going on in the country and it will register on them that our President, the titular head of their party, the majority, and the American people have said now is the time for there to be a line-item veto.

Mr. President, I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. Will the Senator be making the request that the time of the quorum call be equally divided between the two sides?

Mr. COVERDELL. I so request.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

RECESS

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Senate stand in recess until 5 p.m. this evening.

There being no objection, at 3:58 p.m., the Senate recessed until 5 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. GRAMS).

LEGISLATIVE LINE-ITEM VETO ACT

The PRESIDING OFFICER. Under the previous order, the hour of 5 p.m. having arrived, the Senate will now proceed to the consideration of S. 4, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 4) to grant the power to the President to reduce budget authority.

The Senate proceeded to consider the bill, which had been reported from the Committee on the Budget and the Committee on Governmental Affairs, with amendments, as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italic.)

S. 4

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Legislative Line Item Veto Act of 1995''.

SEC. 2. ENHANCEMENT OF SPENDING CONTROL BY THE PRESIDENT.

The Impoundment Control Act of 1974 is amended by adding at the end thereof the following new title:

''TITLE XI—LEGISLATIVE LINE ITEM VETO RESCISSION AUTHORITY

''PART A—LEGISLATIVE LINE ITEM VETO RESCISSION AUTHORITY

''GRANT OF AUTHORITY AND CONDITIONS

''SEC. 1101. (a) IN GENERAL.—Notwithstanding the provisions of part B of title X and subject to the provisions of part B of this title, the President may rescind all or part of any budget authority, if the President—

''(1) determines that—

''(A) such rescission would help balance the Federal budget, reduce the Federal budget deficit, or reduce the public debt;

''(B) such rescission will not impair any essential Government functions; and

''(C) such rescission will not harm the national interest; and

''(2)(A) notifies the Congress of such rescission by a special message not later than twenty calendar days (not including Saturdays, Sundays, or holidays) after the date of enactment of a regular or supplemental appropriations Act or a joint resolution making continuing appropriations providing such budget authority; or

''(B) notifies the Congress of such rescission by special message accompanying the submission of the President's budget to Congress and such rescissions have not been proposed previously for that fiscal year.

The President shall submit a separate rescission message for each appropriations bill under paragraph (2)(A).

''(b) RESCISSION EFFECTIVE UNLESS DISAPPROVED.—(1)(A) Any amount of budget authority rescinded under this title as set forth in a special message by the President shall be deemed canceled unless during the period described in subparagraph (B), a rescission disapproval bill making available all of the amount rescinded is enacted into law.

''(B) The period referred to in subparagraph (A) is—

''(i) a congressional review period of twenty calendar days of session under part B, during which Congress must complete action on the rescission disapproval bill and present such bill to the President for approval or disapproval;

''(ii) after the period provided in clause (i), an additional ten days (not including Sundays) during which the President may exercise his authority to sign or veto the rescission disapproval bill; and

''(iii) if the President vetoes the rescission disapproval bill during the period provided in clause (ii), an additional five calendar days of session after the date of the veto.

''(2) If a special message is transmitted by the President under this section during any Congress and the last session of such Congress adjourns sine die before the expiration of the period described in paragraph (1)(B), the rescission shall not take effect. The message shall be deemed to have been retransmitted on the first day of the succeeding Congress and the review period referred to in paragraph (1)(B) (with respect to such message) shall run beginning after such first day.

''DEFINITIONS

''SEC. 1102. For purposes of this title the term 'rescission disapproval bill' means a bill or joint resolution which only disapproves a rescission of budget authority, in whole, rescinded in a special message transmitted by the President under section 1101.

''DEFICIT REDUCTION

''SEC. 1103. (a) If Congress fails to disapprove a rescission of discretionary spending under this part within the period of review provided under this part, the President shall, on the day after the period has expired, reduce the discretionary spending limits under section 601 of the Congressional Budget Act of 1974 for the budget year and any outyear affected by the rescissions to reflect the amount of the rescission.

''(b) If Congress fails to disapprove a rescission of discretionary spending under this part within the period of review provided under this part, the chairs of the Committees on the Budget of the Senate and the House of Representatives shall, on the day after the period has expired, revise levels under section 311(a) and adjust the committee allocations under section 602(a) to reflect the amount of the rescission.

''(c) If Congress fails to disapprove a rescission of direct spending under this part within the period of review provided under this part, the President shall, on the day after the period

has expired, adjust the balances for the budget year and each outyear under section 252(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 to reflect the amount of the rescission.

"PART B—CONGRESSIONAL CONSIDERATION OF LEGISLATIVE LINE ITEM VETO RESCISSIONS

"PRESIDENTIAL SPECIAL MESSAGE

"SEC. 1111. Whenever the President rescinds any budget authority as provided in section 1101, the President shall transmit to both Houses of Congress a special message specifying—

"(1) the amount of budget authority rescinded;

"(2) any account, department, or establishment of the Government to which such budget authority is available for obligation, and the specific project or governmental functions involved;

"(3) the reasons and justifications for the determination to rescind budget authority pursuant to section 1101(a)(1);

"(4) to the maximum extent practicable, the estimated fiscal, economic, and budgetary effect of the rescission; and

"(5) all facts, circumstances, and considerations relating to or bearing upon the rescission and the decision to effect the rescission, and to the maximum extent practicable, the estimated effect of the rescission upon the objects, purposes, and programs for which the budget authority is provided.

"TRANSMISSION OF MESSAGES; PUBLICATION

"SEC. 1112. (a) DELIVERY TO HOUSE AND SENATE.—Each special message transmitted under sections 1101 and 1111 shall be transmitted to the House of Representatives and the Senate on the same day, and shall be delivered to the Clerk of the House of Representatives if the House is not in session, and to the Secretary of the Senate if the Senate is not in session. Each special message so transmitted shall be referred to the appropriate committees of the House of Representatives and the Senate. Each such message shall be printed as a document of each House.

"(b) PRINTING IN FEDERAL REGISTER.—Any special message transmitted under sections 1101 and 1111 shall be printed in the first issue of the Federal Register published after such transmittal.

"PROCEDURE IN SENATE

"SEC. 1113. (a) REFERRAL.—(1) Any rescission disapproval bill introduced with respect to a special message shall be referred to the appropriate committees of the House of Representatives or the Senate, as the case may be.

"(2) Any rescission disapproval bill received in the Senate from the House shall be considered in the Senate pursuant to the provisions of this section.

"(b) FLOOR CONSIDERATION IN THE SENATE.—

"(1) Debate in the Senate on any rescission disapproval bill and debatable motions and appeals in connection therewith, shall be limited to not more than ten hours. The time shall be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

"(2) Debate in the Senate on any debatable motion or appeal in connection with such a bill shall be limited to one hour, to be equally divided between, and controlled by, the mover and the manager of the bill, except that in the event the manager of the bill is in favor of any such motion or appeal, the time in opposition thereto shall be controlled by the minority leader or his designee. Such leaders, or either of them, may, from the time under their control on the passage of the bill, allot additional time to any Senator during the consideration of any debatable motion or appeal.

"(3) A motion to further limit debate is not debatable. A motion to recommit (except a motion to recommit with instructions to report back within a specified number of days, not to exceed one, not counting any day on which the Senate is not in session) is not in order.

"(c) POINT OF ORDER.—(1) It shall not be in order in the Senate or the House of Representatives to consider any rescission disapproval bill that relates to any matter other than the rescission of budget authority transmitted by the President under section 1101.

"(2) It shall not be in order in the Senate or the House of Representatives to consider any amendment to a rescission disapproval bill.

"(3) Paragraphs (1) and (2) may be waived or suspended in the Senate only by a vote of three-fifths of the members duly chosen and [sworn.".] sworn.

"SEC. 1114. This title shall cease to be effective on September 30, 2002.".

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DOLE. 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. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, it is my understanding that the Budget Committee reported out two perfecting amendments when it reported S. 4. As chairman of the Budget Committee, I have been authorized by a majority of the committee members to withdraw those committee amendments. Therefore, I do withdraw the two Budget Committee-reported amendments.

The PRESIDING OFFICER. The Senator has that right.

So the amendments were withdrawn.

Mr. DOMENICI. I thank the Chair, and I yield the floor.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader.

AMENDMENT NO. 347

(Purpose: To provide for the separate enrollment for presentation to the President of each item of any appropriation bill and each item in any authorization bill or resolution providing direct spending or targeted tax benefits, and for other purposes)

Mr. DOLE. Mr. President, I send a substitute amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Kansas [Mr. DOLE], for himself, Mr. MCCAIN, Mr. DOMENICI, Mr. COATS, Mr. STEVENS, Mr. THOMPSON, Mr. INHOFE, Mr. ASHCROFT, Mr. BENNETT, Mr. BOND, Mr. BROWN, Mr. BURNS, Mr. CHAFEE, Mr. COCHRAN, Mr. COHEN, Mr. COVERDELL, Mr. CRAIG, Mr. D'AMATO, Mr. DEWINE, Mr. FAIRCLOTH, Mr. FRIST, Mr. GORTON, Mr. GRAMM, Mr. GRAMS, Mr. GREGG, Mr. HATCH, Mr. HELMS, Mrs. HUTCHISON, Mrs. KASSEBAUM, Mr. KEMPTHORNE, Mr. KYL, Mr. LOTT, Mr. LUGAR, Mr. MACK, Mr. MCCONNELL, Mr. MURKOWSKI, Mr. NICKLES, Mr. PACKWOOD, Mr. PRESSLER, Mr. ROTH, Mr. SANTORUM, Mr. SHELBY, Mr. SIMPSON, Mr. SMITH, Ms. SNOWE, Mr. SPECTER, Mr. THOMAS, Mr. THURMOND, and Mr. WARNER, proposes an amendment numbered 347.

Mr. DOLE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "The Separate Enrollment and Line Item Veto Act of 1995".

SEC. 2. STRUCTURE OF LEGISLATION.

(a) APPROPRIATIONS LEGISLATION.—

(1) The Committee on Appropriations of either the House or the Senate shall not report an appropriation measure that fails to contain such level of detail on the allocation of an item of appropriation proposed by the House as is set forth in the committee report accompanying such bill.

(2) If an appropriation measure is reported to the House or Senate that fails to contain the level of detail on the allocation of an item of Appropriation as required in paragraph (1), it shall not be in order in that House to consider such measure. If a point of order under this paragraph is sustained, the measure shall be recommitted to the Committee on Appropriations of that House.

(b) AUTHORIZATION LEGISLATION.—

(1) A committee of either the House or the Senate shall not report an authorization measure that contains new direct spending or new targeted tax benefits unless such measure presents each new direct spending or new targeted tax benefit as a separate item and the accompanying committee report for that measure shall contain such level of detail as is necessary to clearly identify the allocation of new direct spending or new targeted tax benefits.

(2) If an authorization measure is reported to the House or Senate that fails to comply with paragraph (1), it shall not be in order in that House to consider such measure. If a point of order under this paragraph is sustained, the measure shall be recommitted to the committee of jurisdiction of that House.

(c) CONFERENCE REPORTS.—

(1) A committee of conference to which is committed an appropriations measure shall not file a conference report in either House that fails to contain the level of detail on the allocation of an item of appropriation as is set forth in the statement of managers accompanying that report.

(2) A committee of conference to which is committed an authorization measure shall not file a conference report in either House unless such measure presents each direct spending or targeted tax benefit as a separate item and the statement of managers accompanying that report clearly identifies each such item.

(3) If a conference report is presented to the House or Senate that fails to company with either paragraph (1), or (2), it shall not be in order in that House to consider such conference report. If a point of order under this paragraph is sustained in the House to first consider the conference report, the measure shall be deemed recommitted to the committee of conference.

SEC. 3. WAIVERS AND APPEALS.

Any provision of section 2 may be waived or suspended in the House or Senate only by an affirmative vote of three-fifths of the Members of that House duly chosen and

sworn. An affirmative vote of three-fifths of the Members duly chosen and sworn shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under that section.

SEC. 4. SEPARATE ENROLLMENT.

(a)(1) Notwithstanding any other provision of law, when any appropriation or authorization measure passes both Houses of Congress in the same form, the Secretary of the Senate (in the case of a measure originating in the Senate) or the Clerk of the House of Representatives (in the case of a measure originating in the House of Representatives) shall cause the enrolling clerk of such House to enroll each item of such appropriation or authorization measure separately.

(2) A measure that is required to be enrolled pursuant to subsection (a)—

(A) shall be enrolled without substantive revision,

(B) shall conform in style and form to the applicable provisions of chapter 2 of title 1, United States Code (as such provisions are in effect on the date of the enactment of this Act), and

(C) shall bear the designation of the measure of which it was an item prior to such enrollment, together with such other designation as may be necessary to distinguish such measure from other measures enrolled pursuant to paragraph (1) with respect to the same measure.

(b) A measure enrolled pursuant to paragraph (1) of subsection (a) with respect to an item shall be deemed to be a bill under Clauses 2 and 3 of Section 7 of Article 1 of the Constitution of the United States and shall be signed by the Speaker of the House and the President of the Senate, or their designees, and presented to the President for approval or disapproval (and otherwise treated for all purposes) in the manner provided for bills and joint resolutions generally.

SEC. 5. DEFINITIONS.

For purposes of this Act:

(1) The term ''appropriation measure'' means any general or special appropriation bill or any bill or joint resolution making supplemental, deficiency, or continuing appropriations.

(2) The term ''authorization measure'' means any measure other than an appropriations measure that contains a provision providing direct spending or targeted tax benefits.

(3) The term ''direct spending'' shall have the same meaning given to such term in section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(4) The term ''item'' means—

(A) with respect to an appropriations measure—

(i) any numbered section,

(ii) any unnumbered paragraph, or

(iii) any allocation or suballocation of an appropriation, made in compliance with section 2(a), contained in a numbered section or an unnumbered paragraph; and

(B) with respect to an authorization measure—

(i) any numbered section, or,

(ii) any unnumbered paragraph,

that contains new direct spending or a new targeted tax benefit presented and identified in conformance with section 2(b).

(5) The term ''targeted tax benefit'' means any provision:

(A) estimated by the Joint Committee on Taxation as losing revenue within the periods specified in the most recently adopted concurrent resolution on the budget pursuant to section 301 of the Congressional Budget and Impoundment Control Act of 1974; and

(B) having the practical effect of providing more favorable tax treatment to a particular taxpayer or limited group of taxpayers when compared with other similarly situated taxpayers.

SEC. 6. EFFECTIVE DATE.

The provisions of this Act shall apply to measures passed by the Congress beginning with the date of the enactment of this Act and ending on September 30, 2000.

Mr. DOLE. Mr. President, I ask unanimous consent that the side-by-side comparison of this amendment and the Hollings-Mattingly amendment, which was brought up, I think, in 1986, and the Bradley proposal be printed in the RECORD.

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

	Dole	Hollings/Mattingly	Bradley
Scope	Any general, special appropriations bill or joint resolution making supplemental, deficiency or continuing appropriations; new direct spending; new target tax benefits.	Any general, special appropriations bill or joint resolution making supplemental, deficiency or continuing approps.	Any general or special appropriation bill or any bill or joint resolution making supplemental, deficiency, or continuing approps or any revenue bill containing a tax expenditure.
Presentation of bills	Requires that appropriations bills reported to the House and Senate contain the same level of detail on the allocation of funds as the accompanying report.	No similar provision	No similar provision
	Requires authorizing and Finance Committees to present new direct spending and new target tax benefits as a separate item; reports must detail those items.		
	A point of order lies against a bill or conference report failing to detail items.		
	A point of order may be waived by a 3/5 vote		
Instructions on enrollment	Bills shall be enrolled without substantive revision, conform to provisions of 2, title 1, USC, bear a distinguishing designation and be deemed a bill under Article I, sec. 7, clause 2 and 3.	Same	Same.
Definitions	''Items'' means any numbered section or any unnumbered paragraph, or any allocation or suballocation of funds contained in a numbered or unnumbered paragraph.	''Items'' means any numbered section or any unnumbered paragraph.	''Items'' means any numbered section or any unnumbered paragraph.
	With respect to authorizations, item means numbered section or unnumbered paragraph that contains new direct spending or a new targeted tax benefit.		
	''Targeted tax benefit'' means any provision estimated by JCT as losing revenue within period specified by budget con. res. and having the practical effect of providing more tolerable tax treatment to a particular or limited group of taxpayers when compared to other similarly situated taxpayers.	No similar provision	''Tax expenditure'' means a division of a bill that is scored by JCT as losing revenue over 5 years.
	''Direct spending'' as defined in section 250(c) 8 of Balanced Budget and Emergency Deficit Control Act.	No similar provision	No similar provision.

Mr. DOLE. Mr. President, I think we ought to start with some facts. The line-item veto is not about partisan politics, as the minority leader said on Friday, as I said on Friday, and as the President said today in a release. He said he wanted as strong as possible a bill and make it effective immediately.

So it is not about politics. It is about our economic future. And it is not about pitting appropriations versus entitlements. It is about subjecting all expenditures to the same scrutiny.

According to the Congressional Research Service, at least 10 Presidents since the Civil War have stated support for the line-item veto. President Clinton will be the 11th. Governors of 43 States have some form of line-item veto authority. It has the overwhelming support of the American people. It is time we came to closure on this issue here in Washington, DC.

And make no mistake about it, there have been differences of opinion about how to best design this authority. Some have backed a constitutional amendment, some enhanced rescission authority, and some separate enrollment legislation. And the substitute that I have offered today tries to build on the efforts of those on both sides of the aisle to reach a consensus after all these years of arguing.

I understand it has been suggested—I hope not—we are surprising everyone. I do not think there are many surprises left in this debate. I was reminded by the Senator from Arizona in a Republican conference just a few moments ago we have considered different forms of the line-item veto seven times in the past 8 years. And so it is a matter that most of us have a lot of familiarity with, some more than others who have worked on it, such as the Senator from Arizona and the Senator from Indiana, the Senator from New Mexico, and others on the other side of the aisle.

I hope that we could respond quickly here and get this done this week. There is no reason not to do it this week. It is only five pages long. There is one sentence on the sixth page.

We do not have every vote on this side, I do not believe, for the amendment itself, although I must say we have improved it a lot and we have picked up a lot of support on this side.

I do think we have every vote for cloture on this side of the aisle. So it seems to me that with bipartisan support, which I expect will come, particularly with the President's strong statement today, there is no reason why we cannot complete action on this, go to conference with the House and get a really good bill.

As I have indicated, since 1985 there have been no fewer than seven efforts to enact measures to provide for the separate enrollment of bills. That is separate enrollment of bills. And in the past there have been legitimate issues raised as to whether or not appropriations measures should be the only bills subject to this new procedure.

In the view of Senators STEVENS, BRADLEY, and others, all spending should be subject to review, whether it be the expansion of an entitlement or creation of a new entitlement or creation of a new tax break. This substitute covers all three. It is going to cover everything.

Some have suggested we could never define the term ''item'' when you talk about line item. Our substitute tries to ensure that sufficient detail is provided in each bill so these determinations can be fairly and clearly made.

Is this substitute perfect? Probably not. There may be some good ideas on change, maybe here, maybe in the conference. But it moves us in the right direction. And in my view it does not change the balance between the legislative branch and the executive branch. Both sides have the opportunity to lay out their priorities and subject them to the review of the other branch. The President retains his authority to veto, and we retain our authority to override such a veto.

Will it put additional pressure on us to review and defend those special projects and new programs? You bet it will. That is what this debate is all about. That is what the American people expect. And, again, the American people are not Democrats and Republicans or Independents. The American people support this measure. That is what it should do, and that is what it should be about.

There has been strong bipartisan support for the line-item veto. It passed the House 294 to 134. It has been voted on in various forms in the Senate in the past and received the support of many of my colleagues on the other side of the aisle, including my colleague from Delaware, Senator BIDEN, Senator EXON from Nebraska, Senator HEFLIN from Alabama, Senator HOLLINGS from South Carolina, Senator KENNEDY from Massachusetts, Senator LEAHY from Vermont, Senator NUNN from Georgia, Senator PELL from Rhode Island, and others. In fact, I have noted—I think the Senator from New Mexico will touch on it—a vote in the Budget Committee where they had separate enrollments where I think at least five or six Democrats on the Budget Committee supported that approach.

So I just hope that we are not going to get into any political debate, that this will be a debate on the line-item veto. Certainly there are probably questions that should be raised. We have gone through one political debate in the balanced budget amendment. In my view, we do not need another one right now. There should be a vote on this measure, and it should be soon.

I think whatever way the vote comes out, the people are going to know where we stand. We know where they stand. They think they know where we stand. They believe that on this measure there will be strong bipartisan support. I happen to believe they are right, unless there is something I have not factored into this entire equation.

It is an issue we are familiar with. We have debated it. We have discussed it. We have had hearings and hearings and hearings. It seems to me now it is time to act.

I would just speak for my colleagues on this side of the aisle. I think it is safe to say 10 days ago we were sort of all over the lot. Different people had different views, and they were strongly held views. But again, by sitting down and working together—and we give credit to our staff for their help and their ideas—we have been able to come together. As I said, I think every Republican is now prepared to vote for cloture if cloture is necessary. And nearly every Republican, I think, is prepared to vote for the bill—not every Republican but nearly every one. So we have made a great deal of progress, and we believe that, as I said, now is the time to act.

I would just conclude by again specially thanking the following Senators. Certainly Senator MCCAIN has been out on this floor year after year after year after year, and when you see him coming you know it is probably about the line-item veto because he feels that strongly about it, and he is going to keep on coming. We hope this is his last trip so he can go on to something else like Social Security. This time he is going to succeed, in my view.

Senator COATS has been right there with him. They have stuck together, and they have worked and they have worked. They have had a little different view than some other of my colleagues like Senator DOMENICI from New Mexico and Senator STEVENS from Alaska, but as I have indicated, because of their dedication, because of all their efforts and the outstanding assistance we have had from the chairman of the Budget Committee, Senator DOMENICI, and Senator STEVENS, who had a lot of reservations about this, worried about having it apply to a certain amount of the appropriations—about what, 16 percent of the budget? He did not think that was going to be very effective, and he convinced a number of our colleagues—in fact, all of our colleagues—it was not very effective so we have made appropriate changes.

We believe it is a good proposal, and I hope that we would have as strong a vote on this as we had on congressional coverage. It was 98 to 1. Or if not that strong, maybe as strong as the unfunded mandates bill that passed the Senate 86 to 10. This should be another one of those measures where we come together and we vote and the American people are the beneficiaries.

Mr. DASCHLE. Mr. President, I have listened to the words of our majority leader. The first thought that comes to mind is what a difference a year makes. I do not recall how many times over the course of the last couple of years our Republican colleagues would come to the floor and criticize, sometimes bitterly, the majority leader at the time for laying a bill down that nobody on the other side had seen, a bill that in their view did not have hearings, or a bill that was not the subject of any negotiations between Republicans and Democrats.

I can recall on health care being held for weeks and months, simply because there was a very complicated piece of legislation that they said ought to be examined, needed to be looked through, and needed to be thoughtfully considered.

The times have changed and the situation is different than it was a year ago. This is a different piece of legislation, but the issue is the same. There ought to be overwhelming bipartisan support for a line-item veto. I do not think there is any serious debate about that. Democrats and Republicans want a line-item veto. I think there is broad, bipartisan support for the concept of a line-item veto.

The majority leader says that he hopes we can get bipartisan support for this proposal. But I guess I have to ask how badly they want bipartisan support when we have not been involved in these negotiations; we have not had any opportunity to see this provision until it has now been laid down. There have been no discussions with Democrats with regard to this particular proposal. So if, indeed, there is a true desire for bipartisan cooperation, that is an unfortunate way to make that fact known.

The majority leader also made the comment that this proposal will submit all expenditures to line-item veto—all expenditures. I hope that is accurate. As I understand it, there is a question about ''all'' expenditures. That is one reason I think it will be very helpful for us to have the opportunity to talk through, think through, and work through this legislation pertaining to an ''item.'' As I understand it, some of the tax provisions that may be on the list of priorities for our colleagues on the Republican side include capital gains, but I am told capital gains and a number of other tax provisions that will clearly be defined as expenditures—in this case, tax expenditures—would not be included in this particular provision of the bill. So we will have to take a good look at whether everything is on the table or not.

What we do know is this: Two pieces of legislation passed through the Budget Committee and the Governmental Affairs Committee. They were the subject of hearings. They were the subject of a markup. We had a good debate, and they were presented to the floor in a way that is the accepted practice here in the Senate. And we now know those bills and all the work the committees have done apparently is for naught. That is not going to be considered here. What is going to be considered is some compromise—that has generated a good deal of support on the other side—that we have not seen. There have been no hearings. There was no markup. There was no opportunity for committees to even consider this particular piece of legislation, at least this year.

The majority leader indicates that this has been a proposal that has been around since 1985. Nearly half of the current membership of the Senate was not here in 1985 and have not had the opportunity to consider a proposal which would involve the individual enrollment of every single line item before it is sent to the President.

That, too, reminds me of the comments made last year about the paperwork involved with the 1,300-page health bill. They felt we ought to be able to reduce all that paperwork and send something simple to the President. Now we have some colleagues who are saying we do not want to send something simple, we want to send something complicated. We do not want to send something short, we want to send something that may involve 2,000 or 3,000 pages.

We will have a good debate about all of this, but I do urge all of my colleagues to take great care before they make any decisions about whether this legislation is what the Senate wants to sign into law; before we make any conclusions as to whether everything is on the table; whether this is the most practical; whether, indeed, there is opportunity for bipartisan support for this particular version.

What I hope will not happen is that we will be told to accept this version or no version at all; that we either take this or we are not going to have a line-item veto. I hope that does not happen because, as I said, I think there is very strong support for the concept of a line-item veto. Simply to say it is this one or nothing certainly does not reflect what I hope will be the opportunities we have to work together on a whole range of issues. We should not be told that it is this or nothing, that there is no other version that is acceptable when so many Members on both sides of the aisle have supported other versions, have supported other approaches, and might have ways in which to improve even this particular piece of legislation.

So I know that all of my colleagues on this side of the aisle will look with great interest at the provisions of this bill and will have more to say as the days this week unfold. Certainly it will be my hope as well that we could finish this week. There is no reason why, given the broad amount of support, that we could not finish. But part of whether or not we finish depends on the degree to which there is genuine cooperation, genuine interest in bipartisanship, and whether we have an ability to better understand what some of these concepts actually include.

With that, I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. DOLE. Mr. President, let me say the distribution of time and the management of the bill on this side will be by the Senator from Arizona, Senator MCCAIN, or his designee.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, before the majority leader leaves the floor I want to thank him for his leadership on this bill, without which we could not have come together with the differing views that were strongly held by very respected members of the Republican conference. I would like to thank him, in his leadership, for making the 54 Members on this side committed to voting for cloture, and I think making what was a very difficult situation just a few days ago, the enactment of line-item veto, very possible.

Also, I might add that the chief of staff of the majority leader, Sheila Burke, did an enormous amount of work, many hours of meetings and writing specific language. I would like to thank her for all she did in this effort. I would also like to thank Senator DOMENICI. I would also like to thank Senator STEVENS. I would also like to thank my partner, Senator COATS, who has labored with me for so long on this issue.

Mr. President, I will not talk a long time because I know Senator COATS would like to make some remarks and also Senator DOMENICI, who really knows the details of many of these issues. I know Senator DOMENICI will spend a little bit of time talking about the specific tax provisions, since he has many years of experience on that aspect of the bill.

I would just like to say in response to the minority leader—and I appreciate his remarks, and I appreciate his willingness to look at this legislation. I hope he and other Members on the other side of the aisle will heed the President's message that he wants and he wants soon a very strong line-item veto bill; the strongest, in the words of the President of the United States.

There will be a question about constitutionality. We will have opinions of respected constitutional scholars about the constitutionality of an enrolled item and an enrolled bill. We will be able to, I think, satisfy the concerns of the Members of this body about that.

I think there will be questions raised about the degree that the targeted tax benefits—how much that encompasses. I think we will be able to respond to that.

I look forward to a debate on the merits of this issue. I look forward to a debate that clearly will clear the way for expressing the will of the people. Some 83 percent of the American people, in the last poll that I saw, support giving the President the line-item veto.

I want to return to one fundamental fact before I turn to the Senator from Indiana for a few remarks. Mr. President, in 1974, the deficit was minuscule, the debt was very small. In 1974, the Budget Impoundment Act was passed, which deprived the President of the United States of the authority to impound funds. At that time, from that time on, the deficit and the debt, the annual deficit and the debt, exploded.

In 1974, our deficit was $6.135 billion. In 1994, it was $203 billion. In 1974, the accumulated debt of nearly 200 years of American history was $483 billion. It is now projected in 1996 to be $5.2 trillion. That did not happen by accident. It is because we shifted the balance of power away from the executive branch to the legislative branch. Mr. President, none of us can in good conscience lay a $5.2 trillion debt on our children and grandchildren. We cannot do it. It is time we brought it to a halt.

I want to finally say that we cannot balance the budget with a line-item veto alone. I have no doubt or question about that. But we also cannot balance the budget without a line-item veto authority in the hands of the President of the United States.

We will have a lot more to say in the next few days. I want to thank again the majority leader. My friend from New Mexico, who has a great deal of expertise, perhaps more than anyone in this body on these issues, I appreciate his assistance in bringing about this final conclusion.

Mr. President, I yield whatever time he may consume to the Senator from Indiana and then yield whatever time he may consume to the Senator from New Mexico.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, it is probably a little premature to be offering congratulations since we are just taking up the bill. But let me say that there has been an extraordinary amount of hard work, effort, and negotiation that has gone into this product that the majority leader, Senator DOLE, just proposed.

Individuals have held strong feelings and strong convictions about what line-item veto means and how it ought to be defined. It is the product of many, many years of involvement of the various individuals in attempting to find ways to deal with a budget that almost seems intractable, to deal with a structural change in the way that the Congress does business, and in attempting to come up with a piece of legislation which is bringing divergent interests—by the way all of those interests trying to reach the same goal but just by different means. To bring

them together on one piece of legislation has not been easy. But because the individuals involved are committed to the final goal, because they are committed to the principle that we have to be stewards of the taxpayer dollars, wise stewards, and that we have to make every possible effort on behalf of the constituents we represent and the taxpayers who get up every Monday morning, who haul off to work and put in an honest day's work for an honest day's pay, because we have a commitment to make sure that they do not have to send $1 more than is necessary to Washington to perform the functions of the Federal Government as defined by the Constitution, as defined by what we determine are our vital national interests, we set aside some of our reservations and some of our concerns, and said, despite our ideas about which path we should take, let us make sure we get to the goal line on this.

There are a lot of people that deserve a lot of credit, starting with the majority leader, who has pulled us together on a number of occasions, keeps us in the same room around the same table, refuses to give up, and keeps providing leadership that we need to function as a party to bring legislation forward that has the support of our party.

Credit goes to Senator MCCAIN who has been tireless. Anybody who knows Senator MCCAIN knows that word ''tireless'' as defined in the dictionary has a new meaning. He has a dogged persistence, has had a dogged persistence and has one now, to pursue this effort, who will not take no for an answer. He has been a great support and great help and inspiration to me as I have engaged in this process as I have been in the Senate. It has been a pleasure to be a partner with him.

As I said, I believe, on Friday, sometimes you define character, and I use the foxhole test. If I am surrounded by the enemy and need somebody with me in the foxhole, Senator MCCAIN is someone I would like to go shoulder to shoulder with. So I appreciate his efforts.

Senator DOMENICI has been tireless in his efforts to work with us and to try to achieve a final solution to this question of whether or not we can put a bill together that can enjoy broad Republican support. He has done that. He has made available his expert staff, Bill Hoagland, and others. I hate to start giving staff too much credit because their work is just starting and there is a long road to go. But Senator MCCAIN's staff and my staff, Senator STEVENS', Senator DOMENICI's, and Senator DOLE's staffs, and others who have worked on this have just put an extraordinary amount of time and effort into it.

Senator DOMENICI has worked with us in defining some of the ways in which this would impact the way we spend money, the way we apply taxes, new programs, how new direct spending and entitlement spending takes place. He has provided an expertise to us. It has been invaluable.

Senator STEVENS was a catalyst for expanding this legislation to make sure that the line-item veto did not just apply to the narrow little slice of the budget, but applied to a broader part of the budget. It is fairer to do it that way, but it also accomplishes more of our purpose and our goal. We are able to apply the principle of the line-item veto to how we make decisions about spending the taxpayer dollars and what the checks and balances will be as we move through the process. We will apply that principle to a much broader range of spending, whether they be tax expenditures or whether they be appropriations.

The Dole substitute adopts a structure for line-item veto which has bipartisan support. It requires that each item of spending and each targeted tax be separately enrolled. The President may approve or veto these items. But it utilizes two important principles:

First, the key principle, for which Senator MCCAIN and I have fought so long, that is a real veto requiring two-thirds of the Congress to override, to make it tough to pork-barrel spend, whether it is tax pork or spending pork, appropriations pork;

Second, it embodies principles which have been advocated by key leaders on the Democrat side of the aisle, individuals like Senator HOLLINGS, Senator BRADLEY, and Senator BIDEN, who have championed the very idea and principle embodied in the concept and content of the bill we are offering.

So we are not dropping something new, as the minority leader intimated. We are taking something that has been debated and discussed for a considerable amount of time by key Democrat leaders, and we are embodying in that the principle of the bill we introduced. I think that is important because it provides for key bipartisanship and, hopefully, support.

This Dole substitute has the enthusiastic support of Republicans. There are already 50 cosponsors of the bill, and we had a chance to talk to the other four Republicans to have them look at the bill. But already 50 of the 54 Republicans have signed up as cosponsors of this legislation. We hope we will get even more support from the Republicans, and we trust that we will get solid support from our friends and colleagues across the aisle.

I am enthusiastic about the opportunity that we have to bring real fiscal discipline to the budget process. We are going to be able to go after tax pork. We are going to be able to go after spending pork. We will be able to go after and define those programs.

We are bringing accountability to the work that we do. We are going to have to come down here and do what the taxpayer expects us to do, state right up front what we are doing, what it is going to cost, where the money is going to be so we can make a judgment in terms of where we stand and in terms of spending dollars.

This will be the case until this is adopted. But previous to this, it has been easy to hide items in the massive bills. I am not pointing fingers at anybody. We are all guilty. We all know we need to change the way we do business.

So, Mr. President, I am pleased to join in this effort, to be a part of this effort. I look forward to debating this effort. Hopefully, before too long, we will be able to send a piece of legislation to the President after more than 130-some years which the Presidents have been calling for, Members have been striving for, and something that I think whose time has come. It is only five pages and one line long. As the majority leader indicated, it is not going to take a whole lot of time to read and understand this bill. It is not like a 1,500-page health bill that the President dropped and then changed on a number of occasions. It is only five pages and one line long. It embodies the principles and ideas that have been debated on this floor over and over and over. They have been offered by Republicans and by Democrats. Truly, it is now supported by the President of the United States, who is calling for the toughest possible measure. I think, on that basis, we can go forward and adopt something truly meaningful and make a real structural change that will make a difference in the way this Congress does business.

I yield the floor.

Mr. DOMENICI. Mr. President, I rise in support of the Republican compromise on the line-item veto. The distinguished majority leader, Senator DOLE, has put together an amendment that finds a middle ground on this issue. I anticipate that we will need cloture to get this measure passed and I hope there is sufficient support from the other side of the aisle to bring this bill to a vote.

There are many variants of the so-called line-item veto. I think it is unfortunate that many have focused on the differences between the two approaches that Senator MCCAIN and I have offered. Both the distinguished Senator from Arizona and I want to find a procedure to expand the President's ability to extract low-priority spending from legislation.

I want to spend just a moment and talk about Senator MCCAIN'S bill. I have consistently voted in favor of procedural motions to give Senator MCCAIN a vote on his enhanced rescission proposal. I made line-item veto legislation a priority for my committee and moved quickly to hold hearings and report Senator MCCAIN'S bill, S. 4. Had the Budget Committee not reported this bill, it would be subject to a point of order under the Budget Act. It would have taken 60 votes to waive this point of order. By the Budget Committee's action, this point of order does not lie against this legislation. That has not been the case in the past when

Senator MCCAIN brought this legislation to the floor in the form of an amendment to another piece of legislation.

Mr. President, I support the objectives of Senator MCCAIN'S bill, but I felt the McCain bill shifted too much power over the budget to the President and focused too much attention on just the appropriated accounts, which—excluding defense—represents less than 20 percent of total spending.

There will be a lot of discussion about the Dole amendment on this bill, but I want to focus on just three major advantages of this amendment over the McCain enhanced rescission bill.

THE DOLE AMENDMENT PROVIDES A LESS CUMBERSOME PROCESS TO OVERTURN PRESIDENTIAL RESCISSIONS

The Dole amendment requires each spending item in legislation to be enrolled as a separate bill. If the President chose to veto one of these items, each of these vetoes would be returned to Congress separately for an override.

The McCain bill provided a much more cumbersome process for Congress to override a Presidential rescission. In order to overturn Presidential rescissions under the McCain bill, the Congress would have had to overcome two hurdles.

First, each House of Congress would have had to pass a bill disapproving all of the President's rescissions for an Appropriations Act within 20 days. Since the McCain bill prohibits amendments, the Congress would be stuck with an all-or-nothing proposition. Either vote to overturn all the President's rescissions for an Appropriations Act or let every one of the President's rescissions stand. More importantly, the McCain bill's procedure did not guarantee a vote on the disapproved bill.

Even if the Congress managed to pass the disapproval bill within the narrow timeframe established by the bill, the President would veto this disapproval resolution and Congress would have to overcome the second hurdle. Each House of Congress would have to override his veto with a two-thirds vote.

Under the McCain bill, this entire process, the passage of the disapproval bill and the override of the President's veto, had to be completed in 30 days. I doubt Congress could complete all of this action within these timeframes. The result would be that Congress would never even get a chance to vote on an override of a Presidential rescission. I believe this approach implicitly and in practical terms delegated too much power to the President.

The distinguished minority leader has raised some legitimate concerns about the enrolling process envisioned in the Dole amendment. Let me say there need not be more trees cut down than are already cut down for existing appropriations bills. The Dole amendment creates the same amount of paper as now. It just is handed to the President in smaller stacks.

THE DOLE AMENDMENT APPLIES TO ALL SPENDING

The Dole amendment applies to all new spending in legislation, not just appropriations legislation. In addition, it applies to any new, very narrow, targeted tax benefits in legislation.

A line-item veto on its own cannot balance the budget. None of the line-item veto bills apply to existing entitlement law, which is the clear culprit behind the deficit. Over the next 5 years, discretionary spending, that spending which is subject to the annual appropriations process, remains essentially unchanged. Entitlement spending explodes, growing by $334 billion, or 44 percent, over the next 5 years.

From a spending control perspective, the only portion of the budget that is under control is discretionary spending—spending that is subject to the annual appropriations process. A discretionary dollar cannot be spent unless it is approved by Congress. The Appropriations Committee must comply with caps that are enforced by 60 vote Budget Act points of order and MOB sequesters. Senator MCCAIN's bill only applied to appropriations bills and did not apply to new entitlement spending.

Entitlement spending under existing law, on the other hand, is on automatic pilot. There is no annual review required, no caps, and no enforcement mechanism to require a reduction in existing entitlement programs. We do have a pay-as-you-go enforcement scheme that requires any new entitlement legislation to be paid for. The Dole amendment builds on that scheme by giving the President the opportunity to veto new entitlement spending in legislation.

Congress has enacted major expansions in entitlement spending in recent years. For example, President Clinton's 1993 reconciliation bill included $25.4 billion in new entitlement spending on everything from food stamps to foreign language proficiency programs for customs officers. Under the Dole bill, this type of new entitlement spending would be enrolled separately and could be vetoed.

Mr. President, I have had trouble with the application of line-item vetoes to tax benefits. This concern stems primarily from how one defines the term ''targeted tax benefits.'' On the other hand, I am very much aware that sometimes these items referred to as pork-barrel spending in an appropriations bill can similarly be found as pork-barrel tax benefits in a large tax bill.

The Dole amendment applies the separate enrollment discipline to those cases in which special interest provisions are tucked away in a tax bill. Under the Dole amendment, only very narrow targeted tax benefits, those provisions that benefit a defined group of taxpayers, would be subject to the separate enrollment procedures.

If a Senator does not believe that new entitlement spending or targeted tax benefits have been fully identified in a reported tax bill, the Dole amendment provides a means by which a Senator can challenge the bill. If the Senator's point of order is sustained, the relevant committee would have to fully flush out these provisions for separate enrollment before the bill would be in order.

THE DOLE AMENDMENT PROVIDES FOR CONGRESSIONAL REVIEW

The Dole amendment sunsets this authority in 2000. We do not know how these procedures will operate in practice. With this sunset date, after 4 years of experience, Congress will have the opportunity to review this new authority and its extension. If the President abuses the new powers we give him in this bill, Congress can address these abuses when the bill comes up for reauthorization in 2000.

Mr. President, I think we should strengthen the President's ability to extract low-priority funding from legislation, but I think we need to be careful not to unduly disrupt the balance of powers among the branches.

There is no greater power of a legislative body than the power over the purse. We should be careful how much authority over the budget we delegate to the President. James Madison said it best when he wrote in Federalist Paper No. 58:

> This power over the purse may, in fact, be regarded as the most complete and effectual weapon with which any constitution can arm the immediate representatives of the people, for obtaining a redress of every grievance, and for carrying into effect every just and salutary measure.

I congratulate Senator DOLE. He has found an approach that significantly expands the President's authority over spending without unduly disrupting this delicate balance of power.

Mr. President, I believe when the Members of the U.S. Senate from the Democratic side of the aisle have thoroughly examined this amendment, they will be very hard pressed to oppose it. The minority leader suggests this evening that this is some kind of a surprise because it is a full substitute for the previously reported bill or bills. That may be the case technically, Mr. President and fellow Democrats. But the truth of the matter is that every provision in this has either been voted on by the U.S. Senate or discussed thoroughly in committee.

Let me just, as I tell you what is in the bill, make sure that everybody understands what happened with reference to those provisions heretofore.

First, this bill is built around conventional, ordinary vetoes that Presidents have had the authority to do forever. It is in the Constitution. They have authority to veto bills. All we are going to do herewith reference to appropriated accounts is say that we are going to offer appropriation bills in far more detail, with far more line items, so that the President can look at a very large bill, hundreds of pages, and find all of the items listed in the enrollment process and decide if he wants

to veto some, none, or many. Just like he would veto any bill that comes before him that he does not like.

Those vetoes would come to us and in an expedited manner, we would vote ''yes'' or ''no.''

From that side of the aisle, Senators HOLLINGS, EXON, SIMON, CONRAD and ROBB—that I am certain of—have voted for this approach to line-item veto as members of the Budget Committee. When this approach came to the floor in the 1985 cycle, 58 Senators voted for it, which means at that point in the history of this Senate, there were more Democrats than Republicans, so I am certain to get to 58, a number of Democrats voted for it—the so-called Mattingly line-item veto.

Mr. President, there have been discussions from some Members on the other side who did not like the original versions of either the McCain bill or the Domenici bill, because essentially the President would package his entire rescission list and send the whole thing up here and say take it all or leave it all. Some Members on the other side of the aisle, and some on our side, had said that is unfair. We should be given an up-or-down vote on our item. Is it not interesting that that is precisely what we have come up with.

For those who believe that an item that they were for, that gets vetoed by the President in this ordinary veto manner, deserved the attention of the Senate on that item alone, because some Senators figured they might win it one item at a time, we have compromised and said, let us do it that way.

So for those Senators who think they may have some rather significant power for their project or their line item, they are going to get that presented freestanding. On the other hand, I might say, as a matter of process, that it is entirely possible that as we begin to work with this, we might ourselves, in a voluntary manner, package some of these so we would eliminate a lot of votes. But that would be strictly up to the U.S. Senate and the U.S. House.

Mr. President, that is one provision. I believe it is not new. I believe it has been thoroughly debated and voted on here, that it should come as no surprise and should not cause Members on the other side of the aisle who have regularly said they are for line-item or item veto; I do not think it should cause them too much difficulty in terms of comprehending it and making a decision rather quickly whether they are for or against it.

Second, the idea that we were limiting the scope of what could be vetoed to just the appropriated accounts, which is less than 20 percent, perhaps as low as 16 percent of the expenditures of our Government, that idea and what follows naturally from it, that you should try to expand it beyond that, is not new either. As a matter of fact, in the Budget Committee this year, the bill which I presented there had both new entitlements or mandatory expenditures and expanded ones, subject to a line-item veto. It did not pass there, but it was thoroughly debated and because there was not bipartisan support, it got left out of the bill. But it was discussed and it is clearly understood. Any Senator that wants to broaden the scope of how we might control unneeded expenditures will have no difficulty understanding it.

It has nothing to do with existing entitlements. Nobody should fear that. It will do nothing to existing programs that are mandatory in nature. But it says during the existence of this new line-item veto legislation, if you are going to put in new entitlements or expand existing ones, the committee of jurisdiction must do it separately and put it in a separate part of the bill, enumerate it as such, and then we are making it subject to a Presidential veto as a separate piece of legislation.

I do not believe anybody ought to be worried about that. It is not easy today under the rules of the Senate and budget rules to pass new entitlements anyway. But if you choose to, they will get caught up in a thorough debate of being isolated from the rest of a big bill and looked at separately and subject to veto separately. I might add, Mr. President, the way this bill is drafted, when a major piece of legislation comes to the floor on entitlements, if the committee of jurisdiction does not separate out into separate paragraphs new ones or expanded ones, it is subject to a point of order here. A Senator can raise the issue and say let us send it back to the committee until they isolate it so it may be looked at under the fine microscope of a potential line-item veto. I do not see anything wrong with that.

I believe if we are really worried about deficits and unnecessary spending, we ought to do that. Mr. President, there will be some on the other side of the aisle and perhaps some on this side who would say we are not for including entitlements unless you include tax breaks that are targeted and of special interest. I am not now speaking about tax law changes of general application. I am not speaking of capital gains, of a rate decrease for everyone. I am not speaking of those that apply to a large group of people.

What we are talking about is tax breaks for a small group of people where they are being treated differently than the rest of the class that they belong to. So that if you separated out a business, but did not cover all businesses, or you separated out a company, but not companies, those kind of tax breaks are going to be subject to the exact same rules that I just defined for entitlements.

A tax bill will have to separate them out, put them in separate paragraphs, so they can also be looked at with a microscope, with the prospect of, are they really needed in the national interest or, if they are special interests, are they of such significant special interest that the President should not veto them? I believe that offers the right kind of balance.

And I might suggest for those on the other side wondering what kind of bill have we wrought here tonight, we have voted on the floor of the Senate for tax expenditure inclusion within a line-item veto. In fact, Senator BRADLEY offered it. I do not know its scope, but it is not new. I do not remember precisely its scope, but my recollection is it passed. We voted on it.

And, yes, Mr. President, the Budget Committee deliberated and discussed it. Why do I know that? Because it, too, was in the alternative approach to the line-item veto that I had. So it is not new either.

If there are some who want to discuss the language and how we interpret it and can we make it more precise, obviously that is what the Senate floor and the amendment process is all about. And that provision is subject to some discussion. But I might say, for everyone that wants to broaden the scope of that, there are some who want to make it more narrow. For there are some on this side of the aisle and some on the other who do not think raising taxes is really the solution to fiscal responsibility and budget soundness.

So, this, too, is a compromise, trying to make it targeted, special interest tax breaks. And when you add that together, you have a much more powerful, much more powerful, approach to the effectiveness of a President's pen in vetoing, in an item manner, all of the things that affect the budget and the budget deficit that are of special interest or expansive in terms of increasing our deficit.

And then, last but not least, there have been some who question whether this will all work out. Are we giving Presidents, whether it is this version or other versions, too much power? We have something that ought to be taken into consideration by that kind of Senator with that kind of concern also. Because there are many of us who are not sure precisely how an item veto is going to work, even the one we have offered here on the floor. So what we have done is we have provided that this law will sunset in the year 2000. That means we will try it. We will look at it. We will observe it. And come the year 2000—that is not too many years away—we will see whether it has worked. Has it been abused? Are there loopholes in it? Is it too inclusive?

And we can pass a new one or deny Presidents in the future this authority based upon the fact that it has not worked, it has taken away too much, or it has given the President too much bargaining power, whatever the case may be.

Now some may say, ''Why do you need to do that?'' Remember, if we do not have that in here, then if we want to change it in the future, we have to change it in accordance with the President's desire, because, obviously, he would veto changes that he did not

want and we would be stuck with two-thirds to pass changes because we would have to override a veto.

So we have solved that problem. We will try it for a long enough period of time to make sure that it has really been given an opportunity to work and then we will trust the legislators and Presidents to decide precisely what they want to do about it after that period from now until the year 2000.

So, essentially, I say to those on the other side of the aisle, and I say this with all sincerity, I hope they will look carefully at this before they decide to try to defeat it by filibuster. Obviously, it is subject to amendment. And nobody on our side that has worked diligently to get this bill to this stage thinks that there is nothing that ought to be changed and there is nothing to talk about.

But I believe this is as close as we will ever get to a fair line-item veto that has a chance of working and that is broader than we originally conceived but fair in that respect. It is fair and will be used fairly, we hope.

So the ball is in the Democrats' court and in the President's court. Clearly, I do not think the President's support today was as specific as I hoped. But maybe by tomorrow he will support this bill.

But I will suggest that if there are some who think that the old bill which I had introduced should be revisited and perhaps the President supports it, let me set that one aside. At the National League of Cities, the President answered very different than his staff did in our Budget Committee where he said he would take either one. The President answered before the mayors and councilmen of America that he wanted the McCain amendment. So it seems to me that he wants a real veto. And that is what we have here.

While not the McCain amendment in its original form, all the changes I have described to bring many Senators on board and make it fairer and the 2000 sunset which makes it more palatable to others, but the basic philosophy seems to me to be what the President said he wanted.

So I only hope that within the next 48 hours or 72 hours, we will get a real answer. Are they for it or not? Do they want the line-item veto or not? Does the President want it or not? And I do not think it is going to take a long time for everybody to find out whether they do or do not.

I wish to thank the Republicans on our side who helped put this together. I think it is a very good piece of legislative work and it deserves to be passed. Let us hope in a few days we will give the American people the benefit of this, go to the House and give the President a line-item veto as prescribed here. I think we will all be the better for it, and the people will get what the overwhelming majority think we really ought to do as far as fiscal responsibility and not passing things that are truly not needed by the people of this country.

I thank the Senator for yielding and I yield the floor

Mr. MCCAIN addressed the Chair.

The PRESIDING OFFICER (Mr. INHOFE). The Senator from Arizona.

Mr. MCCAIN. Mr. President, I thank again the Senator from New Mexico whose invaluable assistance made this possible. I look forward as he fights the battle of the budget, as he brings forth within a month or two a budget that will really implement many of the savings that are absolutely necessary if we are able to achieve fiscal responsibility.

Mr. President, I intend to be relatively brief. I appreciate the remarks of the distinguished Democratic leader. I would say that this is not a new issue. This bill was introduced in the 99th Congress. Hearings were held in the committee and, as we know, the motion to proceed was filibustered. Fifty-three Members of the Senate who are here today, a majority of them were here then. This same legislation, as far as enrolled items is concerned, has been reintroduced every Congress since then. In 1990, on July 25, when the Senate was controlled by the other side, the Budget Committee favorably reported this bill. And, finally, during the 103d Congress, the Senate voted on a sense-of-the-Senate regarding this issue. So, it is not exactly a new issue.

On the subject of not being able to be consulted on bills that come up, I might remind my colleagues that this legislation—health care legislation—was introduced without hearing and without consultation with this side of the aisle just last year during the health care debate. It was known as Mitchell 3, not to be confused with Mitchell 1 and Mitchell 2, which was somewhat smaller.

Mr. President, I would suggest that an argument could be made—this being Mitchell 3 and this being the bill considered before us, five pages and one additional line—that there is a significant difference between Members trying to understand Mitchell 3, which I believe was 1,400-some pages, versus this legislation, which is five pages and one sentence in its entirety.

So I hope that my colleagues will have plenty of time to read and digest this particular five-page legislation. I hope we will be able to have a spirited but relatively brief debate so we can move on to other issues.

Finally, Mr. President, I would like to point out one fact that is true, that is absolutely true: This is a shift in power. This is a fundamental change in the way that our Government does business.

Have no doubt as to the seriousness of this issue. This will allow the President of the United States, fundamentally, to veto not only an appropriations bill but also a tax bill, increase entitlement or new entitlement. It does shift that power.

I believe that there is every opportunity for this power to be misused from time to time. I also believe, Mr. President, that a $5.2 trillion deficit debt which is projected for next year is something that is unacceptable. We need to give back to the executive branch enough power so that we can exercise fiscal discipline, which we have been unable to do in the last 21 years since the Budget Impoundment Act was passed in 1974.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mrs. HUTCHISON. Mr. President, I just want to speak in favor of this bill. I am very pleased that all of the parties have come together. I want to compliment the Senator from Arizona who is on the floor now, along with the Senator from Indiana, Senator COATS, and Senator DOLE, the majority leader, for bringing everyone together and talking about this very important issue.

We failed to pass the balanced budget amendment a few weeks ago. It was a great disappointment to many of us because we felt that the balanced budget amendment would force Congress not only now but future Congresses that will meet to make sure they never spend our children's money and our grandchildren's money.

We did not pass that, but I do think there is a firm resolve among a majority of Members that we should balance the budget. One of the key tools to balancing a budget, to bringing spending under control is the line-item veto. This is a bill that will affect Democrats and Republicans alike. It is something that we ought to all come together to do, and that is to say that the President should have the right to look in a bill and determine what the priorities might be. I think the President should have a right to veto a bill without shutting down three agencies of Government, which is what the President would have to do now.

If Congress disagrees with the President's judgment, we have the ability to overturn the President, as we would overturn any veto. I think that is the right approach. I think the Senators have done a superior job to give us the tools we need to balance this budget. Even though we do not have a balanced budget amendment, we can balance the budget if we have resolve. The way to do that is to pass the line-item veto.

So I hope that all of us will put our party aside and say, ''If we are going to be serious about balancing the budget of our country and doing what is right, we have to have all the tools available in the parliamentary process to do that.'' One of the most important is the line-item veto.

So I commend my colleagues who have worked on this. Senator MCCAIN has worked on this for years, years and years. He has been very patient. He is not necessarily known for his patience but, in fact, his patience in this is going to prevail, I think, and we are going to back him up. We are going to back up the majority leader. We are going to make sure that nothing keeps the Senate from doing what is right.

They have come up with a bill that is the right approach, and I commend them for it. I will be here supporting them in every way that I can.

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

Mr. MCCAIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I want to thank the Senator from Texas, an old and dear friend who I had the privilege of campaigning with across the State of Texas on several occasions.

The Senator from Texas promised the people of Texas that she would do everything in her power to get our financial house in order in Washington. She has been dedicated to that proposition. Her entire career in public service has been dedicated to that proposition. I am very appreciative that she should lend her support or advice and counsel on this very important issue.

So I want to extend my appreciation to the Senator from Texas, and also I know she will be very active in the next few days as we debate this issue. I thank the Senator.

CLOTURE MOTION

Mr. MCCAIN. Mr. President, I send to the desk a motion to invoke cloture.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators in accordance with the provisions of rule XXII of the Standing Rules of the Senate do hereby move to bring to a close debate on the Dole substitute amendment to S. 4, a bill to grant the power to the President to reduce budget authority:

Bob Dole, Trent Lott, Dan Coats, Slade Gorton, R.F. Bennett, John McCain, Ted Stevens, James Inhofe, Mike DeWine, John Ashcroft, Craig Thomas, Bob Smith, Alfonse D'Amato, Mitch McConnell, Larry Pressler, Don Nickles, Pete V. Domenici.

MORNING BUSINESS

Mr. MCCAIN. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business, with Senators permitted to speak for not to exceed 5 minutes each.

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

THE UNITED STATES-RUSSIAN SUMMIT MEETING

Mr. HELMS. Mr. President, President Clinton's decision to attend a summit meeting in Moscow in May is the latest in a series of ill-advised foreign policy actions that have been set-backs for U.S. leadership in world affairs. This one will be perceived as an implicit show of support for the policies of the Russian Government. It will be interpreted as an endorsement of: First, Russian aggression in Chechnya; second, nuclear sales to Iran; and third, meddling by Russian agents in the affairs of former Soviet Republics.

Two months ago, I had the privilege of meeting with Elena Bonner, a longtime acquaintance and courageous fighter against the tyranny of the Soviet Union during the darkest days of the cold war. Mrs. Bonner paid a much higher price than most in battling the Soviet Government. As the wife and partner of the late Andrei Sakharov she was severely harassed for years, and exiled under house arrest in a provincial Russian city. This brave lady bore the grief of watching the stress and turmoil of Soviet oppression that inflicted an early end to the life of her husband before what would have been his crowning moment—the collapse of the Soviet Union.

So why, Mr. President, was Mrs. Bonner in Washington? She came on short notice because decency demanded it. She was here to criticize the policy of the United States which has virtually ignored a degree of repression and violation of human rights in Russia that is without precedent since the time of Josef Stalin. As Mrs. Bonner recounted for me the violence and devastation in Chechnya I came to the conclusion that not only are the internal policies of the Russian Government out of control, but that United States policy toward Russia has completely lost its bearings.

Recently President Yeltsin shook the Clinton administration with his threat to renew the cold war under the guise of a cold peace. Any astute observer would have already heard this message in the many negative actions of the Russian Government before and since that threat.

Two weeks ago a spokesman for the Russian Government publicly warned President Clinton of the dire results if the President canceled the Moscow summit. The summit meeting is set to coincide with the 50th anniversary of the Russian victory over Germany in World War II. If the President canceled his visit—so goes the logic of the Russian Government—the Russians would be reminded that American forces refused to open a second front against Germany early in World War II.

Mr. President, this revisionist history comes directly from the Stalin era. According to Stalin, the United States let Russia bear the brunt of the German assault in World War II while dallying elsewhere. This lie, perpetuated by Stalin to cover his own complicity for devastating Russian casualties in World War II, and to deny his profane agreement with Adolf Hitler to conquer and divide Europe, has been refuted by every post-war United States administration until now. Unbelievably, the Clinton administration has not only failed to condemn this historical lie, they have agreed to commemorate it in Moscow.

If President Clinton wished to truly celebrate the 50th anniversary of victory over Germany perhaps he should go to Warsaw, where the Red Army patiently waited to press its offensive until Nazi forces exterminated the Polish anti-Communist resistance fighters. The President could visit the Baltic Nations to remember the 50-year Soviet occupation put in place by the Molotov-Ribbentrop Pact.

A Russian politician recently visiting the Foreign Relations Committee reminisced about the talent of past American Presidents in conveying a sense of warmth to the Russian people while simultaneously maintaining a principled stand against the nondemocratic Soviet Government. Through diplomacy, communications such as Radio Free Europe, and public condemnation when necessary, the United States maintained a constant pressure on the Soviet Government to respond to the interests of its own people. This message was clearly understood by the Russian people, and it won the United States the deserved reputation as a defender of their liberty. By agreeing to go to Moscow while the war rages on in Chechnya President Clinton has done great damage to that hard earned reputation.

The muted response from the United States Government to the disaster in Chechnya is in direct conflict to numerous Russian politicians with unimpeachable and consistent pro-reform credentials who oppose President Yeltsin's policy. We have failed to support the reformers in Russia. I would even argue that we have failed to support the good people of Russia—who stand 4 to 1 against this terrible civil war. Ultimately, however, we have failed ourselves. How has the U.S. Government strayed so far the principles of its people?

Mr. President, President Clinton's decision to attend hold this summit is a mistake. I regret that the President and his advisors declined to reconsider it when some of us pleaded that he not go.

HAPPY BIRTHDAY TO MOYA OLSEN LEAR

Mr. REID. Mr. President, I take this opportunity to recognize the 80th birthday of a truly remarkable Nevadan, Moya Olsen Lear. She is a bright, determined, outgoing woman, for whom I have great admiration and respect. I wish her a very happy birthday.

Moya Lear is an inspiration to all who know her. She has taught those

around her that perseverance and hard work are the most effective avenues to success. After the death of her husband Bill, Moya took over as chairman of the LearAvia Corp. and led the company to outstanding prosperity.

One of her best known business accomplishments was the completion of the Lear Fan aircraft, a longtime dream and project of her husband. She vowed to get the Lear Fan flying before 1981. Moya overcame significant funding difficulties, and on December 3, 1980 she fulfilled her promise and christened the first flight of the Lear Fan aircraft.

Her energetic, honest approach to business is coveted by universities and corporations throughout the United States. Moya maintains a busy schedule speaking to future business people across the country.

Some of my fondest memories are the hours I spent with Bill at his Stead office and with Bill and Moya at their beautiful home on the Truckee River. Moya has always been, of course, a most generous host. Her ability to make people comfortable and happy needs to be saluted.

Again, I wish Moya a very happy birthday.

WAS CONGRESS IRRESPONSIBLE? THE VOTERS HAVE SAID YES!

Mr. HELMS. Mr. President, for about 3 years I have been making daily reports to the Senate regarding the exact Federal debt as of the previous day.

We must pray that this year, Federal spending will finally begin to be reduced. Indeed, if we care about America's future, Congress simply must face up to its responsibility to balance the Federal budget.

As of the close of business Friday, March 17, the Federal debt stood—down to the penny—at $4,841,551,787,157.03, meaning that on a per capita basis, every man woman, and child in America owes $18,378.61 as his or her share of the Federal debt.

It's important to note, Mr. President, that the United States had an opportunity to begin controlling the Federal debt by implementing a balanced budget amendment to the Constitution. Unfortunately, the Senate did not seize their first opportunity to control this debt—but rest assured they will have another chance during the 104th Congress.

If the Senate does not concentrate on getting a handle on this enormous debt, their constituents are not likely to overlook it 2 years hence.

REPORT OF THE DESIGNATION OF THE WEST BANK AND GAZA STRIP AS A BENEFICIARY OF THE GENERALIZED SYSTEM OF PREFERENCES—MESSAGES FROM THE PRESIDENT RECEIVED DURING THE RECESS—PM 34

Under the authority of the order of January 4, 1995, the Secretary of the Senate, on March 17, 1995, during the recess of the Senate, received the following message from the President of the United States, together with accompanying papers; which were referred to the Committee on Finance:

To the Congress of the United States:

I am writing to inform you of my intent to designate the West Bank and Gaza Strip as a beneficiary of the Generalized System of Preferences (GSP). The GSP program, which offers duty-free access to the U.S. market, was originally authorized by the Trade Act of 1974.

I have carefully considered the criteria identified in sections 501 and 502 of the Trade Act of 1974. In light of these criteria, I have determined that it is appropriate to extend GSP benefits to the West Bank and Gaza Strip.

This notice is submitted in accordance with section 502(a)(1) of the Trade Act of 1974.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *March 17, 1995.*

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–577. A communication from the Director of the Office of Personnel Management, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1994; to the Committee on the Judiciary.

EC–578. A communication from the Chairman of the Consumer Product Safety Commission, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1994; to the Committee on the Judiciary.

EC–579. A communication from the Acting Director (Office of Legislative and Public Affairs), National Science Foundation, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1994; to the Committee on the Judiciary.

EC–580. A communication from the Vice President and General Counsel of the Overseas Private Investment Corporation, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1994; to the Committee on the Judiciary.

EC–581. A communication from the Chairman of the National Endowment For the Humanities, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1994; to the Committee on the Judiciary.

EC–582. A communication from the Director of the Office of Government Ethics, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1994; to the Committee on the Judiciary.

EC–583. A communication from the Director of Operations, Department of the Interior, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1994; to the Committee on the Judiciary.

EC–584. A communication from the Chairman of the National Credit Union Administration, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1994; to the Committee on the Judiciary.

EC–585. A communication from the National Endowment for Democracy, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1994; to the Committee on the Judiciary.

EC–586. A communication from the Executive Director of the Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1994; to the Committee on the Judiciary.

EC–587. A communication from the Freedom of Information Act Officer, International Boundary and Water Commission, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1994; to the Committee on the Judiciary.

EC–588. A communication from the Director (Government Relations), Girl Scouts of the U.S.A., transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1994; to the Committee on the Judiciary.

EC–589. A communication from the General Counsel of the Legal Services Corporation, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1994; to the Committee on the Judiciary.

EC–590. A communication from the Chairman of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1994; to the Committee on the Judiciary.

EC–591. A communication from the Chairman of the Nuclear Regulatory Commission, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1994; to the Committee on the Judiciary.

EC–592. A communication from the Chairman of the U.S. Sentencing Commission, transmitting, pursuant to law, the report on sentencing issues; to the Committee on the Judiciary.

EC–593. A communication from the Chairperson of the Appraisal Subcommittee, Federal Financial Institutions Examination Council, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1994; to the Committee on the Judiciary.

EC–594. A communication from the Secretary of Transportation, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1994; to the Committee on the Judiciary.

EC–595. A communication from the Special Assistant to the President for Management and Administration and Director of the Office of Administration, Executive Office of the President, transmitting, pursuant to law, the Office's 1994 report under the Freedom of Information Act.

EC–596. A communication from the Chairman of the Federal Maritime Commission, transmitting, pursuant to law, the Commission's 1994 annual report under the Freedom of Information Act; to the Committee on the Judiciary.

EC–597. A communication from the Director of the U.S. Trade and Development Agency, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1994; to the Committee on the Judiciary.

EC–598. A communication from the Chairman of the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1994; to the Committee on the Judiciary.

EC–599. A communication from the Director of the Office of Science and Technology Policy, Executive Office of the President, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1994; to the Committee on the Judiciary.

EC–600. A communication from the Executive Director of the Thrift Depositor Protection Oversight Board, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1994; to the Committee on the Judiciary.

EC–601. A communication from the General Counsel of the Federal Emergency Management Agency, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1994; to the Committee on the Judiciary.

EC–602. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1994; to the Committee on the Judiciary.

EC–603. A communication from the Chairman of the Federal Deposit Insurance Corporation, transmitting, pursuant to law, the 1994 annual report of the Corporation under the Freedom of Information Act; to the Committee on the Judiciary.

EC–604. A communication from the Assistant Secretary of State for Legislative Affairs, transmitting, pursuant to law, a report relative to international narcotics control; to the Committee on the Judiciary.

EC–605. A communication from the Chairman of the National Endowment for the Arts, transmitting, pursuant to law, the 1994 report of the Endowment under the Freedom of Information Act; to the Committee on the Judiciary.

EC–606. A communication from the Director of the U.S. Information Agency, transmitting, pursuant to law, the Agency's 1994 annual report under the Freedom of Information Act; to the Committee on the Judiciary.

EC–607. A communication from the Members of the Railroad Retirement Board, transmitting, pursuant to law, the Board's 1994 annual report under the Freedom of Information Act; to the Committee on the Judiciary.

EC–608. A communication from the Assistant Secretary of the Treasury (Management), transmitting, pursuant to law, the 1994 annual report of the Department under the Freedom of Information Act; to the Committee on the Judiciary.

EC–609. A communication from the Director of the Office of Communications of the Department of Agriculture, transmitting, pursuant to law, the 1994 annual report of the Department under the Freedom of Information Act; to the Committee on the Judiciary.

EC–610. A communication from the President and Chairman of the Export-Import Bank, transmitting, pursuant to law, the 1994 annual report of the Bank under the Freedom of Information Act; to the Committee on the Judiciary.

EC–611. A communication from the Chairman of the U.S. Sentencing Commission, transmitting, pursuant to law, a report relative to cocaine and Federal sentencing policy; to the Committee on Judiciary.

EC–612. A communication from the Chair of the Federal Labor Relations Authority, transmitting, pursuant to law, the 1994 annual report under the Freedom of Information Act; to the Committee on the Judiciary.

EC–613. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, the report on rescissions and deferrals dated February 1, 1995; referred jointly, pursuant to the order of January 30, 1975, as modified by the order of April 11, 1986, to the Committee on Appropriations, to the Committee on the Budget, to the Committee on Finance, and to the Committee on Foreign Relations.

EC–614. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, the cumulative report on rescissions and deferrals for fiscal year 1995; referred jointly, pursuant to the order of January 30, 1975, as modified by the order of April 11, 1986, to the Committee on Appropriations, to the Committee on the Budget, to the Committee on Agriculture, Nutrition, and Forestry, to the Committee on Banking, Housing, and Urban Affairs, to the Committee on Commerce, Science, and Transportation, to the Committee on Environment and Public Works, to the Committee on Finance, to the Committee on Foreign Relations, to the Committee on Labor and Human Resources, and to the Committee on Small Business.

EC–615. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Department's annual report relative to railroad financial assistance; to the Committee on Commerce, Science and Transportation.

EC–616. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report on foreign direct investment; to the Committee on Commerce, Science and Transportation.

EC–617. A communication from the Administrator of the National Aeronautics and Space Administration, transmitting, pursuant to law, a report relative to all actions taken during calendar year 1994 which involve actual or potential cost in excess of $50,000; to the Committee on Commerce, Science and Transportation.

EC–618. A communication from the Comptroller of the Currency, transmitting, pursuant to law, the 1994 annual report of consumer complaints filed against national banks; to the Committee on Commerce, Science and Transportation.

EC–619. A communication from the Secretary of Transportation, transmitting, a draft of proposed legislation to authorize appropriations for pipeline safety for fiscal years 1996, 1997, 1998, and 1999, and for other purposes; to the Committee on Commerce, Science and Transportation.

EC–620. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Department's annual report relative to pipleine safety for fiscal year 1992; to the Committee on Commerce, Science and Transportation.

EC–621. A communication from the Secretary of Energy, transmitting, pursuant to law, the annual report on the state energy conservation program for fiscal year 1993; to the Committee on Energy and Natural Resources.

EC–622. A communication from the Secretary of Energy, transmitting, pursuant to law, the Department's annual report on the automotive technology development program; to the Committee on Energy and Natural Resources.

EC–623. A communication from the Deputy Associate Director for Compliance, Department of the Interior, transmitting, pursuant to law, a report relative to refunds of offshore lease revenues where a refund or recoupment is necessary; to the Committee on Energy and Natural Resources.

EC–624. A communication from the Secretary of Energy, transmitting, pursuant to law, a report relative to coal research; to the Committee on Energy and Natural Resources.

EC–625. A communication from the President and Chief Executive Officer of the U.S. Enrichment Corporation, transmitting, pursuant to law, the Corporation's annual report for fiscal year 1994; to the Committee on Energy and Natural Resources.

EC–626. A communication from the Commissioner, Bureau of Reclamation, Department of the Interior, transmitting a draft of proposed legislation to amend the Trinity River Basin Fish and Wildlife Management Act of 1984, and for other purposes; to the Committee on Environment and Public Works.

EC–627. A communication from the Chairman of the Nuclear Regulatory Commission, transmitting a draft of proposed legislation to authorize appropriations for the Nuclear Regulatory Commission for fiscal years 1996 and 1997 and for other purposes; to the Committee on Environment and Public Works.

EC–628. A communication from the Administrator of the General Services Administration, transmitting, pursuant to law, a report relative to three U.S. courthouses; to the Committee on Environment and Public Works.

EC–629. A communication from the Secretary of Health and Human Services, transmitting a draft of proposed legislation to reduce costs and make improvements in the Medicare program, and for other purposes; to the Committee on Finance.

EC–630. A communication from the Chairman of the Board for International Broadcasting, transmitting, pursuant to law, the Board's annual report on its activities for fiscal year 1994; to the Committee on Foreign Relations.

EC–631. A communication from the Assistant Secretary of State for Legislative Affairs, transmitting, pursuant to law, a report relative to the Nonproliferation Disarmament Fund; to the Committee on Foreign Relations.

EC–632. A communication from the Director of the U.S. Arms Control and Disarmament Agency, transmitting a draft of proposed legislation to amend the Arms Control and Disarmament Act to authorize appropriations for fiscal years 1996 and 1997; to the Committee on Foreign Relations.

EC–633. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, the text of international agreements other than treaties entered into by the United States in the sixty day period prior to March 9, 1995; to the Committee on Foreign Relations.

EC–634. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting a draft of proposed legislation to provide for the adjudication of certain claims against the Government of Iraq; to the Committee on Foreign Relations.

EC–635. A communication from the Chairman of the Federal Maritime Commission, transmitting, pursuant to law, the Commission's annual report under the Government in the Sunshine Act for calendar year 1994; to the Committee on Governmental Affairs.

EC–636. A communication from the Inspector General of the General Services Administration, transmitting, pursuant to law, an audit of the Thomas Jefferson Commission; to the Committee on Governmental Affairs.

EC–637. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a copy of D.C. Act 11–26 enacted by the Council on February 7, 1995; to the Committee on Governmental Affairs.

EC–638. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a copy of D.C. Act 11–27 enacted by the Council on February 7, 1995; to the Committee on Governmental Affairs.

EC–639. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a copy of D.C. Act 11–28 enacted by the Council on February 7, 1995; to the Committee on Governmental Affairs.

EC–640. A communication from the Executive Director of the National Capital Planning Commission, transmitting, pursuant to law, the annual report of the Inspector General; to the Committee on Governmental Affairs.

EC–641. A communication from the President of Inter-American Foundation, transmitting, pursuant to law, the annual report of the Inspector General for fiscal year 1994; to the Committee on Governmental Affairs.

EC–642. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the fiscal year 1993 required under the Indian Civil Service Retirement Act 1993; to the Committee on Governmental Affairs.

EC–643. A communication from the Director, Office of Financial Management, General Accounting Office, transmitting, pursuant to law, the 1994 annual report of the Comptrollers General Retirement System; to the Committee on Governmental Affairs.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. D'AMATO (for himself and Mr. PRESSLER):

S. 578. A bill to limit assistance for Turkey under the Foreign Assistance Act of 1961 and the Arms Export Control Act until that country complies with certain human rights standards; to the Committee on Foreign Relations.

By Mr. BREAUX (for himself and Mr. BROWN):

S. 579. A bill to amend the JOBS program in title IV of the Social Security Act to provide for a job placement voucher program, and for other purposes; to the Committee on Finance.

By Mr. MURKOWSKI (for himself, Mr. ROBB, Mr. HELMS, Mr. SIMON, and Mr. THOMAS):

S.J. Res. 29. A joint resolution expressing the sense of Congress with respect to North-South dialogue on the Korean Peninsula and the United States-North Korea Agreed Framework; to the Committee on Foreign Relations.

By Mr. MOYNIHAN (for himself, Mr. COCHRAN, and Mr. SIMPSON):

S.J. Res. 30. A joint resolution providing for the reappointment of Homer Alfred Neal as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on Rules and Administration.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. D'AMATO (for himself and Mr. PRESSLER):

S. 578. A bill to limit assistance for Turkey under the Foreign Assistance Act of 1961 and the Arms Export Control Act until that country complies with certain human rights standards; to the Committee on Foreign Relations.

TURKISH HUMAN RIGHTS COMPLIANCE ACT

Mr. D'AMATO. Mr. President, I rise today to introduce legislation which will help restore credibility to our foreign assistance program by ensuring that one of the largest recipients of United States aid, the Republic of Turkey, adheres to internationally accepted standards for human rights and humanitarian practices.

The time has come, after years of fruitless quiet diplomacy, for the Congress to take the lead in addressing a broad range of issues dealing with Turkey, including its worsening human rights record, its continued blockade of humanitarian supplies to Armenia, its refusal to work toward a lasting and equitable settlement in Cyprus, its denial of basic rights to its Kurdish minority, and its continued persecution of Christian communities in Turkey. The hundreds of millions of dollars that the United States sends to Turkey each year provides us with the necessary leverage to bring about positive change in each of these five areas.

In each of these areas, Turkey has consistently violated international treaties and agreements to which it is a signatory. Among these are the U.N. Universal Declaration of Human Rights, the final act of the Conference on Security and Cooperation in Europe, and the European Convention on Human Rights.

The Congress, in the fiscal year 1995 foreign aid bill, withheld 10 percent of the principal amount of direct loans for Turkey based on its human rights record and the situation in Cyprus. The Turkish Government has spoken clearly on this issue—they will reject any United States aid tied to its human rights record. While the de-linking of United States assistance and human rights may be in the interests of the Turkish Government, it is surely not in the interest of the United States or the international community. It is clear, given the Turkish Government's response, that we must move beyond symbolism and fundamentally reassess our relationship with Turkey.

On the question of human rights, we need only to look at the State Department's recently released 1995 country reports on human rights, to see that years and even decades of behind the scenes efforts by the State Department have not produced any improvement in the human rights situation in Turkey. This report concludes, in fact, that ''the human rights situation in Turkey worsened significantly in 1994.''

Mr. President, the full spectrum of human rights monitoring organizations have condemned Turkey for its systematic and widespread abuse of human rights, including the use of torture. Amnesty International, Human Rights Watch, the U.N. Committee Against Torture, the European Parliament, the International Human Rights Law Group, the Lawyers Committee for Human Rights, Physicians Without Frontiers, Freedom House, the humanitarian law project, the Turkish Human Rights Association, and other organizations have documented the deteriorating human rights situation in Turkey.

My legislation would link the level of United States assistance to Turkey's willingness to allow free and unfettered monitoring of the human rights environment within its territory by domestic and international human rights monitoring organizations. Among the groups which have been denied full access in the past are the Turkish Human Rights Association, the Conference on Security and Cooperation in Europe, Amnesty International, and Human Rights Watch.

I would like to address Kurdish rights, or lack thereof. Nowhere is the case for cutting aid to Turkey more compelling than on the question of the Kurds. To this day, Turkey continues to deny the very existence of its 15 million Kurdish citizens. The Turkish military has systematically emptied over 2,000 Kurdish villages and uprooted over a million Kurdish citizens from their homes. The Turkish Government's systematic and deliberate eradication of the Kurdish identity within its borders is, in many ways, a high-technology version of the massacres and deportations of the Armenian genocide earlier this century.

If Turkey is to continue benefiting from the generosity of the American taxpayer, it must take demonstrable steps toward the full recognition of the civil, cultural, and human rights of its Kurdish civilians and demonstrate that it will resolve the Kurdish question peacefully.

Important too is the question of Cyprus which remains unresolved more than 20 years after Turkey's illegal 1974 invasion of the island nation. Despite countless U.N. resolutions and international agreements, Turkey continues its illegal military occupation and has obstructed efforts toward a peaceful settlement. The division of the island and the massive uprooting of Greek Cypriots caused by the 1974 invasion remain a constant reminder of the failure of the international community to enforce a lasting and equitable resolution to the conflict.

The Turkish Government must take demonstrable steps toward the total withdrawal of its military forces from Cyprus. In addition, Turkey must demonstrate its support for a settlement recognizing the sovereignty and territorial integrity of Cyprus with a constitutional democracy based on majority rule, the rule of law and the protection of minority rights.

Mr. President, I must state that the failure of quiet diplomacy on the part of the State Department is nowhere more apparent than in its failure to lift the Turkish blockade of humanitarian aid to Armenia. In violation of international law and in defiance of the United Nations, Turkey continues to blockade its border with Armenia. For close to 2 years, the Turkish Government has refused to allow desperately needed United States and other international assistance reach the people of

Armenia. Unable to cross Turkish territory or transit its airspace, relief supplies have been re-rerouted through Georgia, where due to widespread instability, large portions of the aid has been either lost or stolen.

The United States simply can not tolerate the obstruction of its humanitarian relief efforts by another recipient of its foreign aid. Until the blockade is lifted, the provisions in this bill cutting the level of United States assistance to Turkey would be in force.

The Turkish Government continues to place prohibitive restrictions on the Christian communities within Turkey. Among the communities which have suffered from official persecution are the Armenians, Greeks, Syrian Orthodox, and the Assyrians. The religious leaderships of these communities, in particular, have been subject to official restrictions which significantly limit their ability to serve their people. In addition, the Turkish Government has failed to adequately protect them from acts of violence and vandalism.

The United States must ensure that Turkey lifts any official restrictions on Christian churches and schools and offers sufficient protection against acts of violence and harassment against the clergy and vandalism against church and school property.

The Turkish Government must understand that the United States will not continue to subsidize its illegal and irresponsible conduct. By withholding $500,000 a day in our assistance until they have taken steps toward resolving each of the five issues I have just addressed, we will send the Turkish leadership a clear signal that our foreign assistance programs will not extend aid to those nations which regularly violate human rights and international law.

Mr. President, I ask unanimous consent that the text of the bill and an article be printed in the RECORD.

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

S. 578

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Turkish Human Rights Compliance Act''.

SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) The Department of State, in its 1995 report entitled ''Country Reports on Human Rights'', documented a systematic and widespread pattern of human rights abuses by the Government of Turkey. According to the portion of the report relating to Turkey, ''the human rights situation in Turkey worsened significantly in 1994''.

(2) Amnesty International, Human Rights Watch, the United Nations Committee Against Torture, the European Parliament, the International Human Rights Law Group, the Lawyers Committee for Human Rights, Physicians Without Frontiers, Freedom House, the Humanitarian Law Project, the Turkish Human Rights Associations, and other human rights monitoring organizations have documented extensive and continuing human rights abuses by the Government of Turkey, including the widespread use of torture.

(3) The actions of the Government of Turkey are in violation of several international human rights agreements to which Turkey is a party, including the United Nations Universal Declaration of Human Rights, the Final Act of the Conference on Security and Cooperation in Europe, and the European Convention on Human Rights.

(4) The Government of Turkey continues to deny the existence of its 15,000,000 Kurdish citizens and has used military force to deny them an identity, destroying more than 2,000 Kurdish villages and uprooting more than 2,000,000 Kurds.

(5) Turkey continues its illegal military occupation of Cyprus and has obstructed efforts to reach a just and lasting resolution to the division of Cyprus and the massive uprooting of Greek Cypriots caused by the 1974 invasion by Turkey of Cyprus.

(6) The Government of Turkey continues to blockade Armenia, obstructing the delivery of American and international humanitarian relief supplies.

(7) Turkey continues to place prohibitive restrictions on the religious leadership of Christian communities within Turkey and has failed to protect these communities adequately from acts of violence and vandalism.

(8) The Congress, in the fiscal year 1995 budget for foreign assistance, withheld 10 percent of the principal amount of direct loans to Turkey because of that country's human rights record and the situation in Cyprus. The Government of Turkey has stated that it would reject any United States assistance tied to its human rights record, which, according to independent human rights monitoring organizations, has continued to deteriorate.

SEC. 3. RESTRICTIONS ON ASSISTANCE FOR TURKEY.

(a) RESTRICTIONS.—Of the funds made available for fiscal year 1996 for assistance for Turkey under the Foreign Assistance Act of 1961 and the Arms Export Control Act, the President shall withhold, first from grant assistance, if any, and then from loan assistance, $500,000 for each day that Turkey does not meet the conditions of section 4.

(b) WAIVER.—The President may waive the application of subsection (a) if the President determines that it is in the national security interest of the United States to do so.

SEC. 4. CONDITIONS.

The conditions of this section are met when the President certifies to Congress that the Government of Turkey—

(1) allows free and unfettered monitoring of the human rights situation within its territory by domestic and international human rights monitoring organizations, including but not limited to, the Turkish Human Rights Association, the Conference on Security and Cooperation in Europe, Amnesty International, and Human Rights Watch;

(2) recognizes the civil, cultural, and human rights of its Kurdish citizens, ceases its military operations against Kurdish civilians, and takes demonstrable steps toward a peaceful resolution of the Kurdish issue;

(3) takes demonstrable steps toward the total withdrawal of its military forces from Cyprus and demonstrates its support for a settlement recognizing the sovereignty, independence, and territorial integrity of Cyprus, with a constitutional democracy based on majority rule, the rule of law, and the protection of minority rights;

(4) completely removes its blockade of United States and international assistance to Armenia; and

(5) removes official restrictions on Christian churches and schools and offers sufficient protection against acts of violence and harassment directed at members of the clergy, and offers sufficient protection against acts of vandalism directed at church and school property.

[From the New York Times, Mar. 6, 1995]

RIGHTS VIOLATIONS IN TURKEY SAID TO RISE

(By John Darnton)

ANKARA, TURKEY.—To the concern of Western allies and international human rights organizations, reports of rights violations in Turkey have increased markedly in recent months, along with attempts by the Government to crush the Kurdish separatist insurrection in the southeast.

The number of people who have been disappearing while in the custody of the policy and security forces, the reports of torture, killings by unknown assailants that appear to be political and arrests and convictions of writers, intellectuals and politicians under a law against separatist propaganda are all on the rise, Turkish human rights groups say.

''The main reason is the war in the southeast,'' said Yavuz Onen, a 56-year-old architect who is president of the Human Rights Foundation, a Turkish group that was set up in 1989 to aid victims and document abuses.

''The state uses the argument that they are in a struggle with terrorists and that they are defending the indivisibility of the territory,'' he said. ''Of course the state can defend its borders. But most of the violations are against civilians.

''Torture is now widespread and systematic, not only for political crime but for common crime as well.''

Prime Minister Tansu Ciller, in an interview, denied that there had been widespread violations.

Allegations of torture are not new in Turkey. The foundation cited the cases of Yasar Kanbur, 35, an engineer, and Yusuf Yukdirim, 35, a health union worker. The two men said they had been picked up as leftist students after the military takeover of 1980 and were held nine and a half years in prison. During that time, they said, they were suspended by their chained arms, kept without food and sleep, beaten repeatedly and subjected to electric shock.

They scoffed at the idea that torture would ever be eliminated from Turkey. ''Not by this regime,'' Mr. Kanbur said. ''Torture is universal here.''

The war against the Kurds, who constitute about one-fifth of Turkey's 60-million people, has been going on for a decade. The Kurds were originally concentrated in the southeast, but many are now scattered all over the country. The fighting has claimed an estimated 14,000 lives.

The Kurdish Workers' Party, or P.K.K. has used terrorism in its fight for an independent homeland. It does not shrink from killing teachers who instruct in Turkish and so-called ''village guards,'' who defend hamlets of Government supporters, and their families. The party is believed to have killed over 200 civilians in 1993, and it took responsibility for at least 167 deaths in the first 10 months of 1994.

But attempts to eradicate the P.K.K., whose leader, Abdullah Ocalan, is based in Syria, have taken even more civilian lives. Western diplomats stationed here say security forces have been granted a free hand by the Mrs. Ciller's Government to deal with the insurrection.

The security forces have turned to brutal methods, especially in the 10 southeastern provinces that have been under a state of emergency since 1987 because of the insurrection. The emergency grants quasimartial law powers to a regional governor and suspends the few modest constitutional safeguards in

effect elsewhere. A suspect, for instance, can be held for 30 days without access to relatives or a lawyer.

Army and paramilitary groups sweep through whole areas of the southeast, destroying villages that they suspect of aiding the P.K.K. and burning many of them to the ground. The province of Tunceli has been a battleground this winter, where some 40,000 Turkish troops are pursuing guerrillas who may number up to 3,000, by estimates of Western diplomats.

More than 60 villages there have been wiped out. The estimates of the number of villages destroyed over the last decade vary among the human rights groups, but usually run between 1,500 and 2,500.

Reports by the United States Department, Amnesty International, the United Nations Committee Against torture and the European Committee for the Prevention of Torture have all condemned Turkey for human rights violations.

A report by Amnesty International, ''A Policy of Denial,'' said at least 50 ''disappearances'' in custody were reported in the first 10 months of 1994, nearly double the number in 1993. It said the number of people shot down in the street by unknown assassins had soared from more than 20 in 1991 to 362 in 1992, more than 400 in 1993 and 380 for the first 10 months of 1994.

Visitors to the southeastern region say four or five people a day are now being killed on the streets. They include journalists investigating human rights violations and members of trade unions and political parties, including the People's Democracy Party, which has a largely Kurdish membership and is anathema to the Government.

Leaders of human rights organizations rebut the Government's argument that the Kurdish insurrection is in any way a valid reason for curtailing civil liberties. ''The continuation of the armed struggle by someone else cannot be accepted as the reason for delaying democracy,'' said Husnu Ondul, secretary general of the Human Rights Association.

In 1991 and 1992, the number of what Amnesty calls ''prisoners of conscience''—people jailed for expressing nonviolent beliefs—fell to close to zero. But that number has mounted again. Now 118 are in jail, according to the Human Rights Association, a grass-roots organization, with 2,139 convicted but appealing their sentences and 5,600 more awaiting trial.

In a four-month trial that ended in December, eight Kurdish members of Parliament were tried on capital charges of treason. They were stripped of their parliamentary immunity so charges could be filed, and their party was banned. While they were convicted, the charges were changed at the last minute to such things as assisting the P.K.K. and spreading separatist propaganda, and they got sentences ranging from 3 years and 6 months to 15 years.

''It wasn't a real trial,'' said Sirri Sakik, one of the two of the eight who is out pending appeal. He said that the prosecutor had built a case around various speeches he had made and that some of his relatives had been tortured to try to force them to give testimony against him. ''In court they recanted, and now they are going on trial for murders they didn't commit,'' he said.

Seven journalists from a Kurdish pro-separatist newspaper, Ozgur Ulke, or Free Land, have been shot dead by unknown assailants. In December the newspaper's offices in Istanbul and Ankara were damaged by explosions. On Feb. 3 the paper was closed by order of the Istanbul State Security Court.

The human rights organizations are especially concerned that many human rights monitors themselves are now bearing the brunt of prosecutions. ''We used to have 14 bureaus and an additional seven representatives in the southeast and now none of them can function,'' said Akin Birdal, president of the Human Rights Association. ''Some are in jail, and the others are on the run.''

Maryam Elahi, an Amnesty official who went to Diyarbakir this week to attend a trial of four human rights workers, said the persecution of the rights workers ''closes off the last avenue.''

''It's a definite pattern'' she said. ''Before, the Government was instigating cases against people they thought were P.K.K. or at least political in some way. Now the human rights people themselves are getting it. Even health professionals who treat victims are disappearing.''

Mrs. Ciller defended her Government's action and asserted in the interview that the P.K.K. itself destroyed the villages. ''A lot of it is theater, in the sense that we have found—and I've seen official documentation—of the terrorists wearing the clothes of the soldiers, attacking the villages and burning them,'' she said.

''This is not to say that there has been nothing wrong on the side of this fight against terrorism,'' she added. ''It's very hard sometimes to discriminate. There is a lot of bombing or fire coming out of the houses and villages and for the military approaching it's very hard to tell who the terrorist is and who the villager is.''

By Mr. BREAUX (for himself and Mr. BROWN):

S. 579. A bill to amend the JOBS program in title IV of the Social Security Act to provide for a job placement voucher program, and for other purposes; to the Committee on Finance.

JOB PLACEMENT ACT

● Mr. BREAUX. Mr. President, in the last several months, the debate over welfare reform has lost its focus. We should be talking about how to move recipients from dependence on public assistance into work in private sector jobs.

Instead, we are talking about a number of other issues—teenage pregnancy, drug and alcohol abuse, breakup of the family, whether to block grant welfare programs to the States, entitlement spending versus discretionary spending, and so on. These are all important issues, but they miss the mark. They are distractions from what should be the primary focus of the welfare reform debate—work and personal responsibility. Ultimately, Mr. President, the best social program we could ever come up with is a good job.

What the American people want is fundamental change in the welfare system. We won't get this fundamental change if Congress shucks accountability to the States.

Everyone certainly agrees that States should be given more flexibility to design their programs in a way that meets their unique economic and social circumstances. But the Federal Government must be accountable for making sure that the tax money we raise is well spent and produces the results the American people are demanding—that is, self-sufficiency through work.

While few people would argue that welfare reform should be about work, a vital piece of the puzzle has been missing from the beginning. That is, how do we actually move people from welfare into an appropriate job. Last year's proposal from the Clinton administration supplied an incentive for welfare recipients to work by placing a time limit on cash assistance, but it maintained and even expanded an ineffective education and training system that recipients have to pass through before they are sent to look for work. Past Republican proposals such as the one contained in the Contract With America also imposed a time limit and insisted on immediate work, but provided no mechanism for linking recipients with private jobs, implying that they would rely on a vast public jobs program. The latest Republican proposals completely evade this and many other questions by boxing up the problem and sending it back to the States.

The legislation that Senator BROWN and I are introducing today would provide a direct mechanism for moving individual welfare recipients into suitable jobs. Our proposal is to enable and encourage States to use vouchers for job placement services.

It would firmly commit the Federal Government to the principle that work experience is the best training for private employment. It would also transfer power from governments to individuals by putting control in the hands of individual welfare recipients in a competitive job placement market, while giving each State flexibility to tailor the new system to its particular economic and social circumstances.

Mr. President, vouchers take the welfare debate beyond the arguments that are being made over block grants. Instead of ending the Federal welfare bureaucracy, only to replace it with a State bureaucracy, vouchers would do away with bureaucracy and put the power to choose in the hands of individual welfare recipients.

Existing funds would be used to pay for the vouchers, and State and Federal Government costs might actually be reduced as bureaucratic solutions are replaced with private sector solutions.

States would develop a list of approved service providers—placement agencies, private employers, employment-based JOBS programs, and so forth—available to welfare recipients once they have applied for public assistance and started their job search. Recipients would use the lists to make their service choices. Instead of being assigned to a job by a caseworker, the recipients would consult with their caseworkers, review all the options that are available, and choose the program most suited to their needs.

Payment to public and private placement agencies, employers, and other approved employment programs would be based on performance only. Vouchers would be redeemed in full only after an organization had successfully placed the recipient in a full-time unsubsidized job for a set period of time.

Mr. President, this is not meant to be the whole solution to the welfare problem. But I am convinced that it is a necessary part of any realistic attempt to get welfare recipients into jobs in the private sector. I am also glad to be joined in offering this bill by my friend and colleague from Colorado, HANK BROWN. This is just about the only bipartisan welfare reform legislation that has been introduced in this Congress and I am proud to have Senator BROWN as a cosponsor.

I hope that more of our colleagues will join us in support of this legislation. I ask unanimous consent that a copy of the bill appear in the RECORD.

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

S. 579

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Job Placement Act of 1995''.

SEC. 2. JOB PLACEMENT VOUCHER PROGRAM.

(a) ADDITION OF PROGRAM.—Section 482 of the Social Security Act (42 U.S.C. 682) is amended—

(1) in subsection (d)(1)(A)(ii)—

(A) in subclause (III), by striking ''and'' at the end;

(B) in subclause (IV), by striking the period and inserting ''; and''; and

(C) by adding at the end the following new subclause:

''(V) a job placement voucher program as described in subsection (h).'';

(2) by redesignating subsections (h) and (i) as subsections (i) and (j), respectively; and

(3) by inserting after subsection (g), the following subsection:

''(h) JOB PLACEMENT VOUCHER PROGRAM.—(1) The State agency may establish and operate a job placement voucher program for individuals participating in the program under this part.

''(2) A State that elects to operate a job placement voucher program under this subsection—

''(i) shall establish eligibility requirements for participation in the job placement voucher program; and

''(ii) may establish other requirements for such voucher program as the State deems appropriate.

''(3) A job placement voucher program operated by a State under this subsection shall include the following requirements:

''(A) The State shall identify, maintain, and make available to an individual applying for or receiving assistance under part A a list of State-approved job placement organizations that offer services in the area where the individual resides and a description of the job placement and support services each such organization provides. Such organizations may be publicly or privately owned and operated.

''(B)(i) An individual determined to be eligible for assistance under part A shall, at the time the individual becomes eligible for such assistance—

''(I) receive the list and description described in subparagraph (A);

''(II) agree, in exchange for job placement and support services, to—

''(aa) execute, within a period of time permitted by the State, a contract with a State-approved job placement organization which provides that the organization shall attempt to find employment for the individual; and

''(bb) comply with the terms of the contract; and

''(III) receive a job placement voucher (in an amount to be determined by the State) for payment to a State-approved job placement organization.

''(ii) The State shall impose the sanctions provided for in section 402(a)(19)(G) on any individual who does not fulfill the terms of a contract executed with a State-approved job placement organization.

''(C) At the time an individual executes a contract with a State-approved job placement organization, the individual shall provide the organization with the job placement voucher that the individual received pursuant to subparagraph (B).

''(D)(i) A State-approved job placement organization may redeem for payment from the State not more than 25 percent of the value of a job placement voucher upon the initial receipt of the voucher for payment of costs incurred in finding and placing an individual in an employment position. The remaining value of such voucher shall not be redeemed for payment from the State until the State-approved job placement organization—

''(I) finds an employment position (as determined by the State) for the individual who provided the voucher; and

''(II) certifies to the State that the individual remains employed with the employer that the organization originally placed the individual with for the greater of—

''(aa) 6 continuous months; or

''(bb) a period determined by the State.

''(ii) A State may modify, on a case-by-case basis, the requirement of clause (i)(II) under such terms and conditions as the State deems appropriate.

''(E)(i) The State shall establish performance-based standards to evaluate the success of the State job placement voucher program operated under this subsection in achieving employment for individuals participating in such voucher program. Such standards shall take into account the economic conditions of the State in determining the rate of success.

''(ii) The State shall, not less than once a fiscal year, evaluate the job placement voucher program operated under this subsection in accordance with the performance-based standards established under clause (i).

''(iii) The State shall submit a report containing the results of an evaluation conducted under clause (ii) to the Secretary and a description of the performance-based standards used to conduct the evaluation in such form and under such conditions as the Secretary shall require. The Secretary shall review each report submitted under this clause and may require the State to revise the performance-based standards if the Secretary determines that the State is not achieving an adequate rate of success for such State.''.

(b) CONFORMING AMENDMENTS.—Title IV of the Social Security Act (42 U.S.C. 601 et seq.) is amended—

(1) in section 403(*l*)(1)(A) (42 U.S.C. 603(*l*)(1)(A)),

(A) in clause (ii)(II)—

(II) by striking the period and inserting ''; and''; and

(B) by adding at the end the following new clause:

''(iii) with respect to expenditures made for a job placement voucher program under section 482(h) in a fiscal year, the greater of—

''(I) 70 percent; or

''(II) the percentage paid to the State under clause (ii)(II) plus 10 percent.''; and

(2) in section 431(a)(6) (42 U.S.C. 629a(a)(6))—

(A) by striking ''482(i)(5)'' and inserting ''482(j)(5)''; and

(B) by striking ''482(i)(7)(A)'' and inserting ''482(j)(7)(A)''.

SEC. 3. EFFECTIVE DATE.

The amendments made by section 2 shall be effective with respect to calendar quarters beginning with the second calendar quarter beginning after the date of the enactment of this Act.●

By Mr. MOYNIHAN (for himself, Mr. COCHRAN, and Mr. SIMPSON):

S.J. Res. 30. A joint resolution providing for the reappointment of Homer Alfred Neal as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on Rules and Administration.

REAPPOINTMENT OF DR. HOMER A. NEAL

● Mr. MOYNIHAN. Mr. President, I rise to introduce a joint resolution to reappoint Dr. Homer A. Neal to a second term as a citizen regent of the Smithsonian Institution. I introduce this resolution on behalf of my distinguished colleagues, Senators COCHRAN and SIMPSON, with whom I have the privilege to serve on the Smithsonian's Board of Regents.

Dr. Neal is a scientist of great distinction. A former provost of the State University of New York at Stony Brook, he is now vice president for research and professor of physics at the University of Michigan, where he earned his Ph.D in 1966. An eminent physicist specializing in high-energy physics, particle detection, and digital electronics, Dr. Neal conducted pioneering experimental studies of spin effects in proton-proton collisions at high energy.

Dr. Neal is a leader in both the scientific and academic communities and has long demonstrated his commitment to improving American education in the fields of science, mathematics, and engineering. He is ideally suited to serve on the Board of Regents of the Smithsonian, where he is currently a member of the Institution's executive committee and the National Council of the National Museum of Natural History.

The Smithsonian has greatly benefited from Dr. Neal's contributions as a member of the Board of Regents, and we eagerly look forward to his reappointment. I urge my colleagues to support this resolution and ask unanimous consent that the full text of the resolution be printed in the RECORD.

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

S.J. RES. 30

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 5581 of the Revised Statutes of the United States (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring by reason of the expiration of the term of Homer Alfred Neal of Michigan on December 6, 1995, is filled by the reappointment of the incumbent for a term of six years, effective December 7, 1995.●

● Mr. COCHRAN. Mr. President, I am pleased to join Senators MOYNIHAN and SIMPSON in supporting the reappointment of Dr. Homer A. Neal as a Citizen Regent of the Smithsonian Institution.

Dr. Neal, a distinguished physicist, is vice president for research at the University of Michigan, having held previous positions at the University of New York at Stony Brook, and at Indiana University. He has been scientist-in-residence at the Neils Bohr Institute in Copenhagen and at the European Organization for Nuclear Research in Geneva.

He is a member of the Oak Ridge National Laboratory Advisory Board and the board of trustees of the Center for Strategic and International Studies. A fellow of the American Physical Society, he has been a trustee of the Argonne National Laboratory and a member of the National Science Board, the oversight body for the National Science Foundation. Senators MOYNIHAN, SIMPSON, and I are privileged to serve with Dr. Neal on the Smithsonian Board of Regents.

I urge Senators to support the resolution of reappointment for this outstanding American.●

ADDITIONAL COSPONSORS

S. 141

At the request of Mrs. KASSEBAUM, the name of the Senator from Florida [Mr. MACK] was added as a cosponsor of S. 141, a bill to repeal the Davis-Bacon Act of 1931 to provide new job opportunities, effect significant cost savings on Federal construction contracts, promote small business participation in Federal contracting, reduce unnecessary paperwork and reporting requirements, and for other purposes.

S. 241

At the request of Mr. D'AMATO, the name of the Senator from North Carolina [Mr. HELMS] was added as a cosponsor of S. 241, a bill to increase the penalties for sexual exploitation of children, and for other purposes.

S. 258

At the request of Mr. PRYOR, the name of the Senator from Oklahoma [Mr. INHOFE] was added as a cosponsor of S. 258, a bill to amend the Internal Revenue Code of 1986 to provide additional safeguards to protect taxpayer rights.

S. 381

At the request of Mr. HELMS, the name of the Senator from Virginia [Mr. ROBB] was added as a cosponsor of S. 381, a bill to strengthen international sanctions against the Castro government in Cuba, to develop a plan to support a transition government leading to a democratically elected government in Cuba, and for other purposes.

S. 386

At the request of Mr. MCCONNELL, the name of the Senator from Oklahoma [Mr. INHOFE] was added as a cosponsor of S. 386, a bill to amend the Internal Revenue Code of 1986 to provide for the tax-free treatment of education savings accounts established through certain State programs, and for other purposes.

S. 391

At the request of Mr. CRAIG, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 391, a bill to authorize and direct the Secretaries of the Interior and Agriculture to undertake activities to halt and reverse the decline in forest health on Federal lands, and for other purposes.

S. 447

At the request of Mr. INHOFE, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 447, a bill to provide tax incentives to encourage production of oil and gas within the United States, and for other purposes.

S. 494

At the request of Mr. KYL, the name of the Senator from Georgia [Mr. COVERDELL] was added as a cosponsor of S. 494, a bill to balance the Federal budget by fiscal year 2002 through the establishment of Federal spending limits.

S. 495

At the request of Mrs. KASSEBAUM, the name of the Senator from Indiana [Mr. COATS] was added as a cosponsor of S. 495, a bill to amend the Higher Education Act of 1965 to stabilize the student loan programs, improve congressional oversight, and for other purposes.

S. 525

At the request of Mr. BURNS, his name was added as a cosponsor of S. 525, a bill to ensure equity in, and increased recreation and maximum economic benefits from, the control of the water in the Missouri River system, and for other purposes.

SENATE CONCURRENT RESOLUTION 3

At the request of Mr. SIMON, the name of the Senator from Maine [Mr. COHEN] was added as a cosponsor of Senate Concurrent Resolution 3, a concurrent resolution relative to Taiwan and the United Nations.

SENATE CONCURRENT RESOLUTION 9

At the request of Mr. MURKOWSKI, the name of the Senator from Kansas [Mrs. KASSEBAUM] was added as a cosponsor of Senate Concurrent Resolution 9, a concurrent resolution expressing the sense of the Congress regarding a private visit by President Li Teng-hui of the Republic of China on Taiwan to the United States.

SENATE RESOLUTION 79

At the request of Mr. SPECTER, the name of the Senator from North Carolina [Mr. HELMS] was added as a cosponsor of Senate Resolution 79, a resolution designating March 25, 1995, as ''Greek Independence Day: A National Day of Celebration of Greek and American Democracy.''

AMENDMENTS SUBMITTED

LEGISLATIVE LINE-ITEM VETO ACT

DOLE (AND OTHERS) AMENDMENT NO. 347

Mr. DOLE (for himself, Mr. MCCAIN, Mr. DOMENICI, Mr. COATS, Mr. STEVENS, Mr. THOMPSON, Mr. INHOFE, Mr. ASHCROFT, Mr. BENNETT, Mr. BOND, Mr. BROWN, Mr. BURNS, Mr. CHAFEE, Mr. COCHRAN, Mr. COHEN, Mr. COVERDELL, Mr. CRAIG, Mr. D'AMATO, Mr. DEWINE, Mr. FAIRCLOTH, Mr. FRIST, Mr. GORTON, Mr. GRAMM, Mr. GRAMS, Mr. GREGG, Mr. HATCH, Mr. HELMS, Mrs. HUTCHISON, Mrs. KASSEBAUM, Mr. KEMPTHORNE, Mr. KYL, Mr. LOTT, Mr. LUGAR, Mr. MACK, Mr. MCCONNELL, Mr. MURKOWSKI, Mr. NICKLES, Mr. PACKWOOD, Mr. PRESSLER, Mr. ROTH, Mr. SANTORUM, Mr. SHELBY, Mr. SIMPSON, Mr. SMITH, Ms. SNOWE, Mr. SPECTER, Mr. THOMAS, Mr. THURMOND, and Mr. WARNER) proposed an amendment to the bill (S. 4) to grant the power to the President to reduce budget authority; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''The Separate Enrollment and Line Item Veto Act of 1995''.

SEC. 2. STRUCTURE OF LEGISLATION.

(a) APPROPRIATIONS LEGISLATION.—

(1) The Committee on Appropriations of either the House or the Senate shall not report an appropriation measure that fails to contain such level of detail on the allocation of an item of appropriation proposed by that House as is set forth in the committee report accompanying such bill.

(2) If an appropriation measure is reported to the House or Senate that fails to contain the level of detail on the allocation of an item of appropriation as required in paragraph (1), it shall not be in order in that House to consider such measure. If a point of order under this paragraph is sustained, the measure shall be recommitted to the Committee on Appropriations of that House.

(b) AUTHORIZATION LEGISLATION.—

(1) A committee of either the House or the Senate shall not report an authorization measure that contains new direct spending or new targeted tax benefits unless such measure presents each new direct spending or new targeted tax benefit as a separate item and the accompanying committee report for that measure shall contain such level of detail as is necessary to clearly identify the allocation of new direct spending or new targeted tax benefits.

(2) If an authorization measure is reported to the House or Senate that fails to comply with paragraph (1), it shall not be in order in that House to consider such measure. If a point of order under this paragraph is sustained, the measure shall be recommitted to the committee of jurisdiction of that House.

(c) CONFERENCE REPORTS.—

(1) A committee of conference to which is committed an appropriations measure shall not file a conference report in either House that fails to contain the level of detail on the allocation of an item of appropriation as is set forth in the statement of managers accompanying that report.

(2) A committee of conference to which is committed an authorization measure shall not file a conference report in either House unless such measure presents each direct spending or targeted tax benefit as a separate item and the statement of managers accompanying that report clearly identifies each such item.

(3) If a conference report is presented to the House or Senate that fails to comply with either paragraph (1) or (2), it shall not be in order in that House to consider such conference report. If a point of order under this paragraph is sustained in the House to first consider the conference report, the measure shall be deemed recommitted to the committee of conference.

SEC. 3. WAIVERS AND APPEALS.

Any provision of section 2 may be waived or suspended in the House or Senate only by an affirmative vote of three-fifths of the Members of that House duly chosen and sworn. An affirmative vote of three-fifths of the Members duly chosen and sworn shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under that section.

SEC. 4. SEPARATE ENROLLMENT.

(a)(1) Notwithstanding any other provision of law, when any appropriation or authorization measure passes both Houses of Congress in the same form, the Secretary of the Senate (in the case of a measure originating in the Senate) or the Clerk of the House of Representatives (in the case of a measure originating in the House of Representatives), shall cause the enrolling clerk of such House to enroll each item of such appropriation or authorization measure separately.

(2) A measure that is required to be enrolled pursuant to subsection (a)—

(A) shall be enrolled without substantive revision,

(B) shall conform in style and form to the applicable provisions of chapter 2 of title 1, United States Code (as such provisions are in effect on the date of the enactment of this Act), and

(C) shall bear the designation of the measure of which it was an item prior to such enrollment, together with such other designations as may be necessary to distinguish such measure from other measures enrolled pursuant to paragraph (1) with respect to the same measure.

(b) A measure enrolled pursuant to paragraph (1) of subsection (a) with respect to an item shall be deemed to be a bill under Clauses 2 and 3 of Section 7 of Article 1 of the Constitution of the United States and shall be signed by the Speaker of the House and the President of the Senate, or their designees, and presented to the President for approval or disapproval (and otherwise treated for all purposes) in the manner provided for bills and joint resolutions generally.

SEC. 5. DEFINITIONS.

For purposes of this Act:

(1) The term ''appropriation measure'' means any general or special appropriation bill or any bill or joint resolution making supplemental, deficiency, or continuing appropriations.

(2) The term ''authorization measure'' means any measure other than an appropriations measure that contains a provision providing direct spending or targeted tax benefits.

(3) The term ''direct spending'' shall have the same meaning given to such term in section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(4) The term ''item'' means—

(A) with respect to an appropriations measure—

(i) any numbered section,

(ii) any unnumbered paragraph, or

(iii) any allocation or suballocation of an appropriation, made in compliance with section 2(a), contained in a numbered section or an unnumbered paragraph; and,

(B) with respect to an authorization measure—

(i) any numbered section, or,

(ii) any unnumbered paragraph,

that contains new direct spending or a new targeted tax benefit presented and identified in conformance with section 2(b).

(5) The term ''targeted tax benefit'' means any provision:

(A) estimated by the Joint Committee on Taxation as losing revenue within the periods specified in the most recently adopted concurrent resolution on the budget pursuant to section 301 of the Congressional Budget and Impoundment Control Act of 1974; and

(B) having the practical effect of providing more favorable tax treatment to a particular taxpayer or limited group of taxpayers when compared with other similarly situated taxpayers.

SEC. 6. EFFECTIVE DATE.

The provisions of this Act shall apply to measures passed by the Congress beginning with the date of the enactment of this Act and ending on September 30, 2000.

NOTICE OF HEARING

COMMITTEE ON INDIAN AFFAIRS

Mr. MCCAIN. Mr. President, I would like to announce that the Senate Committee on Indian Affairs will be holding a hearing on Wednesday, March 22, 1995, beginning at 2:30 p.m., in room 485 of the Russell Senate Office Building on S. 441, a bill to reauthorize Public Law 101–630, the Indian Child Protection and Family Violence Prevention Act, and S. 510, a bill to extend the reauthorization for certain programs under the Native American Programs Act of 1974, and for other purposes.

Those wishing additional information should contact the Committee on Indian Affairs at 224–2251.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FINANCE

Mr. LOTT. Mr. President, I ask unanimous consent that the Finance Committee be permitted to meet Monday, March 20, 1995, beginning at 10 a.m. in room SD–215, to conduct a hearing on welfare to work programs.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Monday, March 20, 1995, beginning at 2 p.m., in room 485 of the Russell Senate Office Building on the impact in Indian country of proposed rescissions of fiscal year 1995 Indian program funds and of proposals to consolidate or block grant Federal programs funds to the several States.

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

ADDITIONAL STATEMENTS

REVISIONISM IN JAPAN

• Mr. THOMAS. Mr. President, as the chairman of the Subcommittee on East Asian and Pacific Affairs, I rise today to address a disturbing article in last Thursday's Washington Post. According to the Post, last Wednesday the mayor of Nagasaki, Motoshima Hitoshi, likened the two 1945 bombings of Hiroshima and Nagasaki to the Holocaust. He said, and I quote, ''I think that the atomic bombings were one of the two greatest crimes against humanity in the 20th century, along with the Holocaust.'' He was joined in these sentiments by Hiraoka Takashi, the mayor of Hiroshima.

Mr. President, I am incensed by this comparison, and by what appears to me to be a growing revisionist tendency among some circles in Japan aimed at sanitizing its role as the aggressor and transforming it into the innocent victim of the atomic bomb. History is replete with instances which provide ample justification for the course the United States took to end years of war. For the benefit of these two gentlemen, let me note some of those facts.

On December 7, 1941, without notice or declaration of war, the Japanese attacked Pearl Harbor, HI. I do not need to describe for my colleagues the carnage and death that followed. From that point, Japan engaged us in a protracted and costly war that ranged over the Pacific rim for more than 4 years and cost thousands and thousands of lives.

Treatment of Allied prisoners of war was unconscionable. For Americans fighting in the Pacific theater, the likehood of dying in combat was about 5 percent. For American POW's in German prison camps, it was 4 percent. But for those in Japanese prison camps the number ran to 33 percent. Executions, tortures, the Bataan Death March, the record is replete with atrocities for which the victims have yet—50 years later—to receive an apology. It is somewhat ironic that also in the same edition of the Post is a lengthy article entitled, ''Still Waiting for an Apology: Historian Gavan Daws, Calling on Japan on War Crimes.'' I would commend it to Messrs. Hiraoka and Motoshima; they might learn a thing or two from it.

A special unit of the Imperial Army, called Unit 731, conducted research in germ warfare with an aim at introducing plague, anthrax, and other fatal diseases into the United States. As the theater of war moved closer to the home islands, the United States and its Allies were reduced to fighting their way toward Japan on an island-by-island basis. The battles were costly—both in lives, time, and materiel. Just this week we remembered the 50th anniversary of the taking of Iwo Jima. In that battle, some 20,000 Japanese fought to the death—many committing seppuku rather than surrender.

All the signs available to us at the time indicated that this would be the course of the remainder of the war. Several Allied surrender ultimatums were rejected offhand by the Japanese. Thus, as the war drew to a close in Europe, we were clearly faced with a choice in Asia; do something to bring a quick end to our losses and suffering, or continue a painfully long, drawn-out, costly conflict. President Truman chose the only alternative a nation's leader would, and the bombs fell.

Yet, some in Japan can overlook all that came before the bombs. Some can reduce Japan from the vigorous aggressor to the passive victim. Mr. Hiraoka seems to be of that ilk. For example, he emphasized that several early multinational conventions prohibited deliberate attacks on civilians, then proceeded to list those nations which did not live up to that ideal during the war era: German attacks on London, the United States firebombing of Tokyo, the British-led firebombing of Dresden.

Yet, conspicuously absent from his list is the country behind the first such indiscriminate bombing: Japan. On December 1, 1937, the Imperial Army Headquarters in Tokyo ordered an attack on Nanjing, China. The planes came and laid waste to the city and its population; estimates of the civilian losses range from 100,000 to 200,000. The attack lives on in the minds of many Chinese as one of the most infamous events of the 20th century.

Mr. President, the present strong relationship between the United States and Japan is of the utmost importance to us. I personally enjoy my nascent relationship with Kuriyama Takakazu, Japan's Ambassador here in Washington. But statements like those made by these two mayors cannot go unanswered; for to fail to rebut such revisionism is simply to lend credence to it.●

TRIBUTE TO CAROLYN SQUIRES

● Mr. BAUCUS. Mr. President, during the welfare reform debate that we are bound to have in the months ahead of us, I would like the Senate to keep in mind the story of Carolyn Squires, representative of the State of Montana's House District 68. Her example should be a reminder to all of us that public assistance programs can work.

Although she is a successful member of the Montana House of Representatives, I would like to tell you about a time when Carolyn was not so lucky. She was once divorced, a single mother, and on welfare. But like a majority of welfare mothers, she never gave up a little over a year later she found a career.

For the past 27 years, Carolyn has worked at Missoula's community medical center as a licensed practical nurse. She is active in the Missoula labor movement. Still a member of the licensed practical nurses union, Carolyn is president of the Central Labor Council in Missoula.

Although she was initially appointed to the Montana State House, Carolyn has worked hard for her constituents. And they have rewarded her with their votes. It is because she has a way with people. I remember hearing of a time during her recent campaign when she decided to go door-to-door. After about three or four blocks, several people started following her. They liked what she had to say. And although Carolyn did not get far on her walk, she was always connected with her constituents.

Carolyn has exemplified this again and again. One of her constituents, a single mom receiving AFDC, called for Carolyn's help. The mother did not receive her check for 2 straight weeks. As many of you know, this can be a crisis. But Carolyn did not waste any time. She called the Montana Social Rehabilitation Service directly and demanded to talk to the cabinet director.

''The Director is in a meeting,'' she was told.

Then Carolyn got really mad. And, while Carolyn has a heart of gold, anybody who knows her also knows it is best to stay on her good side. Clearly, the folks in the department did not know Carolyn Squires very well. Yet they finally pulled the director out of the meeting. Carolyn demanded that the check arrive tomorrow morning, and that she herself would be there to receive it. Needless to say, the check arrived bright and early the next day.

Carolyn Squires has a lot to be proud of. She knows that politics is about people, and she makes a difference. She is a shining example, one of many, whose life was improved because of our welfare system. Her husband Harold, her sons Paul and Keith, her grandchildren and those Montanans in house district 68 are lucky to have someone so dedicated taking care of them. They should all be proud of her legacy of service to the city of Missoula and the State of Montana. I am proud to honor her today before the Senate.●

TRIBUTE TO REAR ADM. RICHARD G. KIRKLAND

● Mr. WARNER. Mr. President, I rise to recognize the dedication, public service, and patriotism of Rear Adm. Richard G. Kirkland, U.S. Navy, on the occasion of his retirement after 26 years of faithful service to our Nation. Admiral Kirkland's strong commitment to excellence will leave a lasting impact on the vitality of our modern warfighters, commanding admiration and respect from his military colleagues and Members of Congress.

Rear Admiral Kirkland was born August 17, 1947, in Coronado, CA. He graduated from the U.S. Naval Academy in 1969 with a bachelor of science degree and earned a master of science in aeronautical systems engineering from the University of West Florida.

Rear Admiral Kirkland's first duty assignment was Patrol Squadron 56 (VP–56) from June 1971 through May 1974. He then was attached to Air Test and Evaluation Squadron 1 (VX–1) as operations test director, Harpoon weapons system from June 1974 through May 1977. In August 1977, he reported to U.S.S. *Constellation* (CV–64) for duty as assistant navigator. During this tour, the ship deployed twice to the Western Pacific and was the first carrier to deploy into the Indian Ocean. While on board, he qualified and was designated as surface warfare officer. He then went to the Naval Military Personnel Command [NMPC] as VP sea duty detailer and sea duty coordinator from May 1979 to January 1981. His next assignment was with the Pelicans of Patrol Squadron 45 (VP–45) as operations officer from June 1981 until April 1983. He was then assigned to Patrol Wing 11 as operations officer between April 1983 and April 1984. He was selected to serve with the Mad Foxes of VP–5 as executive officer from May 1984 until June 1985. Subsequently, he took command of Patrol Squadron 5 (VP–5) from July 1985 through September 1986. He returned to serve a second tour at NMPC as the assistant aviation commander detailer from September 1986 until March 1988. He then was assigned command of Patrol Squadron 30 (VP–30) from April 1988 through July 1989. After completion of this command tour, he was selected as a CNO Fellow and served as a member of the Strategic Studies Group IX from August 1989 to July 1990 which marked his third tour outside the VP community. Upon completion of this tour, he was assigned as Commander, Patrol Wing 11 from July 1990 until April 1992. He served as director, Navy/Marine Corps Senate liaison office from April 1992 to December 1993 before assuming his present position.

Rear Admiral Kirkland's awards include the Legion of Merit, Meritorious Service Medal with three gold stars, and numerous other unit awards and personal decorations.

Our Nation, the U.S. Navy, his children Keith, Heather, and Ryan, can truly be proud of the Admiral's many accomplishments. A man of his extraordinary talent and integrity is rare indeed. While his honorable service will be genuinely missed in the Department of Defense, it gives me great pleasure to recognize Rear Admiral Kirkland before my colleagues and wish him all of our best wishes in his new and exciting career.●

SALUTE TO ROSIE THE RIVETER

● Ms. MIKULSKI. Mr. President, on March 15, 1995, Dundalk Community College in Dundalk, MD, in honor of Women's History Month, hosted ''A Salute to Rosie the Riveter,'' honoring the women who worked in America's wartime factories to do their part in America's war effort.

Between 1942 and 1945, the ranks of American working women swelled from 12 to 18 million. Responding to the call that ''We can do it,'' thousands of women entered the wartime work force

to build the ships, planes, and tanks for our men and women overseas.

Joining the celebration on March 15 were 236 ''Rosies.'' These women worked in the industrial hub of Baltimore's wartime economy—they melted the ore, welded the ships, and riveted the wings. Fifty years later their employers—Bethlehem Steel, Lockheed-Martin—formerly Glen L. Martin Aircraft—and General Motors—Eastern Aircraft—thanked the 236 Rosies present at the celebration and the thousands of Rosies these women represented.

In recognition of the efforts of Dundalk Community College and in honor of the lives of all of the ''Rosies'' who built the arsenal of democracy and helped to save the Western World, today we extend to them our gratitude. They have earned an honored place in our memory and respected place in our history.●

THE LEGACY OF STANLEY O. IKENBERRY

● Mr. SIMON. Mr. President, Stanley O. Ikenberry, a giant on the national stage of higher education policy, will retire this year after an exceptional tenure of 16 years as president of the University of Illinois.

President Ikenberry announced his decision last year to give the university's board of trustees ample time to carefully select a successor, and the board now has chosen James J. Stukel, chancellor of the University of Illinois at Chicago, to become the 15th president of the university.

Few posts are as stressful and delicate—and as public and influential—as the presidency of a major university. Stan and Judy Ikenberry have handled the pressures superbly, with grace and warmth and character.

Stan Ikenberry has kept a firm hand on the tiller and a clear eye on the horizon in charting the university's progress during his stewardship. The Ikenberry era has been an intense period of growth and vigor that has seen improvements across the breadth of the university's activities and has solidified the campus' stature as a world-class university and center of research. During his tenure institutions such as the university's National Center for Supercomputing Applications have been established, and the university activities in Chicago have been strengthened with the chartering of the University of Illinois at Chicago.

Under Stan Ikenberry's leadership, the University of Illinois last fall became one of the first campuses in the Nation to offer the new direct student loan program to its students. Stan Ikenberry and the University of Illinois are helping to prove the merits of this bold new program that is benefiting not only students but also taxpayers and schools.

I well recall that when another major university in our State became indecisive about the chance to establish and offer a permanent home to an annual Paul Douglas Ethics In Government Award, Stan Ikenberry seized the opportunity, and the award program is now underway, based in Urbana-Champaign.

Stan Ikenberry is a statesman who has enriched American higher education. Governors, lawmakers of both political parties in the State legislature and in Congress, and his colleagues in the higher education community all have relied heavily on Stan Ikenberry's insight, wisdom, and leadership skills. I have had the pleasure and the opportunity of working with Stan Ikenberry on a wide range of issues of importance to the university and to national education policy. Among many, many others who have worked in this field, I am grateful for Stan Ikenberry's wisdom, for his constancy, and for his leadership.

President Ikenberry has much more to contribute to the Nation when he moves later this year into other pursuits. To his great credit, he plans on resuming college-level teaching in the field of higher education administration.

We extend to Stan and Judy Ikenberry our deep appreciation and our very best wishes for their future endeavors.●

AUTHORITY FOR COMMITTEE TO REPORT

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Finance Committee have until 8 p.m. this evening to file a report to accompany H.R. 831.

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

ORDERS FOR TUESDAY, MARCH 21, 1995

Mr. MCCAIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until the hour of 9:30 a.m. on Tuesday, March 21, 1995; that following the prayer, the Journal of proceedings be deemed approved to date, the time for the two leaders be reserved for their use later in the day; that there then be a period for the transaction of morning business, not to extend beyond the hour of 10 a.m., with the following Senators recognized to speak for up to 10 minutes each: Senator GRASSLEY, 10 minutes; Senator HEFLIN, 10 minutes; Senator FEINSTEIN, 10 minutes.

I further ask that at the hour of 10 a.m., the Senate resume consideration of S. 4, the line-item veto bill, and that the Senate stand in recess between the hours of 12:30 p.m. and 2:15 p.m. for the weekly party luncheons to meet.

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

PROGRAM

Mr. MCCAIN. Mr. President, for the information of my colleagues, a cloture motion was filed on the pending substitute amendment to the line-item veto bill. Therefore, a cloture vote will occur on the amendment on Wednesday.

RECESS UNTIL 9:30 A.M. TOMORROW

Mr. MCCAIN. If there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in recess under the previous order.

There being no objection, the Senate, at 6:15 p.m., recessed until Tuesday, March 21, 1995, at 9:30 a.m.