

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. CHAFEE. I have some time remaining; is that correct?

The PRESIDING OFFICER. That is correct, the Senator has 3 minutes 7 seconds.

Mr. CHAFEE. I will just use a couple minutes of that.

Mr. President, there are a couple of points I briefly want to make. The present situation is that it is against the Constitution of the United States to do what Vermont is suggesting. So what we have done is we have crafted an amendment which will help Vermont and all the other States in the Nation that have made these financial commitments, but it still says when all is said and done, that they cannot go against the Constitution in these other areas.

It is not correct to say that this is just a little something for Vermont. If this is adopted, there is no way in the world that we could keep flow control from being adopted universally across the Nation, because the Vermont case is what you might call a weak case.

So, Mr. President, if this amendment is adopted, then, I suspect, the whole effort to deal with this goes down the tube and then there will be no exceptions to the Constitution as provided.

So I am going to move to table the amendment, and I very much hope my colleagues will join with me.

Mr. President, I yield back the remainder of my time and move to table the amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table amendment No. 867, as modified. The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

Mr. LOTT. I announce that the Senator from New York [Mr. D'AMATO], the Senator from Kansas [Mr. DOLE], and the Senator from Virginia [Mr. WARNER] are necessarily absent.

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

The result was announced—yeas 46, nays 51, as follows:

[Rollcall Vote No. 164 Leg.]

YEAS—46

|           |           |            |
|-----------|-----------|------------|
| Ashcroft  | Faircloth | Kyl        |
| Baucus    | Frist     | Lautenberg |
| Bennett   | Gramm     | Lieberman  |
| Bond      | Grams     | Lott       |
| Bradley   | Grassley  | Lugar      |
| Breaux    | Gregg     | McCain     |
| Brown     | Hatch     | McConnell  |
| Burns     | Hatfield  | Moynihan   |
| Chafee    | Helms     | Nickles    |
| Coats     | Hutchison | Packwood   |
| Coverdell | Inhofe    | Pell       |
| Craig     | Johnston  | Pressler   |
| Dodd      | Kassebaum |            |
| Domenici  | Kemphorne |            |

|          |        |          |
|----------|--------|----------|
| Santorum | Smith  | Thompson |
| Shelby   | Thomas | Thurmond |

NAYS—51

|          |           |               |
|----------|-----------|---------------|
| Abraham  | Feinstein | Mikulski      |
| Akaka    | Ford      | Moseley-Braun |
| Biden    | Glenn     | Murkowski     |
| Bingaman | Gorton    | Murray        |
| Boxer    | Graham    | Nunn          |
| Bryan    | Harkin    | Pryor         |
| Bumpers  | Heflin    | Reid          |
| Byrd     | Hollings  | Robb          |
| Campbell | Inouye    | Rockefeller   |
| Cochran  | Jeffords  | Roth          |
| Cohen    | Kennedy   | Sarbanes      |
| Conrad   | Kerrey    | Simon         |
| Daschle  | Kerry     | Simpson       |
| DeWine   | Kohl      | Snowe         |
| Dorgan   | Leahy     | Specter       |
| Exon     | Levin     | Stevens       |
| Feingold | Mack      | Wellstone     |

NOT VOTING—3

|         |      |        |
|---------|------|--------|
| D'Amato | Dole | Warner |
|---------|------|--------|

So the motion to lay on the table the amendment (No. 867), as modified, was rejected.

Mr. FORD. Regular order, Mr. President.

The PRESIDING OFFICER. The question is on the amendment.

Mr. LEAHY. Mr. President, I ask unanimous consent we vitiate the request for the yeas and nays.

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

If there be no further debate, the question is on agreeing to the amendment.

The amendment (No. 867), as modified, was agreed to.

Mr. LEAHY. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

MORNING BUSINESS

Mr. CHAFEE. Mr. President, I request now that we proceed to morning business.

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

RUSSIA SUMMIT

Mr. DOLE. Mr. President, President Clinton is now in Ukraine. I support his decision to visit Kiev. Economic and political reform in Ukraine are proceeding very well. There is strong bipartisan support for United States assistance to Ukraine. It is in the American national interest to strengthen our relations with Ukraine. I hope the President has a successful and productive summit with President Kuchman.

The report cards are now being filed on the Moscow Summit. As I said yesterday, I was disappointed at the lack of progress on the two key summit issues: Nuclear sales to Iran and the conflict in Chechnya. It seems pretty clear the American agenda at this summit did not fare well. My staff spoke to State Department and National Security Council officials yesterday afternoon. The White House provided my office with copies of all the joint state-

ments from the Moscow Summit. To conclude that the summit made little progress in advancing American interests is not politics, and it is not partisan. It is simply a review of the facts.

On Iran, Russia did not agree to cancel its sale of nuclear reactors to Iran. If President Yeltsin cannot make the decision to stop the sale, I do not have great confidence that it will be made later at a lower level. With respect to the much-publicized concession on not selling advanced gas centrifuge technology, it seems clear this was floated as a bargaining chip. As recently as last Friday, I note the Washington Post headline: "Russia denies plan to sell gas centrifuge to Iran." It seems this was a plan designed to be a concession from the start.

Just last week, when asked if a halt in the gas centrifuge sale would be enough, Secretary of State Christopher said, "not at all. We would not be satisfied with that". I agree with the Secretary's assessment. We should not be satisfied. The bottom line is Russia still intends to proceed with a sale of nuclear technology to the outlaw regime in Tehran. This flies in the face of the summit's joint statement on proliferation which pledges "To work together closely to promote broad non-proliferation goals."

On Chechnya, President Yeltsin rejected any effort to address the legitimate concerns of the international community over human rights violations. In President Yeltsin's statement about Chechnya, there is an unfortunate ring of former soviet leaders rejecting western concerns over human rights as meddling. And whatever the political leaders were saying in Moscow, the Russian army kept attacking. Literally within minutes of yesterday's press conference, Russian helicopters attacked Chechen civilian targets.

The situation in Chechnya also raises the issue of the flank limits in the Conventional Forces in Europe [CFE] Treaty. In the fall, if Russian forces are still in Chechnya, the Russian Government will be in violation of these flank limits. The Moscow summit did not result in any assurances of Russian compliance with the CFE limits.

On missile defenses, the administration continued down the same path of seeking Russian permission on the deployment of theater missile defenses—despite the fact that Russian insistence on providing nuclear technology to Iran increases the proliferation threat. The fact is that theater missile defenses are not prohibited by the cold-war era ABM Treaty. Moreover, the United States must not allow Russia to have a veto over matters of national security.

The summit also failed in what was not on the agenda—namely, Bosnia. As the two Presidents were meeting, Sarajevo was being heavily shelled. There was no U.N. response, no NATO response, and no summit response.

It is true that Russia agreed to join the partnership for peace at this summit—as they previously agreed to do last year, before abruptly changing their minds at the OSCE summit in Budapest. At this summit, Russia continued to express strong opposition to the expansion of NATO.

Mr. President, summit diplomacy has a long and distinguished history. Historically, summits have succeeded when the parties had clear agendas, pursued their interests consistently, and were ready, willing, and able to meet each others' concerns. And if agreement is not reached, history shows it is better to state the disagreements clearly rather than paper them over. In the case of the Moscow summit, it is clear that President Yeltsin was not in a position to address our concerns. We should admit that forthrightly and respond appropriately. Congress will respond by looking closely at all forms of aid to Russia—especially aid to the government. Certain types of aid such as democracy support, or Nunn-Lugar funding for nuclear clean up still promote important American interests. Other aid programs may not, and may be halted.

The United States must remain engaged with Russia. It was and is our hope that democracy and free market reforms will prosper. We hope that the Russian elections planned for this year and next year proceed on time—and that they are free and fair. But Russia is not our only strategic relationship—we have other interests in other areas. That is why I support the President's decision to visit Ukraine. That is why NATO expansion should not be subject to a Russian veto. And that is why we cannot allow Iran to become a nuclear weapons state.

#### WAS CONGRESS IRRESPONSIBLE? THE VOTERS HAVE SAID YES

Mr. HELMS. Mr. President, it does not require one to be a rocket scientist to realize that the U.S. Constitution forbids any President's spending even a dime of Federal tax money that has not first been authorized and appropriated by Congress—both and House of Representatives and the U.S. Senate.

So when you hear a politician or an editor or a commentator declare that "Reagan ran up the Federal debt" or that "Bush ran it up," bear in mind that the Founding Fathers, two centuries before the Reagan and Bush presidencies, made it very clear that it is the constitutional duty of Congress to control Federal spending.

The fiscal irresponsibility of Congress has created a Federal debt which stood at \$4,856,766,568,058.09 as of the close of business Wednesday, May 10. This outrageous debt (which will become the debt of our children and grandchildren) averages out to \$18,436.37 on a per capita basis.

#### PRESERVING MEDICARE FOR OUR SENIORS

Ms. MIKULSKI. Mr. President, I rise to speak about the Medicare Program and the need to protect it from drastic cuts. The Republicans have announced their plans to cut the Medicare budget by over \$250 billion in order to fund tax cuts for the rich.

Let me start by saying that I want to make sure that we keep the care in Medicare. I believe that the basic values of honoring your father and your mother should be the anchors of our public policy.

I do not believe our seniors should have to pay almost \$900 more in out of pocket health care costs each year. I do not believe that the typical Medicare beneficiary should have to see 40 to 50 percent of his or her Social Security cost-of-living adjustment eaten up by increases in Medicare cost sharing and premiums.

We cannot let this happen. We owe it to our mothers and fathers, and to our family members.

Last week I spoke at the White House Conference on Aging. It was an impressive gathering of 2,500 seniors and senior advocates from all over this Nation. Many of the delegates were current or former doctors, lawyers, administrators, business owners, nurses, social workers, gerontologists, and senior service providers.

The delegates were charged with coming up with a navigational chart to meet the needs of our seniors today and to take us into the 21st century.

The White House Conference on Aging came at a very crucial time in our history. We all know that our senior population is growing and growing rapidly. Demography is destiny. We must anticipate the future and what their needs are and what they will be.

At the end of the conference, the delegates voted on priorities. Ensuring the future of the Medicare Program was one of the top five priorities. More specifically, the conference stated that the United States should:

... reaffirm the covenant that it established with the American people 30 years ago with the enactment of Medicare and act to maintain and strengthen the program's structure and purpose, its fiscal solvency, and widespread public support.

... continue to protect older Americans and disabled Americans, especially those on low and fixed incomes with respect to health care affordability and access, giving special consideration to the burdens imposed by co-payments, deductibles, and premiums.

... ensure that programmatic changes safeguard the viability of the Medicare trust funds.

... ensure that any changes to Medicare provide access to a standard package of benefits which includes affordable long term care, strengthens the program's financial well-being, preserves the social insurance nature of Medicare, enhances the quality of care and improves the program for beneficiaries within the broad context of health care reform

There is much talk about another contract with America, but I believe the real contracts we must honor are

Medicare and Social Security. We must preserve the covenant that we established with our seniors and their families to provide them with health insurance for their old age. Seniors have worked hard all their lives, paid their dues, paid into the system.

We must remember who are seniors are. On May 8, we commemorated victory in Europe and the beginning of the end of World War II. Our seniors were part of the generation that saved Europe from tyranny and changed the course of history. We must never forget that.

We cannot forget them and we cannot forget who will be the next generation of seniors. They will be many of us. And the next generation after that. They will be our children and grandchildren. We must continue to ensure that all seniors now and into the next century have the resources they need for their health care. Without such resources I fear they will become impoverished, their children may become impoverished, and we as a country will become impoverished.

#### THE 45TH ANNIVERSARY OF THE LEADERSHIP CONFERENCE ON CIVIL RIGHTS

Mr. COHEN. Mr. President, in recognition of the 45th anniversary of the Leadership Conference on Civil Rights, I believe it is appropriate to reflect upon this country's history on the issue of civil rights and express some thoughts about the direction the country is heading today.

In 1950, when the Leadership Conference was first formed, we essentially had a system of racial apartheid in many parts of the country. It was illegal for black and white children to attend school together, it was illegal for black and white adults to marry. Black Americans were shut out of the political system—they were not permitted to serve on juries, run for office, or, in many cases, cast a ballot. There was no meaningful equal protection of the laws, especially the criminal laws. Blacks who dared to assert their political rights or buck the mores of the racial caste system, were beaten or lynched. The police and formal legal system always looked the other way. Blacks could not receive a fair trial in a court of law as racial prejudice clouded the normal American presumption that justice is blind.

Through Federal court litigation, and eventually legislative action by the U.S. Congress, many of these barriers were cast aside, the chains of Jim Crow were unlocked, and the Constitution's promise of equal opportunity began to become a reality. As the decades passed and progress was made on many fronts, other groups of American citizens—women, racial minorities, religious groups, and the physically disabled, to name a few—rose to assert the rights that accrue with American citizenship. Their claims have been simple, clear, and powerful: treat us