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Senate

The Senate met at 9:30 a.m., and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

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

Almighty God, You have blessed our Nation with great leaders in every period of our history. Today, our hearts blend in oneness and our voices soar above party loyalties to express our gratitude to You for BOB DOLE. Quite apart from Presidential politics, we wish to thank You for the way that You have used him here in the Senate through the years. We affirm his leadership; we admire his statesmanship; we honor his patriotism.

Thank You for Your intervening in his life to save him in World War II, for preparing him through suffering and pain to be empathetical of the needs of others, and for opening doors for him to serve his Nation here in the Congress for the past 35 years.

We appreciate his plain-spoken, Kansas way of expressing his faith. We know that prayer has been the source of the silent strength that has given the Senator his remarkable resiliency, constantly filling the wells of his being with stability and courage. As brothers and sisters of both parties in the Senate, we ask You to continue to bless him and his wife Elizabeth as they press forward in serving You and our Nation. In the name of our Savior and Lord. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The able and distinguished majority leader, Senator DOLE, is recognized.

Mr. DOLE. Thank you, Mr. President.

THANKING THE CHAPLAIN

Mr. DOLE. Mr. President, I say a personal thanks to the Chaplain. I appreciate it.

SCHEDULE

Mr. DOLE. As I understand it, the Senate will consider Senate Concurrent Resolution 57, the concurrent budget resolution. Under the order last night, Senator DASCHLE or his designee will offer the President's budget this morning, and we can expect a rollcall vote on or in relation to that amendment hopefully before noon today.

There will probably be a late session tonight. There will be an effort to try to complete action on the budget resolution sometime this evening. If that cannot be done, obviously, it will be done tomorrow. I am advised there is still a lot of time remaining. The Republicans have 20 hours and 57 minutes; the Democrats have 19 hours and 39 minutes. That is 40 hours and 36 minutes. It is 9:30 a.m. It may be difficult to finish it this evening. But these things do have a way of moving once we get started. So I know the managers on each side would appreciate cooperation of our colleagues who have amendments.

The Senator from Washington [Mr. GORTON], will manage on this side, so I yield the floor.

CONCURRENT RESOLUTION ON THE BUDGET

The PRESIDING OFFICER (Mr. DEWINE). The Senate will now resume consideration of Senate Concurrent Resolution 57, which the clerk will report.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 57) setting forth the congressional budget for the United States Government for fiscal years 1997, 1998, 1999, 2000, 2001, and 2002.

Mr. GORTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. I suggest the absence of a quorum and ask unanimous consent that it be charged equally on 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. EXON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENT NO. 3965

(Purpose: Setting forth the congressional budget for the United States Government for fiscal years 1997, 1998, 1999, 2000, 2001, and 2002)

Mr. EXON. Mr. President, as agreed to yesterday, at this time I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nebraska [Mr. EXON], for himself, Mr. DASCHLE, Mr. DODD, and Mr. KERRY, proposes an amendment numbered 3965.

Mr. EXON. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

(The text of the amendment is printed in today's RECORD under ''Amendments Submitted.'')

Mr. EXON. Mr. President, in the arrangement between myself and the Budget Committee chairman, Senator DOMENICI, I am offering this amendment today as a substitute for the basic Republican amendment that was laid down when we began the budget debate yesterday by the chairman of the Budget Committee.

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

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The amendment that I am offering is very clear cut. It is not difficult to understand. I am proposing the President's 7-year, CBO certified balanced budget as a substitute to the Republican budget that is now before the Senate.

Let us turn back the clock to a year ago. That is when my Republican colleagues pulled our leg on the Senate floor. The Republicans offered the President's budget recommendation as a substitute for their own amendment. They offered that as a substitute resolution. As a result of that, they had a good laugh at our expense as the amendment was voted down 99 to 0, with this Senator, the ranking Democrat on the Budget Committee, voting with the 99.

But what a difference a year makes. It is not only a different year, Mr. President. It is a different budget. And I do not think my colleagues on the other side would be smirking if they did the same thing this year as they did last year, but, of course, there is no indication that they will do that. It would not be the meaningless, hollow political gesture that it was in May 1995. This President's balanced budget is real in every sense of the word, and it is certified to be in balance by the Congressional Budget Office.

Throughout last year I heard one chorus from the Republican majority. They repeated it over and over again: ''Mr. President, give us a 7-year balanced budget, certified by the Congressional Budget Office.'' I was urging the President to do the same thing. The difference was that I was interested in sound budget politics rather than partisan politics. It is now a done deal. The President has complied with what the Republicans were seeking and what this Senator was seeking.

Now we hear something different from the Republicans. In order to avoid dealing with the President, House Budget Chairman KASICH has now reversed course and tells CNN, ''The problem is, of course, not in the numbers.'' It is the extremist Republican philosophy that President Clinton and mainstream Americans have soundly rejected, but they are still on that course. For my colleagues who still believe that honest numbers are important, here is a product, the President's budget, far superior to the Republican budget that is now on the floor. For, as the Republican budget delivers fresh and needless pain, across the years, the President's budget is a smart mixture of fiscal constraint and compassion.

The President's budget achieves balance in 7 years, but it does so without the terrible burden being brought on our senior citizens, working families, and the most vulnerable in America. It reflects the values and the priorities of the American people. It protects Medicare benefits and it protects Medicare beneficiaries. It invests in our children's education, it protects the environment from the search-and-destroy right wing radicals. It preserves nursing home standards and nursing home benefits. It prevents ordinary Americans from going broke to pay for nursing home care.

As I noted a few moments ago, this will be the last budget resolution of my Senate career, and I thank President Clinton for saving the best for last, as far as this Senator is concerned. In my 18 years in this great body, I cannot think of another budget that better hits the mark right from the start. I cannot think of another budget that I could endorse so eagerly. I cannot think of another budget that ordinary Americans could so readily call their own.

Having said that, of course the President's budget is not without some flaws as far as this Senator is concerned. We could all find things on which we would disagree. There is always a pea under the mattress that irritates one or more of the 100 Members of this body. And there are some things in the President's budget that cause me some concern. But what we are talking about here is a document that I am introducing today that I hope would be the basic model that we would begin from, rather than the budget proposal endorsed and put together and offered by the Republican majority. In other words, I, too, would hope we could do some fine tuning on the President's budget, which I think is necessary.

But I want to be clear on this point: The underlying mechanism in this budget, which is fiscal restraint coupled with protecting our economic investments so vital to America, is synchronized and in fine working order, but I would certainly entertain some amendments to it.

After 18 years in the Senate, I harbor few illusions that there will be a mass conversion on the other side of the table to what I consider to be my reasonable appeal. I ask my colleagues, however, to have a serious discussion and have a serious look at the amendment I am offering.

For too many months we have been talking at each other and not with each other about how to balance the budget in 7 years. This Presidential proposal is a serious and a honest budget, and I hope all of my colleagues will approach this amendment in that spirit so we can move ahead in an expeditious fashion.

Mr. President, I reserve the remainder of my time, and I yield the floor.

Mr. GORTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Mr. President, we are now beginning a debate over the President's budget proposal for 1997 and for succeeding years. In a very real sense, the fact that we are debating this proposal represents a major step forward from the situation in which we found ourselves last year.

As my friend, the Senator from Nebraska, has pointed out, last year it was members of the Republican Party who put up the President's budget to be voted on and voted down. Members of his own party were not willing, systematically, to defend that budget. Because, Mr. President, as you will remember, last year the debate was fixed very firmly on the proposition that one side, the new Republican majority, felt it vitally important not only to promise a balanced budget at some time in the future, but to make the very difficult policy decisions that were required to assure that the budget was, in fact, balanced.

We succeeded in doing so. We succeeded in doing so so well that during the entire period of time in which it looked as though this promise would be kept, interest rates declined all across the country. What did that mean? It meant that people buying homes paid less in the way of interest on their mortgages and therefore were more likely to be able to afford to buy a home or to buy a better home. It meant that businesses, small and large, paid less in interest and were therefore able to increase their productivity and increase the jobs that they had to offer and increase the quality and compensation for the jobs which they did offer. In other words, even a binding promise to reach balance in the future that was believable had a positive impact on our economy, and by the year of balance, 2002, it would have meant at least $1,000 per family in the pockets of the average American family.

During the entire development of that balanced budget, the other side refused to come up with any alternative that would reach that balance, and the struggle was between a group of Republicans who felt it absolutely unethical and immoral to continue to spend money by the hundreds of billions of dollars, the bills for which we sent to our children and grandchildren, and a side led by the President who felt this was not relevant and was unimportant.

Beginning in December, however, and culminating with the offer of this Presidential budget, we have had, in fact, at least lip service—and I must say that lip service is important to the proposition that a balanced budget is of great help to all Americans by removing some of the burdens of Government from their shoulders, by freeing them up and, implicitly, leaving more of their hard-earned money in their own pockets.

Unfortunately, however, doing that job is more difficult. It is harder work than the President of the United States is willing to undertake.

His dedication to the proposition is welcome. The product itself is seriously flawed. As a consequence, that makes even less valid his characterization of our efforts as being extreme in nature. In fact, the President has never made any real steps in our direction, even when compromises and modifications were made on the part of the Speaker of the House and the majority leader of the Senate and the distinguished chairman of our Budget Committee, Senator DOMENICI.

So we now have a unity with respect to our goals, but a dramatic difference in connection with the way in which those goals are reached. What we have in this proposal, the amendment that is the subject matter before the Senate right now, is spending increases in 1997, rather than a move on a steady path of lowering spending so that we reach a goal on a gradual but even path between now and the year 2002, 6 years from today.

What we get are a series of mechanisms and gimmicks rather than choices that do require the Congressional Budget Office to show reduced spending and reduced deficits, though there is not a single detail as to how we get there in the key years right after the turn of the century.

More accurately, if we look at the policy judgments that are contained in this Presidential budget, we see that it has a deficit of $84 billion in the year 2002, according to the Congressional Budget Office. Mr. President, $84 billion is not a modest amount of money by any stretch of the imagination, just under $100 billion after 6 more years of lip service to a balanced budget and at that—to get to that figure, our one-time savings and assets sales, which is immediately after that year, will have resulted—the budget deficit would increase very, very substantially.

So this proposal is a very modest step in the right direction, but it is not a balanced budget. It is not a serious attempt to make decisions now that will lead to a balanced budget. It is, in fact, a promise of very difficult choices for the President after next, for the President who is elected not in 1996 but in the year 2000.

What are the gimmicks, what are the mechanisms that allow this to be determined as a balanced budget that are, in fact, no more than gimmicks? A discretionary trigger, No. 1; an end to the tax reductions that are called for in the bill, No. 2; outrageous shell games with respect to Medicare, one of the vital social safety nets in our entire society; welfare reform that is not reform; and a number of other sleights of hand.

Let us go to some of the gimmicks first. This proposal increases domestic discretionary spending for next year, the one year of the budget that is absolutely binding, by $10 billion, so that the President, during the course of the reelection campaign, can point to a wide variety of increases in programs supported by various interest groups and by large numbers of people.

Then from 1998 to 2002, there are a significant number of cuts, none of which is specified, none of which can be attacked because they are amorphous. They are simply figures on the wall without any detail to back them up.

Finally, for the last 2 years, the President calls for increased discretionary spending, even though the Congressional Budget Office says that the trigger mechanism to balance the budget included in this proposal will reduce discretionary spending by $45 billion in the year 2002 alone. But worse than that—worse than that, Mr. President—as gimmicky as it is, is the President's treatment of Medicare. This budget takes one of the most vital elements of Medicare, an element that is now protected by being in the Medicare trust fund, paid for by the payroll taxes that each of us at work pays every single year: Home health care, not an insubstantial program, Mr. President, which costs $55 billion. It is taken out of the trust fund by the President's proposal, out of the protection of the trust fund in order that the President can show that the trust fund stays solvent for a longer period of time than would otherwise be the case, and transfers it we really know not where.

In one sense, this Presidential budget says, ''Well, we're going to transfer home health care to Medicare part B,'' the part that pays for physicians' fees in Medicare, an element of Medicare that is not covered by the trust fund, an element of which about 75 percent is paid by general taxes, that is to say, the deficit, and 25 percent by premiums paid by the beneficiaries.

Medicare part B, of course, is voluntary. It is such a good deal that there is practically no one eligible for it who does not take it when you are only paying 25 percent of its cost. But it is voluntary. So home health care at one level is transferred into part B. But it does not become voluntary, it is still there. It is not subject to any of the copayments that are a part of part B. It is not subject to the 25-percent premium cost that part B is subject to otherwise. So, in fact, it simply becomes a completely, totally, absolutely unfunded entitlement, Mr. President.

What does that mean? It means $55 billion a year more in bills transferred to working Americans, out of the trust fund, which they are already paying and—incidentally, those payments are not cut at all—simply into the general fund to be added to the deficit.

That does one of three things, Mr. President: either it greatly increases the deficit by that $55 billion, or it will result in a tax increase of $55 billion on the American people, a new tax, or at some point or another, when things get tough, it just will not be paid for at all, and it will disappear, home health care will disappear.

Mr. President, I use the word ''gimmick.'' This does not really get appropriately covered by the word ''gimmick.'' This is a fraud. This is something to which people are entitled now, that is being paid for now, that is in a trust fund now, that suddenly is just hanging out there with a new bill for the American people.

There are other gimmicks in the Medicare cuts that are in the President's budget. The amount of money he claims to save is not saved, according to the scoring of the Congressional Budget Office, what they come up with for it. There are more triggers on the amounts of money for outpatient hospital services. There is a new entitlement program for workers temporarily unemployed, but it sunsets in the year 2000.

Taxes on working families, college students, and small businesses will be increased in the year 2001. Payroll taxes will be accelerated at that particular period of time, Mr. President. And these really are gimmicks. A whole slew of asset sales are pushed into the year 2002 to show a one-time balance with, of course, no balance thereafter.

There is a spectrum auction of spectrum for the year 2002, of spectrum that will not be returned to the Federal Government until 2005, even if it is ready to be returned at that particular time. Will it get less money than if it were auctioned at the time it is actually available? Obviously those will be lower.

So as CBO indicates that they will be $6 billion short, there is just a contingent $6 billion charge on broadcasters to make up the difference for the year 2002. Governors Island in New York Harbor is going to be deserted after 1998, but it will not be sold until 2002 so that it can balance the budget in that year. The strategic petroleum reserve, the Weeks Island Naval Petroleum Reserve—the same thing, they get sold long after we have assumed that they would be sold to balance the budget in that year.

In welfare, the President's welfare reform program does not require its recipients to be enrolled in Work First until 2003 so that the payment for their new education and training management does not begin until later.

So even if you accept all of the gimmicks, all of the tax increases, all of the unspecified spending cuts, to get us to balance in 2002, it all goes to hell in a hand basket immediately thereafter.

Mr. President, I have only begun to list the gimmicks and the outrageous transfers of responsibility that are included in this proposal. It just is not serious. Successive speakers will speak to some of the circular reasoning that is contained in this proposal. It is a proposal that is very comfortable for next year, one in many respects in connection with discretionary spending I wish that I could support, but one I cannot support when it does not really reform entitlements, when it leaves all of the heavy lifting to the President after next, and when it leaves that President after next with a huge unfunded liability in the third year of his or her Presidency.

As I said to begin these remarks, Mr. President, it is a major step forward to have a commitment to a balanced budget on the part of the President of the United States. But when that commitment is lip service only, when there is no heavy lifting, when there are no serious reductions or serious policy changes, we have not even gotten halfway. We should be and we are grateful that we are halfway.

I am grateful that the Senate is actually seriously debating two—no, three before we are done—serious possibilities. I will support two of those possibilities, the bipartisan budget which will come up, I suspect tomorrow, and the Republican one because, while they take a slightly different path, they both deal seriously with the problem of balancing the budget. They have a real balanced budget. They have policy decisions that will affect the years not directly covered by this budget as well as those that are covered by it. I regret to say that the proposal that we have before us this minute does none of those things. Lipservice, Mr. President, is not enough. Action is required.

Mr. EXON addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. EXON. Mr. President, we are hearing repeatedly today what we heard from the Republican side of the aisle yesterday—every time it is said I intend to correct it—and that is that the President's budget is not in balance.

As I said in my opening remarks yesterday, and in my opening remarks this morning, contrary to the statements that are being made from that side of the aisle, the President's budget is certified to be in balance by the Congressional Budget Office. Lest we forget what that is, the Congressional Budget Office is run and managed by a Republican appointee whom I supported to be the head of that organization.

The Congressional Budget Office, whether run by a Democrat or Republican, has always been considered to be about as fair as you can get with regard to certifying numbers.

I quote once again, as I did yesterday—and I will keep quoting it today every time somebody on that side of the aisle says that the President's budget is not balanced—and that is this quote from the Congressional Budget Office headed by June O'Neill.

> The President's budget proposes policies that the Congressional Budget Office estimates would balance the budget by the year 2002.

Yet that side of the aisle keeps saying, ''It does not. It does not. It does not.'' I am not going to get into ''You said that, she said that, he said that.'' But their claims are fundamentally wrong and they do not not contribute to a legitimate debate on the budget when they keep saying, ''the President's budget doesn't balance.''

Likewise, I would say, that the Congressional Budget Office has said that the Republican budget proposal introduced by Chairman DOMENICI yesterday does balance. There are several things that I could pick apart on that. There are several things that I could get up and say, ''I don't agree with CBO. I think that the Republican budget does not balance in the year 2002 for this reason, for that reason, for the gimmicks that are included in their budget.''

But it seems to me that when I take that kind of an argument, I am undermining the basic context that I think is important; that is, that CBO has certified that in their best judgment and by their best estimates both the President's budget, that I have just offered, and the Republican budget offered yesterday by Chairman DOMENICI, have been certified to by CBO as balancing the budget by the year 2002.

Now, I do not think we accomplished very much since both of the basic budgets that we are arguing about here have been certified by CBO. Last year, I repeat again, the Republicans hounded the President, hounded the Democrats and challenged the President to come forth with a budget that could be certified to as being balanced by the year 2002 by the Congressional Budget Office. Now that it has been done, as I said yesterday, they are moving the goal posts once again.

I think we can have legitimate debate on what are the rights and what are the wrongs in both the President's budget and, the Republican budget. I admitted and conceded in my opening remarks this morning, that there are some parts of the President's budget that I do not agree with. I think we accomplish very little by getting up on the floor of the U.S. Senate, as Republicans did yesterday and as they are starting out to do today, to say the President's budget is not balanced. Says who? Says the Republican majority. The Republican majority is a partisan referee and therefore their claims should not be considered as authentic with regard to whose budget balances best and in what timeframe.

As I say, I think there are many policy problems with the Republican budget, and I think there are policy problems with the President's budget. I suggest we could expedite the proceedings and come to more intelligent debate if we stop saying this budget does not balance and that budget does not balance, and agree, if we can, that the CBO has certified both the Republican budget and the President's budget that I have just introduced as being balanced by the year 2002. If we are going to go down that road, we are just going to be throwing stones at each other's budget without getting to the specifics of what we would like to see done.

Once again, to bring that point home, I want to talk for just a moment about the Medicare part A and B trust funds that have become focal in the debate, and justifiably so. Once again, I am going to introduce for the RECORD and read a very short letter from June O'Neill, the Republican-appointed Director of the Congressional Budget Office. The letter is dated May 9, 1996:

> CONGRESSIONAL BUDGET OFFICE,
> *Washington, DC, May 9, 1996.*
>
> Hon. J. JAMES EXON,
> *Ranking Minority Member, Committee on the Budget, U.S. Senate, Washington, DC.*
>
> DEAR SENATOR: At your request, the Congressional Budget Office (CBO) has examined the effects of the Administration's budgetary proposals on the Hospital Insurance (HI) trust fund. Under current law, the HI trust fund is projected to become insolvent in 2001. CBO estimates that the Administration's proposals would postpone this date to 2005.
>
> Sincerely,
>
> JUNE E. O'NEILL.
> *Director.*

Mr. President, in listening to the Senator from Washington, he seems to assert that the home health care part of the budget would be safer in Medicaid part A than it would be in Medicaid part B. I find this association somewhat ironic in view of the fact there is no place in the entire Republican budget where the majority seeks to find more savings, or, placed in a better context, there is no place where reductions from real needs have been more savaged by the Republicans than in Medicare part A. Yet, the majority wants to reduce $123 billion from protected Medicare part A spending. If that is what they do to programs that they claim are safe, I hate to see what they would do to programs they dislike.

What I am saying is the sound and fury from the other side with the President's shift in home health care—he is shifting it into an area that would make it safer. The President is taking and transferring this out of the part of the budget that the Republicans are savaging with cuts that would be far below real needs.

Once again, I am not sure we are talking about apples and apples and apples and oranges here. Suffice it to say, I think so far the attack on the President's budget, while, once again, I say is not perfect in my eye, is not honest and straightforward. I think some of their arguments are somewhat suspect.

Mr. President, one more quote, again from my remarks of yesterday, that are found on page 203 of the committee report:

> The Republican budget is rife with gimmicks. The tax cuts mysteriously drop off from $23 billion to $16 billion by the year 2002. The Republicans count on savings towards balancing the budget from spending cuts that they already used in the Kennedy-Kassebaum health bill. They similarly count twice the savings in housing. Without these gimmicks, the Republican budget would not be in balance.

I only cite that, Mr. President, to say this Senator, too, could be charged with trying to undermine the Republican budget. The term ''gimmicks'' in the President's budget was used by my friend and colleague from Washington in remarks just concluded. This Senator used the term ''gimmicks'' yesterday explaining shortcomings that I see in the Republican budget.

I do not believe that either of us should keep hounding the other side on gimmicks because the facts of the matter are, there are lots of things in the President's budget and there are lots of things in the Republican budget that could be deemed as gimmicks. Those of us who call parts of the Republican budget gimmicks and, likewise, when the Republicans call parts of the President's budget gimmicks, we are voicing

an opinion. Only time will tell whether it is true or not.

While I have attacked parts of the Republican budget as gimmicks, I say in the end what we should all do is recognize and realize that gimmicks or no gimmicks, the Congressional Budget Office, which we all recognize as a legitimate referee, has certified that, in their opinion, both budgets reach balance by the year 2002. And I suspect, because I respect the professionalism of the Congressional Budget Office, that they are not necessarily blindsided by what the Senator from Nebraska calls gimmicks in the Republican proposal, or likewise, when the Republicans charge that parts of the President's budget has gimmicks in it.

So, gimmicks or no gimmicks, I think we should get on with the debate by recognizing that while there is legitimate criticism in order to both of the budget proposals, I hope that we can get off the kick of saying it over and over again that the President's budget does not balance and that the Republican budget does not balance. We can say that, but I think it contributes not a great deal to the legitimate discussion, since it is a moot point.

The Congressional Budget Office has said that both budgets are balanced. I think there is plenty of room for debate on changes that should be made to improve the two budgets. But let us, hopefully, agree that we are talking about two budgets that do meet balance by the year 2002, and that should not be a key part of the debate.

I reserve the remainder of my time and yield the floor.

Mr. GORTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. I yield 10 minutes to the Senator from Missouri.

Mr. BOND. Mr. President, I thank my colleague from Washington. Let me say, I am going to agree with——

Mr. EXON. If the Senator will withhold for a minute so we can talk about time here, a lot of people have asked me when we are going to vote. I simply say—and I have not had a report from the Senator yet this morning—that we have about 34 amendments that Democrats are intending to offer. We asked last night that they try and advise us, and your side advise you, what amendments we have. We are trying to complete this effort by tomorrow night. We are certainly going to have to have some discipline somewhere along the line to get that done.

I would like to ask, first, about how many amendments do you see on your side, or do you know about at the present time? When we have that, we will add that to the 34 that we have here and multiply that out by the number of hours that each one of those amendments are entitled to. Then we will begin to see the difficult task we are going to have by trying to finish this by tomorrow night.

The second question I want to ask to move this debate along is this. Last night, Senators on both sides suggested that we put off this debate until this morning and not have a vote before noon. I am wondering if we could possibly get an agreement that we would try and balance out time so that we could have a vote in the vicinity of noon today on this matter. Is that a feasible proposal? Does the Senator think that might move things along?

Mr. GORTON. The Senator from Nebraska has me at a certain disadvantage. As he knows, I am sitting in for the chairman of the Budget Committee this morning. I cannot give him definitive answers to either of his questions. I can say, however, that I have no anticipation that we would vote before noon. I am sure we can informally divide the time between now and noon and give Members assurance we will not vote before then. It may be that it is after noon before we get to do so.

As was the case with the Senator from Nebraska, our chairman asked Republican Members to report to him on all the amendments they would have by noon today. Well, it is still an hour and a half from noon. We have only a relative handful.

Mr. EXON. That is a good sign.

Mr. GORTON. That is certainly a good sign. We will be able to answer his question, of course, more definitively in a relatively short period of time. I think that, on an informal basis, we can agree to simply go back and forth. We have yielded time to the Senator from Missouri. I see the Senator from South Carolina. It would be appropriate for him to go next, and then back and forth for a period of time, at least.

Mr. EXON. I thank the Senator. That helps answer some of the questions. Let us move forward.

The PRESIDING OFFICER (Mr. INHOFE.) The Senator from Missouri.

Mr. BOND. Mr. President, I assume that did not count against my 10 minutes.

The PRESIDING OFFICER. It did not.

Mr. BOND. If we can start afresh, let me thank my distinguished colleague from Washington and warn my good friend from Nebraska that I am going to agree with him. I know that maybe this will help the process move along. But we have before us the President's budget. This is a massive work that would cost about a hundred dollars if you want to buy it. It has the numbers in here that the President proposes.

Mr. President, in one sense, the Senator from Washington is right. The numbers here do not balance. The numbers in the book do not come to balance. Now, the President has done something in this budget. You have to look at the supplement to see what he has done. He said, if it does not work, I have a trigger. On page 13, it says, ''In case the new assumptions produce a deficit in 2002, the President's budget proposes an immediate adjustment to the annual limit, or caps on discretionary spending, lowering them enough to reach balance in 2002.''

I agree with the Senator from Nebraska. When you impose those caps, the President's budget does come to balance in 2002. I am not going to call that automatic cut a gimmick, or that trigger a gimmick. Let us just take it for what it does. The President has presented a budget, and he said if it does not balance, you take a whack at it. Well, that whack is a $16 billion tax increase on families in the year 2002. It is a $67 billion cut in spending, 10 percent in 2001 and 18 percent in 2002.

So when you take a look at all these numbers, remember that these numbers do not balance. You have to apply the trigger. You have to shoot that budget down to get it to balance. I am going to show you what that does to some of these discretionary spending programs. I hope that my colleagues, before they vote on the President's budget, will understand the impact of these cuts triggered because the President claims he wants to get to a balanced budget.

Now, that may sound kind of complicated. Let me reduce it to common, everyday terms. It is as if you went to the grocery store and you filled up your basket; you gathered all the things you needed and all the things you wanted. You took it to the checkout counter, and the clerk ran it up at the checkout counter, and all those bar scanner codes recorded the numbers. At the end, the bill comes out to be $100. You look in your wallet and you say, ''Whoops, I only have $80.'' You have $100 worth of wishes and wants, but you only have $80. So you are going to have to start putting some things back. So you put $20 worth of stuff back, and you pay your $80 and take the goods home.

Well, when we talk about the budget that the President proposes, let us talk about that $80 that he is actually going to spend. Do not be misled if somebody talks about the $100 he wants. Do not be misled about the tax cuts because there is going to be a $16 billion increase for individuals and families. There will be a $16 billion tax increase for families in 2002 because, unless you do that, these numbers do not add up.

Mr. President, the point I made yesterday and the day before is that numbers do not lie. Let us take a look at the numbers.

Mr. President, I think it is important that we take a look at some of the vital impacts on health and children in this. I mentioned yesterday the Food and Drug Administration. The budget we have before us reported out of the Senate Budget Committee essentially keeps funding for the Food and Drug Administration on an even keel. The Food and Drug Administration is vitally important because its diverse responsibilities include licensing blood banks, monitoring clinical investigations, reviewing and approving prescription drugs, generic drugs, animal drugs, vaccines, biologicals, medical devices, and food additives. The FDA ensures the quality of a trillion dollars

worth of products. This year it proposes to certify over 10,000 mammography facilities across the country—vital to the health and well-being of our country.

What happens when the President applies that trigger, those caps, those cuts to the FDA? Look at this red line that shows the dramatic reduction in funding for the FDA from almost $900 million to under $700 million in 2001 only coming up above $700 million in 2002. This is a tremendous cut in the vitally important activities of the Food and Drug Administration.

I mentioned yesterday the National Institutes of Health looking for new cures, new ways of dealing with the diseases. The President has a nice little blip up here. But when he gets over to get to balance and you apply the trigger, you take the cuts, you take the whacks, that funding drops off the map. It goes from almost $12.5 billion to below $11 billion, $1.5 billion cut year to year from 2,000 to 2002—$1.5 billion.

Are we going to have all the answers to health and well-being? Are we going to still need the National Institutes of Health? I think so. We cannot afford the cuts that the President proposed. We are dealing with real numbers.

This is what would happen, if you believed the President and if you believed this budget will get to balance.

Child care and development block grant. I was very pleased to work with my colleague from Connecticut on the act for better child care. We turned it into a development block grant because we recognized the importance of assisting working families with care for their children. The President has a little upswing this year. This is an election year, of course. But then look what happens. From over $1 billion, about $1.5 billion, this thing drops off the cliff to about $800 million in the year 2002—almost a $250 million cut in child care because of the President's trigger.

Do we really want to say to people who are trying to get off welfare, ''Hey. Get off welfare this year. We are going to assist you with your child care expenses. But sorry about the ensuing years. There is not going to be the money there.''

That is what the President's budget does. That is if you implement the mechanism the Senator from Nebraska rightly pointed out is in the President's budget. That is how it gets to a balance.

WIC, funding for women, infants, and children. We both support this at least in the early years. The President's line goes up. The Republican line goes up. But, whoops. The President had said he wants to balance the budget. So you fire the gun, you put on the cap, you pull the trigger, and what happens to funding for women, infants, and children? It goes, in his budget, from over $4.2 billion down to about $3.7 billion.

This is a significant cut. If you believe and advocate and want to stand up for the President's budget, you have to be willing to say, ''Hey. We are going to get to balance in the year 2002 by taking this much of a whack out of the feeding program for women, infants, and children.''

Mr. President, I do not believe that is going to happen. That is not a realistic budget. But the President is standing by that budget. Anybody who votes for it says, ''I am voting for it. I believe in it.'' If you vote for the President's budget, then, Mr. President, you have to be saying, ''I believe these numbers, and I will support these numbers.''

I have talked a good deal about the Veterans' Administration because that happens to be one of the vital functions that is funded in the appropriations subcommittee which I chair. The Veterans' Administration budget has been very contentious. Last year we had a floor amendment, an amendment sponsored by the Senator from West Virginia, Senator ROCKEFELLER, and Senators MIKULSKI, LEAHY, and WELLSTONE.

They said, if we kept an even spending level, we would have to close four veterans hospitals. The Republican budget has even funding. This cuts almost $13 billion—25 percent. That means that one out of four facilities, or more, in the United States would have to be closed. Here are the States with veterans facilities. Florida has 6, Massachusetts has 5, New York has 13, and California has 11. One out of four—that means California is going to have three, four, or five closed. The Senator from California [Mrs. BOXER] was complaining that we did not open a hospital last year. The question is, Which of these is going to be cut?

Mr. President, the budget provided by the President is not workable. Those numbers do not lie.

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

Mr. HOLLINGS addressed the Chair.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. HOLLINGS. Mr. President, I yield such time as is required for the moment.

Mr. President, the distinguished Senator from Missouri talks about assumptions. With respect to assumptions, I only have to point out that when I asked the distinguished chairman of the Budget Committee, Senator DOMENICI from New Mexico, about the budget assumptions, he said, ''No. That is no magic asterisk. Assumptions are not binding on anyone. Use the assumptions in the President's budget. Do what you want to be bound by it. It does not make any difference.''

With respect to the trigger, I remember that trigger when they had it last year in the Republican Medicare assault. Unfortunately, the distinguished President of the United States, coming from Arkansas, having balanced budgets for 10 years, had taken on some of the bad habits of this Republican crowd.

Right to the point, Mr. President: I was listening this morning to the chatter on the early morning shows, and the pundits were all allowing that the distinguished Senator from Kansas was having to retire from the Senate because he wanted to get away from the Senate itself; that the Senate had such a bad reputation.

I take exception to that, Mr. President. It is the Republican program that has such a bad reputation. I feel for the distinguished Senator from Kansas as the Republican nominee going around the country because, though he physically removes himself, he still has to carry that load. I told him so yesterday afternoon.

It is a ridiculous contract. Get rid of plans that are working and the programs on crime. The policemen on the beat; they were all here yesterday in support of those programs.

That is what is really frightening the American people. It is a ridiculous plan: let us get rid of the Department of Commerce, the Department of Energy, the Department of Housing, the Department of Education. Whoever heard of being elected to public office and then trying to tear down the office itself? We are elected to come to Washington to make the Government work. But this pollster party is running on hot button items like 5-cent gas taxes and that kind of thing, trying to throw the long pass play. They are not really giving the American people a program of responsibility and direction, a sense of where we are headed in the next 4 years. The truth of the matter is that the wrong man resigned from the Congress. We ought to have gotten the distinguished Speaker to be gone with that silly contract. Let him move out and maybe the pollster party would have a chance in November.

But my point this morning is that yes, I am going to vote for the President's budget. It is the nearest to a factual approach to this particular dilemma. It does not use the CPI. It does not have these mammoth tax cuts that are down to $8 billion. We do not have any taxes to cut.

That is another flaw in the contract, it leads the American people to believe that you can balance this budget by merely cutting spending. I have voted for many, many cuts in spending. I voted, as did a third of the Senate, to do away with a good part of the payroll tax—$190 billion in tax cuts to put Social Security on a pay-as-you-go basis. But I do not believe in cutting taxes when we are running these horrendous deficits, when the debt is going up and the interest cost on the debt ruining the land. And so what I am trying to do is get the nearest as I can. We tried every approach. In January 1993, we put in what would be required of a really true, honest balanced budget. It included both the horrendous cuts that would be necessary in discretionary spending and taxes. I challenge and continue to challenge. At the Commerce Committee the other day, the distinguished Senator from Texas said that she believed the budget could be

balanced by spending cuts. I challenge her. I challenge anyone in the Congress to give me a 7-year balanced budget without a tax increase. I want to see it. You can eliminate the Government as they call it, but we have worked our way into such a dilemma that, if you did away with Government as the people know it to be—foreign aid, the Department of Commerce, Interior, Agriculture, Justice Department, the FBI, the DEA, do away with the President, the Congress, the courts—it would still only be $228 billion.

Now, look at the bottom line, what are we spending? This pollster party has got us to the point that we are required to spend $353 billion in interest costs on a national debt that they quintupled. They did it, not President Clinton—$353 billion, $1 billion a day spending on automatic pilot for absolutely no Government. We do not get anything for it. It is merely the carrying charges. If they had not engaged in that misconduct, we could have two Departments of Commerce, two Departments of Energy, two Departments of Education—double the Government. We are spending the money for it, but we are not getting the Government.

And that is this particular Senator's dilemma. We are supposed to be rebuilding our economy in the wake of the cold war, putting more into education, more into technology, more into the Department of Commerce. Instead the Republicans pursue their political endeavors solely for reelection purposes. They are not looking at the next generation but at the next election. And we have to go through this false nonsense of a budget fraud because it is their contract.

Unfortunately, we Democrats, to get any kind of results, have to go along with this kind of thing. President Clinton put out a good budget when he first came. We had to cut $500 billion in spending. We had to increase taxes on cigarettes, beer, liquor, gasoline. Yes, we voted to increase taxes on Social Security, we performed a real act of fiscal discipline and responsibility without a single Republican vote in the Senate, without a single Republican vote in the House of Representatives. And they have the audacity, the unmitigated gall to come around here talking about hoaxes.

Let me get everybody to turn to pages 4 and 5 of this wonderful document, Senate Concurrent Resolution 57, by the distinguished Senator from New Mexico [Mr. DOMENICI], for the Committee on the Budget. This is the budget resolution now in debate. Look on pages 4 and 5 under ''Deficits.'' For fiscal year 2002 you will see a deficit of $108,300,000,000.

Mr. President, for Heaven's sake, you pick up the morning paper, the Washington Post, and it is talking about the ''Republican Balanced Budget Proposal.'' There is no idea of balancing this budget by Republicans or Democrats. It is one big political exercise, one grand budget fraud. And that is what everybody is running on. I am trying to get them to state what the law is and what the truth is.

The fact is here in the budget book itself: ''Budget Process Law Annotated,'' up to date, 1993 edition. You will find in this book no such word as ''unified.'' That is a political gimmick that the press, the money market in New York and politicians use. We have to hear about fraud; we have to hear about hoaxes; we have to hear about trickery, but the truth of the matter is there is no such thing as unified. There is such a thing as not being able to rob the Social Security trust fund. Look at it. Section 13301 of this particular document says thou shalt not use the Social Security funds to obscure the size of the deficit. We owe Social Security at this moment $503 billion, and in this particular budget that I hold up, this document here, they continue to rob the Social Security trust fund in violation of the law. They are robbing other trust funds as well that are not written in the law. I wish they were. But we continue to rob the Social Security trust fund of approximately $500 billion over a 6-year period and over $600 billion over 7 years. So that by the year 2002, 2003, we come around, under this political drama—the best off-Broadway show you are going to find, running currently on C–SPAN—and they will say, ''Oh, we have balanced the budget. We are the party of responsibility and we balanced the budget.''

Even if it were true, using their own figures we have decimated—decimated, exhausted the Social Security trust fund. We will owe it over $1.1 trillion. Then we will not have to hear the arguments about the year 2012 or 2023—just by that year 2002 we will already owe that money. Who is going to raise $1 trillion to make Social Security solvent? You should have heard it—I wish I had that record before me—the distinguished chairman of our Budget Committee in his prepared statement stated: We are making Medicare solvent for 10 years. Under this budget we are making Medicare solvent for 10 years; we are making Social Security totally insolvent in 6 years. It will be totally insolvent in 6 years. And they want credit for their so-called fiscal responsibility.

Unfortunately, both sides are guilty. Why? Why do I say that about this budget fraud? I have not seen a budget yet that does not immediately start off by moving deficits—not eliminating deficits—moving them from the general Government over to the Social Security trust fund to the tune of $500 billion. The Republican budget does it. The President's budget does it. And the so-called centrist coalition does.

They think it is wonderful they can get together, Republicans and Democrats, in a fraud. I did not join them. I told them: It is a fraud on the face of it. You can see it. You know it. Look at it. You are not only robbing trust funds to the tune of what will amount to almost $1 trillion, but we owe the civil service retirement, the military retirees.

You go down the list. Medicare is solvent right now. They have been robbing the Medicare trust fund and on down the line to highway trust funds. Finally, over on the House side, they have been robbing the airport funding. There are not enough inspectors. We just had a hearing on that. Why? Because we have been taking the money that the traveling public has been putting in. While they have been paying their taxes in order to provide those inspectors, Congress has been using the moneys to politically obscure the size of the deficit. This way they can say, ''Reelect me, I am fiscally responsible up there in Washington but the other crowd is a bunch of bums.''

They know what they are doing. Not only do they rob trust funds, but all of their spending cuts are backloaded. There is the gimmick. That is why, when President Reagan first came to office, he said he was going to balance the budget in 1 year. After he got here he said it was such a disaster that it would take him 3 years. When Congress saw that was not working with the so-called Reaganomics, that we were going in the exact opposite direction, we tried the spending cut approach with Gramm-Rudman-Hollings. But all along, then after Gramm-Rudman-Hollings—and I'm talking about the crowd that voted to repeal it on October 19 at 12:41 a.m—they are now all writing books now how responsible and how against deficits they were. Gramm-Rudman-Hollings worked. The reason the Senator from South Carolina asked for a divorce is that instead of using Gramm-Rudman-Hollings as a spear to prod fiscal responsibility, they were using it as a shield to obscure fiscal irresponsibility.

When they started doing that, I said let me out of this thing. We raised the point of order, made cuts across the board. And Gramm-Rudman-Hollings worked. Do not say it did not work. It was about to work too well, until they got into that cabal to reelect the President in 1992. Everybody knows what happened there, in 1990, when they voted for its repeal. But they all, then, started backloading. Now, instead of 5 years of Gramm-Rudman-Hollings, we are going up to a 7-year budget. If this crowd can get reelected they will come back next year and they will have a 10-year budget. They keep moving the goalposts and getting the good government award.

The fact of the matter is, two-thirds of these cuts occur after two Presidential elections. They come out here and talk about the President—a hoax. But it is not a hoax—come on. Everybody can see what is going on. Every one of them, including the centrist budget, uses tax cuts.

If you look at the centrist document, the centrist document says the President cuts $8 billion in 6 years. The Republicans cut $122 billion, the Breaux-Chafee in 7 years cuts $105 billion. We

do not have any taxes to cut. So the closest to responsibility is President Clinton's budget. They are running around still trying to lead rather than demand. The consultants will demand. Poor Presidential nominee DOLE will have to respond, run all over the land trying to tell people that which he knows not to be the case. He was chairman of the Finance Committee. He did not favor that Reaganomics. It was Kemp-Roth at that time. I know him, but now he is caught up with the Gingrich contract and he has to go around and sell it. That is his dilemma, not the Senate as a body. They will be here long after we are gone, long after the contract crowd is gone.

Mr. President, we finally see the free world voting in free elections. We witness the spread of, not only capitalism, but democratic representative government; which is, according to Arthur Schlesinger, the greatest gift of the American people to free men the world around. And it has taken root, Mr. President, in 14 different countries. Over in Russia now, the Communists are getting ready for a vote. Over in China, where I recently traveled with the distinguished Senator from Maine, Senator COHEN, in the provinces they are beginning to have local elections. Now, when free democratic government is just taking root, the contract crowd says, ''Get rid of the Government. The Government is not the solution, the Government is the problem. The Government is the enemy.'' And they wonder why they are down in the polls.

Back to the point: tax cuts. They talk about a dividend. I speak as the former chairman of the Budget Committee. I speak as an original mover, along with Senator Muskie. I am the last of the Mohicans on the House or the Senate side who was in on the game back in the mid-1970's. I voted for a balanced budget in 1968. I worked there with George Mahon. We said, ''Talk to President Johnson. Can we cut another $5 billion?'' We cut another $5 billion. The entire Great Society and the cost of the war in Vietnam was $178 billion. Interest costs on the national debt is $353—double the amount. And you wonder at the trouble we are in? They do not want to talk sense. They want to engage in another fraud. A $254 billion dividend. That came up in 1990.

We called it into question. They say, ''Oh, no, you look at the 1990 budget.'' They have their charts and everything else. The 1990 budget said that by 1995, last year, we would not only be balanced we would have a $20 billion surplus. Can you imagine the word surplus in a Government document? They put it in there.

Instead, the real deficit was in the neighborhood of $277 billion. There was not any surplus—using the dividend. So they play more games. Now the centrist coalition crowd has come up with a new one, the CPI. They come in and want to monkey around with the Consumer Price Index.

So if you do one, you have to do the other, but they only do one. They are not only going to cut the benefits of the Social Security recipient, which could be done—this Senator has recommended a freeze, a freeze, if you please. But instead of inuring to the benefit of the Social Security trust fund, they take even more money, robbing Social Security and allocating it to the deficit. All the Medicare plans call for an increase in the premiums in order to get the benefits. Then they come around with this lower CPI and give them less money. A double whammy.

They are doing it. But it is a political year and the media is supposed to cover Congress and give the American people the truth. And what is the headline? ''Balanced Budget.'' A balanced budget, come on. There is not any balance in the budget before us, and they know it.

For Heaven's sake, deliver me from this characterization of the President's character. A hoax. The pollster says they have to attack President Clinton on his character. So every 10 seconds the Republicans get up: ''Hoax,'' ''Character.'' One Senator even said, ''Liar.'' ''We'll just get in on a true-false quiz in November, and we are the truth and the Democratic Party is false.''

I do not think the American people are going along with that nonsense. Deliver me from that, particularly when they are the ones engaged, with the misrepresentation. That is the nicest word I can think.

Yesterday, May 15, 1996, I heard it again in the Budget Committee. This is a statement by the distinguished chairman of the Budget Committee:

> This budget will restore America's fiscal equilibrium. It will balance the budget by the year 2002 without touching Social Security.

Absolutely false. He said that in the Budget Committee. I called his hand on it, but they continue to insist on it and the news media will write it. It touches Social Security. The best rationale the chairman can give is, ''We didn't cut, momentarily, the benefits.'' But he means the benefits for me at 72—old STROM and I are going to get ours. But that Parliamentarian is not going to get his money. And I have to ask the Parliamentarian if this really is a budget resolution. Because section (C) where they have in there a provision for tax cuts in September, will actually increase the deficit.

But the truth of the matter is, Mr. President, they not only touch it, they emasculate the fund. I made that clear. Do not come along and say ''without touching Social Security.'' They know what they are doing.

We have had a group of off-the-record sessions to try to get together on the balanced budget amendment to the Constitution. I favor such an amendment, and said I would vote for it in a flash. I voted for it before. But I am not going to vote by repealing section 13301. The proposal has been made time and again, ''Well, let's just use up Social Security until 2002 and stop using it.''

I remember when I had Clement Haynesworth before the U.S. Supreme Court—he had been charged with using his office in conflict with the stock investments that he had. They said that under the law, he should have recused himself. One day, unbeknownst to me and Attorney General Mitchell, he came and said, irrespective of what occurred, he was going to take all these stock holdings and put them in a trust fund.

The next morning, Herblock had that cartoon with the Congress as the court. The Attorney General is the lawyer and a little client who looked like a school boy with a school bag with stock tape and tickets streaming out on the floor. ''But Your Honor,'' said Mitchell, the Attorney General, ''my client hasn't done anything wrong, and he promises to stop doing it.''

No, they have not done anything wrong—''We do not touch Social Security''—they just take Social Security to mask the deficit. Government is borrowing from itself and writing IOU's from $503 billion to $1.1 trillion. But they promise to stop doing it in 2002. By that time, who is going to put on the taxes to pay back $1.1 trillion?

The New York crowd keeps talking about entitlements, entitlements, entitlements. In Time magazine and other major papers, they say: ''The trouble is, we have to get a bridle on this Social Security causing the deficits.'' Social Security has not caused a deficit. It is in the black. Every one of the 100 Senators would have to agree with that.

What is causing the deficit, I say to the distinguished Presiding Officer, is all these general uses of Government, from defense to education to housing to foreign aid to law enforcement. I happen to handle the law enforcement budget. Everybody is for more policemen on the beat, everybody is for more FBI, more DEA, more Border Patrol, more immigration control, more this, more that. In 1987, it was just at $4 billion. Now it is at $16.7 billion. They are complaining about the growth of Government, saying ''cut spending, cut spending.'' Do you think they ever recommended a dime to pay for it all the programs they demand? No.

I joined with Republicans back in 1987. We saw the dilemma. We put in a value-added tax of 5 percent to get rid of this monster deficit growing and growing, the interest costs growing up to where we cannot have Government.

But that is the effect of pollster politics. The pollster party says, ''Get rid of the Government.'' They succeed. If we do not have a Department of Commerce, they are happy. If we do not have a Department of Education, they are enthralled. If we can get rid of the Department of Energy and Department of Housing and just leave them all on the streets, so be it; let the market forces operate.

That is why they are down in the polls, and leaving this august body

does not release the distinguished Senator from Kansas from that silly contract of getting rid of the Government. That is what he has try and sell today as he goes around in Chicago. The contract is frightening the American people.

At least he had the excuse of trying to keep us organized here in this particular body. Now he has to sit back and listen on the hot line to Speaker GINGRICH saying, ''Wait a minute, you've got to stick with the contract, stick with the contract.''

All this chatter. Meanwhile we face the largest deficit in the history of the Republic.

I ask unanimous consent to have printed in the RECORD an article from January 1, 1995, by Judy Mann in the Washington Post.

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

[From the Washington Post]

FIDDLING WITH THE NUMBERS

(By Judy Mann)

Gov. Christine Todd Whitman, the Republican meteor from New Jersey, had the unusual honor for a first-term governor of being asked to deliver her party's response to President Clinton's State of the Union message last week.

And she delivered a whopper of what can most kindly be called a glaring inaccuracy.

Sandwiched into her Republican sales pitch was the kind of line that does serious political damage: Clinton, she intoned, ''imposed the biggest tax increase in American history.''

And millions of Americans sat in front of their television sets, perhaps believing that Clinton and the Democrat-controlled Congress had done a real number on them.

The trouble is that this poster lady for tax cuts was not letting any facts get in her way. But don't hold your breath waiting for the talk show hosts to set the record straight.

The biggest tax increase in history did not occur in the Omnibus Budget Reconciliation Act of 1993. The biggest tax increase in post-World War II history occurred in 1982 under President Ronald Reagan.

Here is how the two compare, according to Bill Gale, a specialist on tax policy and senior fellow at the Brookings Institution. The 1993 act raised taxes for the next five years by a gross total of $268 billion, but with the expansion of the earned income tax credit to more working poor families, the net increase comes to $240.4 billion in 1993. The Tax Equity and Fiscal Responsibility Act of 1982, by comparison, increased taxes by a net of $217.5 billion over five years. Nominally, then, it is true that the 1993 tax bill was the biggest in history.

But things don't work nominally. ''A dollar now is worth less than a dollar was back then, so that a tax increase of, say, $10 billion in 1982 would be a tax increase of $15 billion now,'' says Gale. In fact, if you adjust for the 48 percent change in price level, the 1982 tax increase becomes a $325.6 billion increase in 1993 dollars. And that makes it the biggest tax increase in history by $85 billion.

Moreover, says Gale, the population of the country increased, so that, on a per person basis, the 1993 tax increase is lower than the one in 1982, and the gross domestic product increased over the decade, which means that personal income rose. ''Once you adjust for price translation, it's not the biggest, and when you account for population and GDP, it gets even smaller.''

He raises another point that makes this whole business of tax policy just a bit more complex than the heroic tax slashers would have us believe. ''The question is whether [the 1993 tax increase] was a good idea or a bad idea, not whether it was the biggest tax increase. Suppose it was the biggest? I find it frustrating that the level of the debate about stuff like this as carried on by politicians is generally so low.''

So was it good idea? ''We needed to reduce the deficit,'' he says, ''we still need to reduce the deficit. The bond market responded positively. Interest rates fell. There may be a longer term benefit in that it shows Congress and the president are capable of cutting the deficit even without a balanced budget amendment.''

Other long-term benefits, he says, are that ''more capital is freed up for private investment, and ultimately that can result in more productive and highly paid workers.''

How bad was the hit for those few who did have to pay more taxes? One tax attorney says that his increased taxes were more than offset by savings he was able to generate by refinancing the mortgage on his house at the lower interest rates we've had as a result. The 1993 tax increase did include a 4.3-cent-a-gallon rise in gasoline tax, which hits the middle class. But most of us did not have to endure an income tax increase. In 1992, the top tax rate was 31 percent of the taxable income over $51,900 for single taxpayers and $86,500 for married couples filing jointly. Two new tax brackets were added in 1993: 36 percent for singles with taxable incomes over $115,000 and married couples with incomes over $140,000; and 39.6 percent for singles and married couples with taxable incomes over $250,000.

Not exactly your working poor or even your average family.

The rising GOP stars are finding out that when they say or do something stupid or mendacious, folks notice. The jury ought to be out on Whitman's performance as governor until we see the effects of supply side economics on New Jersey. But in her first nationally televised performance as a spokeswoman for her party, she should have known better than to give the country only half the story. In the process, she left a lot to be desired in one quality Americans are looking for in politicians: honesty.

(Mr. CAMPBELL assumed the chair.)

Mr. HOLLINGS. Mr. President, I quote:

A dollar now is less than a dollar was back then—

Talking in the eighties under President Reagan.

so that a tax increase of, say, $10 billion in 1992 would be a tax increase of $15 billion now. . . In fact, if you adjusted for the 48 percent change in price level, the 1982 tax increase would become a $325.6 billion increase in 1993. That makes it the biggest tax increase in the history by $85 billion. Nominally then, it is true that the 1993 tax bill was the biggest in history. However, the biggest tax increase in post-World War II history occurred in 1982 under President Reagan.

And the Senator from South Carolina voted for it.

I voted against Reaganomics. Senator DOLE was against it in the original instance. The then-majority leader Howard Baker called it ''a riverboat gamble.'' Then-Vice President Bush called it voodoo. But they want to forget that. Read Warren Rudman's book. He lays it all out. A substantial group of Republicans said this could not possibly work.

But I ask, Mr. President, to include in the RECORD the budget tables. If you look at the budget tables, back when President Reagan came into office, the key figure is the Gross Interest Cost, which at that time was $74.8 billion. Today it is $353 billion. This crowd is against increasing spending—I'm against spending increases; I'm against spending increases. We have put spending increases on automatic pilot to the tune of $1 billion a day. I ask unanimous consent that those tables be printed in the RECORD.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

BUDGET TABLES

President and Year	U.S. budget (outlays in billions)	Trust funds	Real deficit	Gross Federal debt (billions)	Gross interest
Truman:					
1945	92.7	5.4		260.1	
1946	55.2	3.9	−10.9	271.0	
1947	34.5	3.4	+13.9	257.1	
1948	29.8	3.0	+5.1	252.0	
1949	38.8	2.4	−0.6	252.6	
1950	42.6	−0.1	−4.3	256.9	
1951	45.5	3.7	+1.6	255.3	
1952	67.7	3.5	−3.8	259.1	
Eisenhower:					
1953	76.1	3.4	−6.9	266.0	
1954	70.9	2.0	−4.8	270.8	
1955	68.4	1.2	−3.6	274.4	
1956	70.6	2.6	+1.7	272.7	
1957	76.6	1.8	+0.4	272.3	
1958	82.4	0.2	−7.4	279.7	
1959	92.1	−1.6	−7.8	287.5	
1960	92.2	−0.5	−3.0	290.5	
Kennedy:					
1961	97.7	0.9	−2.1	292.6	
1962	106.8	−0.3	−10.3	302.9	9.1

BUDGET TABLES—Continued

President and Year	U.S. budget (outlays in billions)	Trust funds	Real deficit	Gross Federal debt (billions)	Gross interest
1963	111.3	1.9	−7.4	310.3	9.9
Johnson:					
1964	118.5	2.7	−5.8	316.1	10.7
1965	118.2	2.5	−6.2	322.3	11.3
1966	134.5	1.5	−6.2	328.5	12.0
1967	157.5	7.1	−11.9	340.4	13.4
1968	178.1	3.1	−28.3	368.7	14.6
Nixon:					
1969	183.6	−0.3	+2.9	365.8	16.6
1970	195.6	12.3	−15.1	380.9	19.3
1971	210.2	4.3	−27.3	408.2	21.0
1972	230.7	4.3	−27.7	435.9	21.8
1973	245.7	15.5	−30.4	466.3	24.2
1974	269.4	11.5	−17.6	483.9	29.3
Ford:					
1975	332.3	4.8	−58.0	541.9	32.7
1976	371.8	13.4	−87.1	629.0	37.1
Carter:					
1977	409.2	23.7	−77.4	706.4	41.9
1978	458.7	11.0	−70.2	776.6	48.7
1979	503.5	12.2	−52.9	829.5	59.9
1980	590.9	5.8	−79.6	909.1	74.8
Reagan:					
1981	678.2	6.7	−85.7	994.8	95.5
1982	745.8	14.5	−142.5	1,137.3	117.2
1983	808.4	26.6	−234.4	1,371.7	128.7
1984	851.8	7.6	−193.0	1,564.7	153.9
1985	946.4	40.6	−252.9	1,817.6	178.9
1986	990.3	81.8	−303.0	2,120.6	190.3
1987	1,003.9	75.7	−225.5	2,346.1	195.3
1988	1,064.1	100.0	−255.2	2,601.3	214.1
Bush:					
1989	1,143.2	114.2	−266.7	2,868.0	240.9
1990	1,252.7	117.2	−338.6	3,206.6	264.7
1991	1,323.8	122.7	−391.9	3,598.5	285.5
1992	1,380.9	113.2	−403.6	4,002.1	292.3
Clinton:					
1993	1,408.2	94.2	−349.3	4,351.4	292.5
1994	1,460.6	89.1	−292.3	4,643.7	296.3
1995	1,514,4	113.4	−277.3	4,921.0	332.4
1996	1,572.0	126.0	−270.0	5,191.0	344.0
1997 est.	1,651.0	127.0	−292.0	5,483.0	353.0

Source: Historical Tables, Budget of the U.S. Government, Fiscal Year 1996; Beginning in 1962, CBO's 1995 Economic and Budget Outlook.

Mr. HOLLINGS. If any Members want to, they can get the entire record of each one of the particular Presidents. What happened is—let me quote David Stockman:

The root problem goes back to the July 1981 frenzy of excessive and imprudent tax-cutting that shattered the nation's fiscal stability. A noisy faction of Republicans have willfully denied this giant mistake of fiscal governance, and their own culpability in it, ever since. Instead, they have incessantly poisoned the political debate with a mindless stream of anti-tax venom, while pretending that economic growth and spending cuts alone could cure the deficit.

So they have given the Senator from Kansas the chant, ''Growth, growth; tax cuts, tax cuts; growth, growth; tax cuts.'' Will we ever learn?

The debt from the beginning—from 1776 up until 1981—the debt was less than $1 trillion. With all the wars, the Revolution, 1812, Civil War, Spanish-American, Mexican War, World War I, II, Korea, Vietnam, the costs of all the wars were less than $1 trillion—$903 billion. Now, in 15 years, without a war—without a war, because the other crowd are supposed to have paid for the gulf war—in 15 years, we have gone up to $5 trillion and automatic tax increases, because that is what the automatic spending of interest costs amounts to.

You cannot evade death, you cannot evade taxes, and you cannot evade interest costs or interest taxes on the national debt. So those who say that ''I am against increasing taxes,'' is the crowd that comes in here without shame and derides President Clinton and this particular budget.

President Clinton came to town, and he is the only President to reduce the deficit. Since 1968, President Nixon did not. President Ford, President Carter, President Reagan, and President Bush all increased the deficit. The one man in town not responsible for this nonsense, President Clinton, the only man in town that has done anything about it, has reduced the deficit in half, and is derided now with all these monkeyshine charts. ''Look at how he said this. Look how he did this. Look how he did that.''

The economy is working, is it not? Unemployment is down. Job creation is up. Interest is down. How do we get the truth out to the American people? The truth is, as I said before, that Gramm–Rudman-HOLLINGS was repealed. But we continue to read suggestions that we have already tried, suggestions that totally ignore the track record of some of us who have tried.

A couple days ago our distinguished friend, Mr. Dave Broder, allowed that what we ought to do is do away with the payroll tax with a flat tax, recommended by Senators DOMENICI and NUNN. Well, in April 1991, the Senator from New York, Senator MOYNIHAN, the Senator from Wisconsin, Senator Kasten, and the Senator from South Carolina, Senator HOLLINGS, we all said, ''Look, if you are going to continue to violate section 13–301 and rob the Social Security trust fund, then, Heavens above, let's put Social Security on a pay-as-you-go basis so they will know it,'' we were completely against an increase in the Social Security taxes at the time.

It would have been a tax cut, Mr. President, of $190 billion. But they voted against that tax cut. They say they are for tax cuts for the rich, for capital gains, but not for the wage earner, the fellow who is pulling the wagon. But Congress is in the wagon. We have to get these Senators and Congressmen out of the wagon. We are the ones using the trust funds, not paying the bills, and wrecking the economy.

Mr. President, for the poor wage earner, who is pulling the wagon, we said, ''Let's cut their taxes,'' the payroll taxes suggested by Mr. Broder, we had that vote in 1991. But they do not want it that way. They want to continue the charade.

So, Mr. President, I only hope there is a free press. Jefferson said it better than anyone. He said, if it is between the free press and a free Government, I would choose the former —intoning, if you please, that you can have a free Government, but it is not going to be free long unless you have a free press. It is supposed to keep us honest, supposed to keep us politicians honest.

Instead, as Jim Fallows says in his wonderful book, ''Breaking the News,'' the press has joined in the post-party pap of ''I'm against taxes. And we can balance the budget by just cutting spending.''

I have made my point on that. I wish it could be done. I have tried. We tried, first, cuts across the board. We tried spending cuts. We continue to try spending cuts where possible. We have tried a value-added tax. We have tried everything possible, but we cannot get the truth out to the American people.

Yes, I am voting for President Clinton's budget. His track record is true. He is the only President we have had around here that has done something

about this deficit. He has cut it in half. He has done it with tax increases as well as $500 billion in spending cuts. And the ones that caused this deficit—there ought to be ashes in their mouths—the ones that caused this rotten dilemma of spending $1 billion a day for nothing, have the audacity to be running around saying how honest they are and how true they are and how balanced their budget is.

Read page 5: Deficits. It does not say ''balance'' in their document. It cannot under the law. In fact, it is really more than the $108 billion listed, because the law does not require them to list robbing the distinguished Chair's retirement, robbing the military retirees, still robbing the Medicare trust fund, and others. All told, it is $151.9 billion. That is why these funds are not being used for the highways, the airports, or workers' retirement. We are robbing them. It is a shabby act.

But they know no shame. They come around with their little charts. We hadn't seen their budget or anything else. They had the President's budget for 4 months, so they would work up their charts. And we would go into the Budget Committee, and they would go through their little acts. They had the Senator from Texas complaining about exactly what they have in defense.

They had the Senator from Missouri talk about veterans, the next one talked about defense and came on with all his charts. It was just all applesauce, just a show on C–SPAN. We had no choice except to take their plan or leave it. What they offered was a three-way breakdown of the reconciliation process and ultimately, in my opinion, a violation of the Byrd rule.

For the first time to my knowledge, they are using the reconciliation process to actually increase the deficit. By at least $122 billion. You can read it again in this document, in section (c) on page 51, that if the legislation is enacted pursuant to sections A and B no later than September 18, the Committee on Finance shall report to the Senate a reconciliation bill proposing changes in laws with any jurisdiction necessary to reduce revenues. That is so they can go around to the rich crowd in New York and say, ''We will give you capital gains.'' It is in their contract but it will not work.

The one that should have set himself aside and be done with that silly contract is the distinguished Speaker. I yield the floor.

Mr. ABRAHAM. Mr. President, on behalf of this side, I yield 20 minutes to the Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas [Mr. GRAMM], is recognized for 20 minutes.

Mr. GRAMM. Mr. President, I am going to get back to the subject that we are here to talk about, the President's budget. Rather than getting into all of this argument about what is phony and what is not phony, it seems to me we what we ought to do is look at what this budget claims to do. The budget is the one issue of the year through which we define what we want America to be. In this case, we are talking about what we want America to be over the next 7 years.

Let me begin by doing something that we do not do much of around here. Let us assume that every word in the President's budget is true, let us assume that we are going to do everything he asks us to do, and let us assume that everything he says will work will indeed work. We will grant him every assumption you would grant somebody to try to give them the benefit of the doubt.

Let us take this budget, this great big thick document that we now have debated for 2 hours, and view it as Bill Clinton's vision for the future of America. What I want to do is ask not whether you can find on page 54 something that does not make sense, but rather to ask ''What kind of vision is this?'' Is this an America we want? This is the question that we are here today to talk about.

First of all, let me just look at the Clinton budget and assume that everything works out exactly the way the President wants it to work out. I want to talk about what kind of America we will have if this happens and compare it to the America of the 1940's, the 1950's, the 1960's, the 1970's, and the 1980's. This, again, assumes that everything works out exactly as the President hopes it will. This is the best case Bill Clinton scenario.

First of all, let us look at the tax burden. In the 1940's, the average American family sent to Washington about 16.5 percent of everything they made; the Government took about 16.5 percent of all goods and services produced in America. In the 1950's, it rose to 17.6 percent. In the 1960's and 1970's, it was up to 18 percent. If we adopt Bill Clinton's budget and enforce it exactly as it is written, where everything works out exactly as he wants it to and with the most rosy scenarios he can assume, we are committing ourselves to the highest tax burden in the history of the United States of America: 19.3 percent out of every dollar earned in America is going to come to Washington and be spent by Bill Clinton. These are the President's numbers and this is the President's vision. Under the best of circumstances, where everything works out exactly as the President would like it to, the American taxpayer will face the highest tax burden in the history of the United States of America.

Further, under the President's plan, the cumulative tax burden will never have been higher. When you add up State, local, and Federal taxes, over 30 percent of all money earned by all sources in America will be spent not by the people who earn the money but by their Government. So this is the first part of the Clinton vision—the highest taxes in American history.

The second part of his vision is social spending, by which I mean nondefense spending. In the 1950's, the Federal Government spent 7.4 cents out of every dollar earned by every American on nondefense programs. This rose in the 1960's, in the so-called Great Society period, to 10.2 cents out of every dollar earned. It rose to 14.6 cents out of every dollar in the 1970's, and then 17.1 cents in the 1980's. If we adopt Bill Clinton's budget, and if it does everything he says it will do, we are still talking about social spending taking 17.3 cents out of every dollar earned by every American. That is the highest level of social spending in the history of the United States of America—thus giving us both the highest taxes in American history and the highest level of social spending.

What about defense? In the 1940's, 7.9 percent of all income earned by all Americans went to national defense. As the cold war heated up in the 1950's, it grew to 10.6 percent. In the 1960's, it was 8.9 percent, and then it leveled out at 6 percent in the 1970's and 1980's. If we adopt Bill Clinton's budget and all the dramatic cuts in national defense expenditures that it entails, expenditures on national security as a percentage of the income earned by all Americans will be at the lowest level since the 1930's, with only 3.4 cents out of every dollar going to our national defense. This is the President's vision: the highest tax burden in American history, the highest social spending in American history, and the lowest defense spending in the post-war era. If we adopt the President's budget, we will have social spending twice as high as the Great Society's social spending, we will have taxes substantially above the tax burden of the Great Society, and we will have defense spending substantially below the Jimmy Carter era. That is the Clinton vision.

In addition, what kind of growth rate does the Clinton administration say his budget is capable of generating? Let me begin with a brief reminder of the country we live in. If you have ever wondered why Americans, until this generation, have always been confident that their children will have a brighter future than they had, it is because up until now this has been true. We live in one of the few countries in the history of the world where it has been the routine for people's parents to do better than their grandparents, who did better than their great-grandparents, and where people knew that if they worked hard, if they were dedicated, they were going to do better than their own parents.

Here is the reason why: In the 1950's, we had real economic growth in America which resulted in job creation, growth in the value of the things that we produced, and, as a result, real GNP grew on average by 4 percent. It grew by 4.4 percent in the decade of the 1960's.

But then something happened in the decade of the 1960's. What happened in the decade of the 1960's is that we traded an economy which was growing at 4

percent a year for a government that would grow at 9 percent a year, and, as a result, economic growth started falling. We had 3.2 percent growth in the 1970's, and 2.8 percent growth in the 1980's. The most optimistic assumption that the Clinton administration could come up with, given their budget, given what they are doing in taxing and spending, is that the economy will grow by a mere 2.3 percent. This is their rosy scenario.

So, when you go back and look at it, what is the Clinton vision? It is the highest tax level in American history. It is the highest level of spending on social programs in American history. It is the lowest defense expenditure level since World War II and it is the lowest economic growth rate that we have had in the 20th century. That is the vision of this budget and that is exactly why it ought to be rejected.

Let me address another issue: Medicare. It is an issue that frustrates me, because almost nobody is facing up to this problem, least of all the Clinton administration. The trustees of Medicare did a study last year which, given the rate that money is being spent out of the Medicare trust fund, and given the rate that it is coming into the trust fund from the high premium you pay in your payroll tax and the part B premium that our senior citizens pay for physician services, concluded that only people who were age 60 and above had any kind of guarantee of receiving benefits. This means that the remaining 93 percent of the people in America, many of whom had paid in excess of $30,000 into Medicare, had no guarantee whatsoever that they were going to ever get a penny of benefits from Medicare. Now, I remind you that three of these trustees are Cabinet officials of the Clinton administration. So this is not Senator DOMENICI talking; this is the Clinton administration.

What happened since that time? Well, two things have happened. The commission has gone back and looked at the data and, because costs are up sharply, they have concluded that Medicare is not 7 years from bankruptcy, it is now 6, and we are moving toward 5—so the numbers are actually worse than what is on this chart. The Clinton administration claims that it has submitted a plan that will protect 13 percent of the beneficiaries of Medicare and will roughly guarantee benefits to everybody who is 55 or older. That means that, according to President Clinton's own figures, 87 percent of the people who have paid into Medicare have no guarantee whatsoever.

But when CBO looked at the Clinton proposal, they concluded that, at best, it would keep Social Security solvent only for one extra year. So the best the Clinton administration could do, while telling senior citizens that the people who want to deal with the Medicare crisis are trying to take their benefits away, is give us a Medicare policy that says to 92 percent of the people who have already paid into Medicare, ''We are not going to guarantee your benefits. The problem is getting worse, but we are not going to fool with it.'' Why? Well, 7 years is two Presidential elections away so it's not this President's problem.

Now, we can be sure that after the election, they are going to start talking about raising the payroll tax because if you raise that payroll tax by about a third, you can begin to come to grips with this problem.

Let me remind you of what the Republicans tried to do in the balanced budget act that the President vetoed. The President went on and on about how we were going to decimate Medicare. But let me just show you how modest our attempt was relative to the crisis we are facing. We tried to guarantee Medicare for a generation. Had our reforms been signed into law, it would have guaranteed Medicare, under the current estimates, to everybody who, based on an average life expectancy, is 46 years old or older. But you will notice that for 72 percent of the people who have paid Medicare taxes, we could not have guaranteed their benefits. We have, in our budget today, a modest proposal on Medicare, with the goal of making it solvent for another decade. Some day, we are going to have to come to grips with this.

The great tragedy is, rather than the President doing what, very much to his credit, Ronald Reagan did—that is, getting a bipartisan group together in the mid 1980's and solving, at least for 20 years, the Social Security problem—the President is now playing politics. He calls dealing with a third of the problem an assault on Medicare while letting 92 percent of the people stand with no guarantee of medical benefit is called responsible.

The truth is that the President has not come to grips with this problem, and the real crime is that our senior citizens are being told that the Republicans, who are attempting to deal responsibly with this situation, are trying to take something away from them. The truth, however, is that leaving the current situation in place, where in 6 years Medicare is going to be bankrupt, creates an environment in which a great tragedy is just waiting to happen. In the private sector, anybody in a position of fiduciary responsibility in who let this happen would go to prison.

Mr. DOMENICI. Will the Senator yield?

Mr. GRAMM. I am happy to yield.

Mr. DOMENICI. Will the Parliamentarian be sure to advise us when the Senator's time has expired? I will yield him time off the resolution.

Will the Senator look at the last column, the 31 percent, which is the Republican proposal? Is it not true that in order to get that which was vetoed by the President—and we are talking about the trust fund only—is it not true that there was not any increase in payments by senior citizens, that this was done by reform, that was done by provider changes and giving options to the senior citizens, and there were no increases in the costs of part B protection to the seniors? Is that not correct?

Mr. GRAMM. That is right.

Mr. DOMENICI. I thank the Senator.

Mr. GRAMM. I want to note one other thing. I do not want to get into a big discussion on Medicare but one of the clearly irresponsible actions that ought to be denounced on a bipartisan basis is what the President has done with his nursing home provision. One of the things the President's budget does in order to make Medicare look less insolvent is to take the nursing home component, which costs $55 billion over 7 years and which is now being paid for out of part A, out of Medicare. But he is not putting it anywhere, and, as if by magic, he assumes that somewhere this $55 billion is going to appear.

The final issue I would like to talk about is the issue of taxing and spending. Let me start by talking about taxes. It never ceases to amaze me that we have something underway here in Washington that the public is beginning to understand, but has not quite come to fully appreciate, and it is very much like the defense realization that occurred in the 1980's. By the early part of the 1980's, the American people understood that, in foreign policy, the Democrats had a basic approach of blame-America-first. Whatever happened, according to the Democrats, it was our fault. If there were troubles in the world, the Democrats said it was because of our greed and our imperialism. But finally, in the 1980's, the American people began to disregard these claims because they realized that this was just the knee-jerk approach of the Democrats. I want to talk about taxes from this point of view and the point I want to make is this: To the Democrats, every tax increase is fair, and no matter how unfair it may actually be, they define it as being fair and go to incredible lengths to convince people it is fair.

The second point I want to make is that, according to the Democrats, every tax cut is unfair, no matter who it goes to and no matter who it affects. By definition, the Democrats say every tax cut is unfair. And after a tax is increased and it actually turns out to be unfair, only then do the Democrats say it is unfair—yet they propose to correct it by raising taxes again.

Let me give you an example. In 1993, we heard on the floor of the Senate—and the President to this day says, ''We only taxed rich people.'' Let me take a couple of examples that I think reveal the errors of this statement.

The President proposed in his budget in 1993, in his largest tax increase in American history, to raise taxes on people who earned Social Security benefits. He raised taxes on people who made $25,000 or more, but how did he go about hiding it?

The PRESIDING OFFICER. The Chair would tell the Senator that his time has expired.

Mr. GRAMM. Will the Senator yield me 10 minutes?

Mr. DOMENICI. I yield 10 minutes off the resolution.

Mr. GRAMM. How they went about hiding it is, first, they said that really they are not talking about people earning $25,000 because these are older people who own their own homes. So we are going to impute, for the first time ever, income, and it became part of a concept of American budgeting. So if your mother owns her own home, the President would say, ''Well, look, if she had to rent that home she would have had to pay $400 a month or $500 a month. So we are not really taxing her at $25,000 because we are not taxing the imputed value of her home.'' Or she owns a lawn mower, or she owns a car, or she owns a dishwasher; if she rented those things, it would be imputed income. Actually, she is rich. She is making $25,000 a year, but she is rich because she may own a dishwasher, she may own a car. She worked a lifetime. She owns her own home. If you imputed the value of all of those things, her income would be higher.

The Congress rightfully rejected that. But our Democratic colleagues imposed the tax on anybody making $34,000 a year or more who gets any Social Security. They said, this is not an income tax. But I want to show you that it is.

This chart is a page from the advisory that was put out to go with your 1040 form in 1994, the year after the tax increase went into effect. People get a notice from the IRS that they are getting ready to be taxed again, then later get a form telling them how to fill it out, and then they get the tax form.

Let me read for you what the IRS said when they sent income tax forms to 120 million Americans. Here is what they said:

Social Security benefits. If your income, including one-half of your Social Security benefits, is over $34,000 if single (over $44,000 if married, filing jointly), more of your benefits may be taxable. See the instructions for lines 20(a) and 20(b).

Let me show you on the 1040 form. This is income taxes. Look down here at line 20(a) which I have blown up. What line 20(a) says is, ''Social Security benefits.'' In other words, you put your Social Security benefits right there and then you pay an income tax on them.

So do you know how the Democrats argue that they were taxing rich people? Basically, they argued if you make $25,000 or more, you are rich, and if you own a dishwasher or if you own your own home or you own your own car, you are richer than you think, because if you had to rent all of those things, it would cost you money.

We are trying to cut taxes on working families. The only tax cut in our budget this year is the $500-per-child tax credit. That would mean that if you have two children, you are going to pay $1,000 less in income taxes. You are going to be able to invest that money in your own children, your own family, your own future.

We know that most people who are rich or who are upper-middle income really only start making money once their children are grown. So we are not shocked to hear that 75 percent of the benefits of this $500 tax credit goes to families that make less than $75,000 a year. But do our colleagues say, ''Well, we are against cutting taxes for working families because we believe Government can do a better job spending their money than they can do for themselves''? No. They say this is a tax cut for the rich. When they tax people who make $25,000 a year, they say they are rich. So, in one sense, they are consistent.

But let me remind you what they are consistent about. They are consistent in saying that every tax is a tax on the rich and that every tax is fair.

Another example which disproves this is the gasoline tax. President Clinton tried to implement a so-called Btu tax that would have raised the price of gasoline 7 cents a gallon. What he got was 4.3 cents. I am glad every Republican voted against it. I am proud of it. This was the first permanent gasoline tax that went to general revenue, and not toward build highways.

Historically, the gas tax has gone to highways because to do otherwise makes it a discriminatory tax. If you live in Texas, the odds are you spend almost twice as much on gas than if you live in New York. If you live in a rural area where you have to drive great distances to get to work, you spend more on gasoline. If you live in the West, you spend more. If you live in the East, you spend less. If you live in the South, you spend more. If you live in the North, you spend less.

The way we have dealt with the inequity is that we have used the gasoline taxes to build highways. So if you pay more, you get more. But President Clinton took the 4.3-cent-a-gallon tax on gasoline and spent it on his social programs. So we took money away from people driving their car and their truck to work to give money to people who do not work.

Is that taxing the rich? No. It is taxing working people. We are trying to repeal the tax—the Democrats say it is a great idea. The problem is, this is the 21st day that we have tried to offer an amendment to repeal that 4.3-cent-a-gallon tax and, to this day, we have not gotten a vote.

So, the principle I want people to understand is: whenever the Democrats raise taxes, whether they tax people who make $34,000 a year or whether they tax gasoline, they always claim to be taxing rich people. Whenever we try to cut taxes, therefore, they say we are cutting taxes for rich people.

The plain truth is, God did not make enough rich people to make the Democrats's claims hold true. As these tax burdens, year after year after year, have gone up, what we have discovered is, if you are going to take 19.3 percent out of every dollar earned in America, you are going to have to take it from the people who earn that money. That is basically middle-income or upper-middle-income families and that is what the Democrats have consistently done.

One very final point—and I do not want to get into the sparring contests with our colleagues about what is phony and what is not phony, but to stand up here and say that President Clinton's budget is in balance with a straight face neglects the fact that when the Congressional Budget Office Director, Dr. June O'Neill, was before the Finance Committee and she was asked, ''Is the Clinton budget in balance,'' here is what she said: ''CBO estimates that the basic policy proposals in the President's budget would lower the deficit substantially below the Congressional Budget Office baseline projections, but the deficit would still total $84 billion 7 years from now.''

So how does the President close that gap? He closes that gap with a little piece of fine print where, in essence, he says, if for some reason the budget is not in balance, take back the tax cut.

Tax America first. Spend first, tax first. Always tax. Never give the tax back. This is the Clinton prescription that we are talking about here.

In the end, we are talking about competing visions. What kind of vision do we have for our country? The vision of Bill Clinton, the vision of our Democratic colleagues, is one of more Government, more social spending than ever in history, less defense than ever in the postwar period, and the highest tax burden in American history. That is their vision.

Our vision is different. You can be for it. You can be against it. But our vision is a vision of more freedom and opportunity. We want to control spending. We want to let working families keep more of what they earn. We think families can spend their money better than the Government.

That is the choice. The Democrats believe Government can do it better. We believe that families can do it better. It is a choice the American people need to make. We are going to make part of that choice here on the Clinton budget. The question is, do we want to commit ourselves to a future of more taxing and more spending? I think the answer is no. I yield the floor.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER (Mr. ABRAHAM). The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I yield myself 10 minutes off the resolution.

Before Senator GRAMM leaves the floor, would you put up your Medicare chart?

I want to share a few observations with you about this, and you can tell me whether you think I am right, and you can add your marvelous way of expressing things to what I am talking about.

We have in our files a letter from the Congressional Budget Office that says if you do not do something about part A, the Medicare trust fund, in 10 years—10 years—it will be $440 billion in the red.

Now, you have been talking about whether we ought to do something or not based upon what we understand the facts to be.

It seems to me that what the President is doing—and yesterday I gave the President's budget an award. I crowned it with a new award. It is going to get the Oscar for fiction. The Oscar for fiction.

Let me ask you if you do not think this is a marvelous fiction in this budget. While this fund is going to be $440 billion in the red, the President says, ''I want to fix that, so I will take away some of the responsibility of this trust fund.'' Right? That is what you have been telling us about. What is the responsibility in that trust fund that is growing the fastest of all of the accounts?

Mr. GRAMM. Home health care.

Mr. DOMENICI. Home health care. Right.

Now, if you wanted to fix that trust fund without doing anything real, then you would say, ''Let us not pay for the fastest growing part of Medicare. Take it out.'' So the President's budget says, ''We are not going to pay for that out of the trust fund and, seniors, you ought to be thrilled; I am making your trust fund more solvent.''

My mind has not yet permitted me to reduce this to some simple statement, but it is smoke and mirrors at least. It is gimmickry at its worst.

Mr. GRAMM. Will the Senator yield?

Mr. DOMENICI. Please.

Mr. GRAMM. It seems to me it goes beyond that because there is already a lot of cynicism in budgeting—probably because the numbers are so big and we are doing it over multiple years. But to simply take home health care, the fastest growing part of Medicare and say we are going to help Medicare by taking it out of the Medicare expenditure accounting but we are not paying for it in any other way, we are just simply taking it out of accounting, that creates a level of cynicism which I think reaches a new level.

It would be like if the Senator went to the doctor and the doctor says: You are in great shape except you have liver cancer. I cannot cure that but let me tell you, I can work on the rest of your body. You can go on an exercise program, you lose a little weight; you can quit smoking——

Mr. DOMENICI. You did not mean me.

Mr. GRAMM. No, but you would not just do all this other stuff until you died. No doctor in the world would do that. Instead he would say: Look, we have got to do something about this cancer. We have got to do it right now.

All I am saying is, and I am not giving us the Academy Award for solving the Medicare problem, but we are trying to solve the problem for at least a generation. The President, however, is simply saying: Look, it is not going to happen until after the election. After the election, maybe we can raise the payroll tax.

I think this is something we ought to do something about now.

Mr. DOMENICI. Mr. President, let me say that the Senator actually said it right. The President takes $55 billion worth of the responsibility from the protected care for seniors. They are guaranteed it under that trust fund, and he takes it out. And you said he does not provide any means of paying for it.

Now, in a sense, that is because the taxpayers are going to pay for it—$55 billion worth of new taxes are going to be required for that $55 billion that, lo and behold, made Medicare solvent so the President did not have to bite any difficult bullets with reference to Medicare.

Now, that is how I see it. I am being as honest as I can.

Now, let me finish the thought and you fill in anything if I have not said it right. There is the second part of Medicare, which is the part B insurance program, started under Dwight Eisenhower, a great idea. We said back then we will put up 50 percent; seniors, you put up 50 percent, and we will write you a health insurance. Everything that is not covered in the trust fund we cover. That is essentially the rules of the game. But we always thought the senior would pay part and the Government would pay part.

Incidentally, the whole argument last year was what that part should be. Should it be 31 percent or 25, should it be $6 more or $7 more or $2 more. The President decided that for this new $55 billion, the seniors would pay nothing. The taxpayers will pay the $55 billion.

Now, frankly, that is nice. That is nice except I wonder about the working families around who have two or three children and they do not have any health insurance or they are struggling for it. They have just been given a nice present—$55 billion of your taxes over the next 6 years have to be used to pay for the President's gimmick, as I see it.

I thank the Senator for accommodating me.

Mr. GRAMM. If I may just conclude with this point. I have always believed that not addressing this problem before the election means sometime later we will be looking at a massive increase in the payroll tax. I believe that next year or the year after, if we do not address this problem now, we are going to be here on the floor of the Senate debating a 20- or 30-percent increase in the payroll tax, and all because the President was unwilling to do anything about these exploding costs.

Mr. DOMENICI. I want to just close my remarks. There was an article by Robert Samuelson found in the Washington Post a few days ago. Actually, it was about Senator DOLE's opportunities. That was the styling of it. I am going to put it in the RECORD after my remarks. But I want to read two sentences.

> At some point, spending and benefits will be cut to avoid costs that seem politically intolerable. The trouble is that the longer the changes are delayed, the more abrupt and unfair they will be. That's why silence is irresponsible.

I believe that is true. Silence or gimmickry on this issue is irresponsible.

I yield the floor.

Mr. KERRY. Mr. President, I rise in support of the amendment by the distinguished minority leader, Mr. DASCHLE, and the distinguished ranking member of the Budget Committee, Mr. EXON.

I have been talking with the people of Massachusetts about this budget. The people of Leominster and Worcester and Falmouth don't come up to me and say: ''Senator, how does that spending compare to the OMB baseline?'' They don't scream out: ''What is the savings in the outyears compared with the savings in next fiscal year?'' They don't ask: ''What is the cap on entitlement spending?'' But, Mr. President, that does not mean that the people of Massachusetts are apathetic about the Federal budget. They want to know if the Congress is going to work with the President to balance the budget. And they want to know how the budget is going to help them.

The proposal submitted to Congress by the President of the United States balances the budget. This proposal before us eliminates the deficit in 2002.

When he came to office in 1993, the President worked with Democrats in Congress, and we took a $290 billion deficit and cut it in half in 3 years. That achievement fulfills the President's promise in 1992 to halve the deficit in his first term.

America's deficit is still pernicious—but right now, we are doing better than any other nation in the world. Our deficit is smaller as a share of our economy than the shortfall in any other major economy in the world.

Mr. President, let me state clearly: President Clinton and the Democrats in Congress worked together to enact this economic plan—and we did this without one single Republican vote.

This budget reflects our priorities of deficit reduction without forgetting our commitment to middle-class Americans. Please remember, Mr. President, something the Republican Party seems to forget: Deficit reduction, in and of itself, is not an economic policy.

It is part of a larger picture. It is part of a vision—the Democrats' vision—of this country's future which will lead us into the next century with a healthier American economy and a stronger middle class. That's good for America's corporate headquarters and America's households.

Our plan has kept interest rates low, so more Americans have been able to buy a first home or a new car.

Our plan has subdued inflation to 2.7 percent since 1993—the yield on 10-year

Treasury notes dropped a full point when this plan was enacted. That helped alleviate the credit crunch which hurt so many of my friends and neighbors in Massachusetts during the Reagan-Bush recession.

Our plan has created more than 8 million jobs—including 1 million jobs in basic industries like construction and manufacturing. It has fostered robust and steady growth of gross domestic product—unlike the recession of the early 1990's which crippled the American family.

This proposal before us, the President's budget, continues our good record. It balances the budget the right way—by making Government smaller and more efficient, by promoting a strong economy and a healthy business environment, by investing in the programs that matter to working Americans.

There is a right way to balance the budget—to make Government more efficient without ripping away the safety net from the American family. This budget leaves no one behind. It helps people who need help and closes loopholes on those who don't.

The American people understand this, Mr. President. This is a budget which reflects their priorities.

Mr. President, let me take a moment to tell our colleagues about the impact this budget has on the families in my home State of Massachusetts. The President's budget designates more American cities as empowerment zones—a program designed to stimulate community revitalization. Our colleague from Connecticut, Senator LIEBERMAN, understands how important this program is to America's cities. He has introduced legislation which would expand the tax credits under the Empowerment Zone Program to cities designated as enterprise communities. I support his efforts and I support the President's expansion of the current successful program.

The expansion promises to help communities across Massachusetts like Boston, Lowell, Springfield, and Lawrence. The President's budget will allow these cities and others to develop and expand opportunities for their residents through a series of tax benefits, social service grants, and better program coordination.

At a time when some cities face high unemployment and high poverty rates, the Congress should be passing a budget which encourages economic growth and citizen participation in strategic plans for revitalization.

We, Democrats, are fighting to expand empowerment zones while we hold back Republican attempts to distress our urban centers further by cutting services vital to low-income Americans, like the low-income tax credit.

The President's budget commits a full $1 billion for the Low-Income Home Energy Assistance Program in fiscal year 1997, $1 billion in advanced appropriations for fiscal year 1998 and $300 million for emergency funding. Mr. President, this past winter, my State survived one of the most brutal winters we have seen in a century.

There was record snow in Boston and small towns all over New England. Families in Dorchester, in Everett, and in Malden—families all across Massachusetts—relied on LIHEAP to assist with staggering heating bills.

This program literally kept families from freezing: I am proud the President has committed Federal resources necessary to meet the needs of working Americans, and I am discouraged that the Republican budget resolution is silent on funding for LIHEAP. The President and the Democrats are committed to the working families in Massachusetts and New England. The Republicans are silent.

The President's budget proposes $200 million to electrify the Amtrak segment between Boston and New Haven—a project which will make possible high-speed rail travel between Boston and Washington, DC, by the year 2000.

The President and Democrats commit $5.5 million to conservation and management of fisheries which would help restore New England's collapsed stock of cod, flounder, and haddock. The Republicans are silent.

The President and the Democrats are fighting for $500 million in mass transit operating subsidies for Massachusetts. This means commuters to Boston will not constantly be asked to pay higher fares just to get to work. Republicans are silent.

The President and the Democrats are fighting for $650 million for the Central Artery. The Republicans are silent.

The President and the Democrats are fighting to expand the Summer Jobs Program which gives so many young people in Massachusetts their first work experience.

This budget follows the wisdom of Mayor Menino who joined me in fighting against the Republican shut-downs earlier this year. He knew the effect these shut-downs would have on summer jobs. We forced them to open the Government, fund the Summer Jobs Program and we will together fight to expand it by giving another 500,000 kids a chance for employment. But, then as now, the Republicans are silent.

The President and the Democrats are fighting the AIDS epidemic and have committed resources to highly affected cities like Boston by fully funding the Ryan White CARE Program. This means nutrition services to people living with AIDS, and testing and counseling for those who fear HIV-infection, will continue at the AIDS services organizations across the State. The Republicans are silent.

The President and the Democrats are fighting for $100 million for the clean-up of Boston Harbor, and the Republicans are silent.

That silence is unacceptable, Mr. President.

I will do all I can to break the silence. I will come to the floor as often as possible and discuss the ill-effects of the Republican budget.

If the President's proposal is not accepted by the Senate, I will not give up on the environment. I will offer an amendment at a later stage in this debate, and I will fight to restore drastic cuts in environmental programs the Republicans have imposed on the American people and the residents of Massachusetts.

And, while we fight to clean our air and our water, the Republicans have locked arms against the American taxpayers. The Republican plan slashes funding for the Environmental Protection Agency and allows polluters to foist the tab for their mess on the taxpayers rather than forcing the polluters to clean up after themselves.

If the President's budget is not accepted, I will offer an amendment that recognizes education as the key to economic and income security. I will offer an amendment to add-back the cuts the Republicans are making to the President's plan. I am proud he has included a provision for which I have been fighting in this Congress—the President's budget calls for a $10,000 deduction for educational expenses. That is real money to working families who face double-digit inflation in the cost of higher education.

Real money to help real people. Listen to some of the letters I have received recently:

Melvin Harris of Roxbury wrote to me:

> My son is currently attending school at Morgan State University in Baltimore. He and I were shocked to find that federal funds had been cut drastically which he was depending on. With me being a retiree, it is hard for me to pay his tuition, room and board. Would you please do something to help me?

The President's budget will help Mr. Harris.

Timothy Crawford of Wellesley wrote to me:

> As a senior in high school, I am looking forward to going away to college next year. I have worked hard to get good grades throughout high school and have been accepted to good schools and am now trying to make the decision of where to attend. One very important part of my decision is the price of the school and the assistance I can get.
>
> I am afraid the Republicans in our government will cut education programs and I may not be able to attend college, my brother may not be able to attend college, or we have to work out a plan so that one of us goes to college while the other works.
>
> I hope you will continue to support education and do something to help us.

The President's proposal will help Timothy Crawford and his family.

I have dozens of letters from students at Wellesley College. And, hundreds of letters from physicians and attorneys who cannot repay their student loans, and millworkers and musicians who ask for help sending their kids to college. And, the President's proposal will help them all.

The President has learned from Massachusetts the importance of science and technology to the American economy. This budget marks the fourth

straight year the Democrats have proposed an increase in science and technology programs—while the Republicans would cut science and technology programs by 30 percent by the year 2002.

I will fight for the President's proposal for an increase of $13 billion for university-based research: it is the key to America's future. And, Massachusetts knows this better than almost every other State in the Union.

The President and the Democrats have given us a chance to fight back against crime in our neighborhoods. This budget proposes $2 billion for 49,000 new police officers to protect America's neighborhoods. Putting additional cops on the beat in communities across Massachusetts will help deter crime, break the cycle of violence, and make our towns and neighbhoods safer places to live.

In 1994, I fought successfully to increase the funding in the crime bill to put an additional 100,000 cops on the street by the year 2000. And, it is paying off for Massachusetts. Just this week, 99 Massachusetts cities will receive more funding—Worcester will receive $1.85 million to hire 18 officers. Springfield will receive $1.25 million to hire 17 officers and Lowell will receive $1.5 million to hire 20 new officers. To date, thanks to this program, my home State has received funding for 1,300 new police men and women.

While the Republicans continue to threaten the community policing fund—jeopardizing the safety of corner stores and neighborhood schools and households—the President's budget understands the needs of Massachusetts' neighborhoods. That's why I support this proposal.

The President and the Democrats also propose $25 million for new advanced police officer education and training. State and local police departments need assistance to meet the growing demands of law enforcement and I am prepared to fight to help them.

And, Mr. President, what do we hear from the other side of the aisle? The same, war-torn, threadbare rhetoric about tax and spending. The same partisan bickering. Is this proposal all tax and spend? Of course not. The President's budget is certified by the Congressional Budget Office to balance in 6 years. It protects the environment. It protects our elderly. It funds education and puts cops on the street. It takes care of the little guy.

In the face of the extreme Republican budget, the President and we, Democrats, have given the country hope by reducing the deficit with common sense and compassion. It saves the Medicare Program for our seniors, and the Medicaid Program for our children and low-income Americans.

My friends in Massachusetts just don't buy it when you tell them: ''this isn't a cut—it's merely a reduction in the growth of spending.'' They understand that the extreme Republican budget forces them to spending twice as much on Medicare premiums.

They understand that Cape Cod beaches will be under attack, and Boston harbor clean-up will be stalled while their water and sewer rates are skyrocketing. They understand that they are paying into the system and—under the Republican plan—they will be getting little in return.

They understand that when the Republicans are not speaking in arcane, incomprehensible, confusing budget jargon—they are silent.

The President's budget speaks to the people I meet at home in Massachusetts. This budget meets our spending priorities and promises more good economic news for the American family. That is why I support it.

I urge our colleagues to support his balanced budget.

Mr. DODD addressed the Chair.

The PRESIDING OFFICER. Who yields time? The Senator from Connecticut.

Mr. DODD. Mr. President, I yield myself as much time as I may consume off the resolution.

The PRESIDING OFFICER (Mr. KYL). The Senator from Connecticut is recognized.

Mr. DODD. Mr. President, let me begin my remarks by commending my colleague from New Mexico, who is the chairman of this committee, who has the unenviable task of chairing the Budget Committee. While we have our disagreements from time to time, I have a great deal of respect for him as a colleague, as a Member, and I appreciate the fine work that he does on behalf of his State and on behalf of the country.

I will take a few minutes and go over some of the budget items. He does not have to stay. I know he has other things to do. But I did not want him to leave the floor without expressing my appreciation for the work he does.

Mr. DOMENICI. Will the Senator yield?

Mr. DODD. I will be happy to yield.

Mr. DOMENICI. I want to say for the RECORD, it is mutual. While my colleague does not chair the budget committee—there cannot be that mutuality—he probably would not want it anyway. In any event, I want to say that my colleague's participation and contribution in matters that we work on, from my standpoint, is very much appreciated. I commend the Senator on the way he has handled himself.

Mr. DODD. I thank the Senator.

Mr. President, at some later point I will also have some extended remarks on the announcement by the majority leader, who has decided he is going to retire from the Senate the first part of June. While we, too, have our differences, suffice it to say, as a colleague and a friend, he will be missed. I mean that very deeply and sincerely.

Mr. President, I will just begin my remarks here by asking unanimous consent to have printed in the RECORD a letter from June O'Neill, who is the Director of the Congressional Budget Office, dated May 9, 1996, in response in part to the colloquy between my colleague from New Mexico and our colleague from Texas regarding the condition of the hospital insurance trust fund. She says in that letter, here, and I am quoting it now:

> Under current law, the HI trust fund is projected to become insolvent in 2001. CBO estimates the administration's proposals would postpone this date to 2005.

She goes into greater length here, responding to that, but I thought for the RECORD my colleagues ought to know what the Congressional Budget Office says with regard to the hospital trust fund.

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

CONGRESSIONAL BUDGET OFFICE,
Washington, DC, May 9, 1996.

Hon. J. JAMES EXON,
Ranking Minority Member, Committee on the Budget, U.S. Senate, Washington, DC.

DEAR SENATOR: At your request, the Congressional Budget Office (CBO) has examined the effects of the Administration's budgetary proposals on the Hospital Insurance (HI) trust fund. Under current law, the HI trust fund is projected to become insolvent in 2001. CBO estimates that the Administration's proposals would postpone this date to 2005.

Sincerely,

JUNE E. O'NEILL,
Director.

Mr. DODD. Mr. President, I want to begin by trying to, if we can, get back to some basic information here, because you can get lost in a lot of the data and charts and numbers that get thrown around. Let us just remember we are talking about the President's budget. There is a budget presented by the committee and there will be some alternatives that will be offered in the coming days when we debate what the budget of the country ought to be, but I think it is worthwhile to point out we are talking about the President's budget to begin with.

Remember, this is a man who arrived in town in January 1993, 40 months ago—not 40 years ago, not a decade ago or 15 years ago; 40 months ago he arrives in town. He never served in Congress, never served in the Cabinet. He was the Governor of a small State. As he arrives at 1600 Pennsylvania Avenue, he has left on his doorstep a mountain of debt. A mountain of debt is left on his doorstep. As you begin to look back at 1980 and start there and follow this redline, where the Congressional Budget Office projections were before, those are facts, where the deficit was going, where it was headed just prior to the President's arrival in town, and then what has happened to the projection of the deficit since his arriving, right here, in 1993. Here we get clearly where things were going up until his arrival here, and now the same Congressional Budget Office says we are headed this way.

So, just for the purpose of clarity, let us keep in mind conditions when this

President arrives. We had mountains of debt, most of it accumulated between 1981 and 1993. In fact, we had a debt that went up almost $4 trillion, from $1 trillion in 1981 to $4 trillion the day this President arrives in town. Then, in the 40 months he has been here, he has taken the projection of our deficit, which we are told was headed in this direction, and we are now moving it downward. So you begin with at least looking at the trend lines and where we are going.

The President's budget is a commonsense approach. It cuts more than half a trillion dollars in spending over 7 years, yet, at the same time, it maintains our priorities as a nation. The President's budget invests in people. It protects Medicare and Medicaid, education and the environment, and it would maintain our national investments in education, job training and technology, all of which I think we agree are important.

The budget maintains access to health care for our Nation's most vulnerable citizens. It keeps our natural environment and our workplaces safe. It understands that our overwhelming focus on balancing the budget should not cause us to ignore our national priorities. The President understands that all of this talk about balancing the budget should not cause us to lose sight of our most important national goals.

As I have said in the past, this body, in my view, needs to be focusing more of its attention on increasing economic growth. We need to reform the Tax Code so it promotes savings and investment and higher growth. We need to increase opportunities for education and job training so that all Americans will have the tools to succeed. We need to make pensions and health care portable so that Americans can better cope with the technological and economic changes that are occurring in their lives.

We should all remember that an increase of as little as one-half of 1 percent in the growth rate of the United States could create enormous opportunities for new jobs and expand options for millions of working Americans. Increasing growth is a priority, in my view, that should be reflected in everything that we do in Washington, and it should be reflected in the Federal budget. It is reflected in the President's budget.

All along, President Clinton has stressed there is a right way and a wrong way to balance the budget. The right way is by maintaining our commitment to Head Start, to police officers on the beat, to clean and healthy drinking water, to summer jobs, and to encouraging community service. Those are the kinds of priorities that help build a strong nation.

The wrong way to balance the budget is by having unnecessary, unwise spending cuts and tax cuts for those, frankly, who do not need them. I am going to get to that in a minute here. Our dear friends on the other side, with all due respect, have not learned the lesson. The American public have said over and over again: You are going in the wrong direction. We want our budget balanced. We want it done, if we can, in the next 6 or 7 years, but we want our priorities to be reflected in that decisionmaking process.

What good does it do if you balance the budget and simultaneously make it impossible for my children to get a decent education, have access to higher education in this country? Balancing the budget and depriving the next generation of the tools it needs is foolhardy.

What good does it do to talk about balancing the budget if you are going to rip the heart out of the environmental laws that have made this a stronger and a healthier nation? What good is it to balance the budget if you then increase the financial burden of older Americans, if you begin to make it more difficult, because Medicare is being reduced, for these people to make ends meet? How many middle-income families depend upon Medicaid so their parents and their grandparents can have a decent, long-term health care program?

These are the kinds of things people say we need to invest in intelligently, making choices about where you reduce spending so we can achieve a balanced budget but make our country strong simultaneously. In our view, the President has done that with his budget. No one is suggesting any budget proposal is perfect, but certainly, given the evidence of the last 40 months, the direction we are heading in will make the case that this is a good proposal and one we ought to be working on, if we can, to achieve some common ground over the next 20 or so days left here so we can complete this budget process and do what the American public have asked us to do.

Let me, if I can, address some of these issues with greater specificity. I want to begin with the budget being cut. I say this because I think it is important that people understand where we have come from in the last 40 months. This is what is called a primary budget. This is entitled ''Budget Without Interest Payments.''

Obviously, interest payments must, like any financial obligation, be paid. But if you remove the interest payments—remember, you only get interest payments because of the burdens you accumulate. So if you take away the interest payments, here is the deficit that occurred over the 12 years from 1981 to 1993, those 12 years: $660 billion. If you took away the interest obligations in the last 40 months, we have created a surplus of $239 billion in this country in the last 40 months. Those numbers are not being made up. Those are real numbers.

So with all of this talk of what has happened here, here is a President who arrives in town in Washington for the first time in a Federal Government position, and in 40 months he is able to move us into the black, if you will—this chart is in the blue—but into the black for the first time in years.

President Clinton inherited a $290 billion deficit in the year that he arrived in office. This year, the 1996 deficit will be $144 billion. That is cut in half. Those are the realities.

Back in 1993, the Congressional Budget Office projected the deficit would hover around $300 billion. That was their projection. Following the implementation of the Clinton budget plan in 1993, as I pointed out earlier, the budget has declined sharply. In fact, Mr. President, let me point out one additional statistic reflected in this chart. The Congressional Budget Office estimates that the 1996 deficit will come in at 1.9 percent of the gross domestic product. That will be the first time since 1979 that the deficit has been below 2 percent of the gross domestic product. That is significant progress, and we ought to stay on that track, if we can.

This chart is without interest payments, as I said, and has been cut in half as a result of what has happened just in the last 40 months of this administration.

Let me, if I can, turn to the chart on job growth rate, because this is what people care about. Again, you can balance the budget tomorrow if you want to, just by juggling some numbers around here and getting rid of a lot of things. But this cannot be a process of just people with green visors and sharp pencils. What happens to real people in this country as a result of the decisions we make? If our only function were to balance the budget, we could do that simply by cutting out all our spending, if we wanted to, and raising taxes on everybody.

We have to ask the question: What happens to real people when you do this? So while we have been able to cut the deficit in half, and, if we eliminate the interest payments, actually we put this country into surplus for the first time in years. What has happened to jobs out there? What has happened to people's jobs? Again, look at jobs created per year.

In 1981 to 1992, jobs created per year were 1,540,000. That is the number of jobs created each year in those years. In 1989 through 1992, it averaged 608,000 jobs per year. But from 1993 to the present time, Mr. President, we have created in excess of 2,684,000 jobs a year. Compare that with 1,500,000 from 1981 to 1992; 600,000 from 1989 to 1992. We are now getting close to 3 million new jobs a year, while simultaneously bringing the deficit down.

Mrs. BOXER. Will the Senator yield, because I think it is so important.

What that chart shows is the number of jobs created essentially under the Bush Presidency as opposed to the Clinton Presidency. What my friend is saying, and it is so dramatic I would like him to repeat it, is that under the Bush Presidency, there were how many new jobs created?

Mr. DODD. Under the 4 years President Bush served as President, we created on average of 608,000 jobs per year, and in the last 40 months, from January of 1993 through December of 1995—it does not include these last 4 or 5 months, but my colleagues will recall there were in excess of 620,000 jobs created in the month of February alone. That is more jobs created on a yearly basis than between 1989 and 1992.

Quickly someone is going to say, ''Well, those aren't great jobs.'' That is wrong. The overwhelming number of jobs, more than 90 percent of these jobs, are private sector jobs, and well over 60 percent of these jobs are high-paying jobs. Not every one of them is, but the overwhelming majority are high-paying jobs in the private sector.

Mrs. BOXER. My last question. When President Clinton ran for office, he made a promise on new jobs. As I understand it, that promise has been met; is that correct?

Mr. DODD. I say to my colleague from California, I believe it has, and promises were made in terms of cutting the deficit in half. Those are real numbers. The CBO, the Congressional Budget Office, says they are real numbers. So here is the deficit coming down, job creation is going up, and my colleagues on the other side are treating this like bad news, as if this was some dreadful information.

If we are on the right track, if things are working right, why do you not stick with the plan and the program here so that you have a healthy balance—investment in education, investment in our environment, cutting back our spending where we can, trying to have some sense of fairness about all of this so we move into the 21st century as a healthy nation.

Today, of the G–7 countries, we are the healthiest economy. We are the healthiest economy of all the great economic powers in the world. We are the healthiest today in terms of job creation and deficit reduction. Why are our markets responding the way they are? The people on Wall Street are not making those investments because they want to help Bill Clinton get reelected. It is not because they are Democrats. They are making cold, hard financial decisions: Are we heading in the right direction or the wrong direction? They are investing because they think things are going in the right direction. It is their money they are putting on the table, and they like the trend lines they see: the deficit coming down, job creation going up.

You can dance all around this, you can try to throw out a lot of misinformation about it, but the hard line bottom facts are, we are on the right track, we are going in the right direction. A lot more has to be done. It would be foolish for anyone to stand up here and say our work is over with. It is not. There are going to be some difficult decisions that have to be made. But you cannot argue with the facts. Job creation, deficit reduction, the trend lines of where we are going in this country are on a solid and sound footing.

So, Mr. President, I urge my colleagues in the coming days to move away from politics as usual. We need to come together. We have 20 to 25 days to get a job done. There is no debate here about whether or not we ought to balance the budget. I know some hope others will take a position—in fact, I heard someone the other day in the House of Representatives say, ''We don't want to settle this because it is too good of an issue.''

It reminds me of the story of the law clerk who arrives in a law firm and he has only been there a month. He walks in to the senior partner with this huge file, a file that has been around 20 years. He says to the senior partner of the law firm, ''I've got great news, boss. This case that has been here 20 years. I've settled this case. It's over with. It's done. Everybody's happy.''

The senior partner says, ''Why did you do a thing like that for? I've educated four of my children on that file. You don't want to close that case, that's too good a case, keep that case open.''

So we have certain friends who want to keep the case open, because it is a good case politically for them. Do not let it settle. For God's sake, do not come to an agreement, they say. Do not try to resolve your differences. The politics of that are dreadful; they are dreadful politics. Keep the issue alive, keep the debate going.

We are here to say today, let us end the debate. We can. We have agreed on balancing the budget in 7 years. We all have agreed to do it according to the Congressional Budget Office numbers. We are on the right track. The differences are not that great. They can be resolved. We can get the work done.

I urge my colleagues today on both sides, particularly those on the majority side—it is difficult, I know, to admit when you are wrong. That is a hard thing for anybody to do in this world. It is particularly hard, if you are in politics, to admit you are wrong, but the facts do not lie. The deficit has come down. A young Governor arrives from a small State in January of 1993, gets dumped on his doorstep—dumped on his doorstep—$4 trillion in debt, some $290 billion, $300 billion in an annual deficit.

In 40 months, that deficit is down to $144 billion. The Congressional Budget Office now says we are heading in the right direction, going in the right direction now. That is the right direction to be going in.

Job creation is up, the basic thing people need. The best social program anybody ever created is a job, a good job in this country. Here we have jobs being produced in the Nation while the deficit is coming down, and intelligent priorities, good priorities.

I heard the other day the House majority leader—put aside whether you are for or against a gasoline tax; we can debate that, and will, in the coming days—but, my Lord, to hear the majority leader of the House of Representatives say, I'll tell you how we'll pay for that—we'll cut education.

In my State, my working-class families in my State need the Pell grants and the student loans and the Stafford grants and so forth. Otherwise, they could not get an education. We have commencements coming up.

I am going to give a commencement speech at Western Connecticut State University, a State university in my State. Fifty percent of their students receive some form of financial help or assistance. Here we have the majority leader of the House of Representatives saying we ought to just pay for that gasoline tax by going after education. You wonder why people are suspicious.

Mr. DOMENICI. Will the Senator yield?

Mr. DODD. With some reluctance, I yield to my colleague.

Mr. DOMENICI. I just say——

Mr. DODD. I am on a roll.

Mr. DOMENICI. The distinguished majority leader in the House has not said that since that day.

Mr. DODD. My colleague from New Mexico obviously got a hold of him and straightened him out. I appreciate that. But come on, what else do you rely on, when you get up on a national news program and you say, ''I'll tell you how I'd do it. This is how I'd do it''? Immediately the phones were ringing off the hook. What a foolish thing to say. So immediately they start to backtrack.

But if you wonder why the American people get suspicious about what the priorities are, it is statements like that. What are your real intentions?

So when we hear statements about Medicare, and we say, ''We will let it wither on the vine,'' or, ''I'm proud I voted against it 35 years ago,'' then everyone gets upset. You can understand the average person in this country gets a little nervous when they hear that. If they are relying on Medicare, relying on Medicaid, in order to meet basic health care costs, they are wondering, which side do we chose here? Who is going to watch out for me? They have one person saying, ''Look, I think it ought to die or we get rid of it. I never thought it worked very well.'' And others say, ''Look, we're going to have to make it work better and make tough decisions so it's there.'' Then you begin to understand the suspicions, the worries, the fears, the insecurities that many people feel. This is not an abstraction to them.

We have a good health care program as Members of the U.S. Congress. Thank God for it. We have a good health care program. But millions of Americans outside of Washington, Mr. President, they rely on Medicare. They rely on it. For many, Medicare is the difference between having a life of relative decency and being wiped out financially. It is not an abstraction to them.

So when we talk about these numbers and CBO and OMB and percentages and GDP, and so forth, that person out there today watching this debate says, ''What does that mean in terms of me, my kids, our jobs, our health care? Where are we going? Who is on my side?''

So, again, I come back to the point, Mr. President, I tried to make at the outset here. Put aside all the glitter and all the distractions; we are going in the right direction on deficit reduction. It is a major issue. People care about it deeply. This President in 40 months, not 40 years, not 15 years, but 40 months, has moved the country in the right direction on deficit reduction for the first time in decades.

At the end of this fiscal year, we will have now had 4 years of deficit reduction, 4 consecutive years. You have to go back to Harry Truman's administration—Harry Truman's administration—to find another American President who took us through 4 years of consecutive deficit reduction.

We have reduced the size of the Federal work force under President Clinton by 270,000 jobs. Now, 30 percent of those jobs were in the military. My colleagues on the Budget Committee pointed that out. That is accurate. But 70 percent of those jobs came from the civilian work force.

By contrast, with all due respect, under President Reagan, the Federal work force increased by 188,000 positions; 188,000 positions during the 8 years of President Reagan. Contrast that with 270,000 fewer jobs in 40 months under President Clinton.

Under the leadership of AL GORE, the President has ripped out 16,000 pages of the 80,000 pages of Federal regulations, so that businesses in this country can work with less paperwork cluttering their desks.

Is it done yet? No; but for the first time, there is a real reduction in paperwork, real reduction in the size of the Federal work force, real reduction in the deficit, getting the unemployment rate down. Those are the things that people care about, seeing to it that Medicare, Medicaid, education, and the environment are going to get proper protection.

It is a commonsense budget. That is what has happened under this proposal. That is why I urge my colleagues on the other side in these coming few days to sit down. Let us work out this budget.

The President extended the hand to our majority leader. He said, ''Let's come on down, you and I, no staff, no one else, and let's work this out together.'' Our majority leader is going to be here until June 11. I hope he will take him up on that offer. What a great thing it would be, before the majority leader leaves and retires from the Senate, with one of the great issues we have tried to resolve, if an American President and the majority leader, from the two different parties in this country, the two major parties, came together, with no one else in the room, and the two of them sat down and worked out this problem before June 11.

What a great achievement that would be. I think both individuals would deserve the sincere praise and credit from the American public. I know we have an election in 25 weeks, but this issue deserves resolution, and we are close to achieving it.

You have a President taking us in the right direction. You have a majority leader who is about to retire from here, who I think could close the gap. I urge that that offer the President made to our majority leader be picked up before he retires, and let's see if we cannot complete this work.

For those reasons, Mr. President, I urge our colleagues to take a good, strong hard look at the budget that has been proposed by the President. It takes us in the right direction for all the reasons I mentioned. I urge its adoption. With that, Mr. President, I yield the floor.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. I speak off the resolution, Mr. President.

I might say to Senator DODD, I cannot at this point, because we are going to offer an amendment—but so the Senator will know, I will have an interesting rebuttal to what the Senator has said. I will give the other side of the coin sometime today. I do not want to do that and not have the Senator know about it. I cannot do it right now while the Senator is here because I have some commitments. But we will let the Senator know in advance, so if he wants to come down and sort of chide me, as I did him, he can.

I say, I had a little trouble with the Senator's analogy of the law firm and the old case, because it seems to me it is the President who is gaining from this budget debate. He is the one who has that old case. He is the one who ought not to get rid of it because it has been good for him. I have a strong suspicion that unless you settle the case his way, he is going to have that old case right on through the election because it is, as that senior partner said, it is a great livelihood and it has kind of been a great political livelihood for him.

Mr. DODD. If my colleague will yield.

Mr. DOMENICI. Of course.

Mr. DODD. Our colleagues will appreciate that my friend from New Mexico and I have spent a lot of time working together on old cases.

Mr. DOMENICI. That is right.

Mr. DODD. So we share at least our concern about old cases. I appreciate his comments. I will try to be here when he makes them.

Mr. DOMENICI. Mr. President, I think we have tendered an amendment, second-degree amendment. We have given it to the minority so they know what it is. I understand that there are 7 minutes left on our side for our statutory time to rebut the President's budget. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. DOMENICI. I yield back the 7 minutes. Now I yield to Senator FRIST for a second-degree amendment.

The PRESIDING OFFICER. The time is yielded back.

AMENDMENT NO. 3968 TO AMENDMENT NO. 3965

(Purpose: To express the sense of the Senate that the discretionary spending caps should not include triggers that would make drastic reductions in nondefense discretionary spending in fiscal years 2001 and 2002 (the last 2 years of the budget) for the purpose of achieving a balanced budget in fiscal year 2002)

Mr. FRIST. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Tennessee [Mr. FRIST] proposes an amendment numbered 3968 to amendment No. 3965.

Mr. FRIST. I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

At the end of the pending amendment.

SEC. . COMMON SENSE BUDGETING AMENDMENT.

(a) FINDINGS.—The Congress finds that—

(1) President Clinton proposed in this fiscal year 1997 budget submission immediate downward adjustments to discretionary caps after the year 2000 if the Congressional Budget Office projected that his budget would not balance in 2002;

(2) the Congressional Budget Office (CBO) has estimated that President Clinton's fiscal year 1997 budget submission will incur a deficit of $84,000,000,000 in 2002;

(3) as a result of CBO's projected deficit in fiscal year 2002, the President's budget would trigger drastic reductions in discretionary spending in 2001 and 2002 to reach balance;

(4) these drastic reductions would have to occur in nondefense programs such as education, environment, crime control, science, veterans, and other human resource programs;

(5) 100 percent of the nondefense discretionary cuts in the President's budget occur in 2001 and 2002; and

(6) the inclusion in a budget submission of triggers to make immediate, drastic reductions in discretionary spending is inconsistent with sound budgeting practices and should be recognized as a ''budgetary gimmick'' that is antithetical to legitimate efforts to achieve balance in 2002.

(b) SENSE OF SENATE.—It is the sense of the Senate that the discretionary spending caps should not include triggers that would—

(1) result in 100 percent of the nondefense discretionary reductions occurring in fiscal years 2001 and 2002; and

(2) make drastic reductions in nondefense discretionary spending in fiscal years 2001 and 2002 (the last 2 years of the budget) for the purpose of achieving a balanced budget in fiscal year 2002.

Mr. FRIST. Mr. President, I submit what is a very simple and straightforward amendment today that strikes, I think, at the heart of one of the major problems that we all have with the President's proposal.

To set the stage for this amendment, let me go back and set the background, starting with where we are today and how we have gotten here.

The President proposed in his budget, the 1997 fiscal year budget, that there would be immediate downward adjustments to discretionary caps after the year 2000 if the Congressional Budget Office projected that his budget would not balance in the year 2002.

The Congressional Budget Office, second, has estimated to us that President Clinton's fiscal year 1997 budget submission will, indeed, incur a deficit of $84 billion in the year 2002. Now, as a result of the CBO's projected deficit in the year 2002, the President's budget will trigger drastic, drastic reductions in discretionary spending in the years 2001 and 2002. It is important for my colleagues to understand that these drastic reductions which will kick in would have to occur in those nondefense programs such as education, the environment, crime control, science, veterans, and other human resource programs.

It is also interesting, and, again, important for our colleagues all to understand, that 100 percent of the nondefense discretionary cuts in the President's budget that occur in 2001 and 2002, over that 2-year period, 100 percent of those cuts will occur.

Now, the inclusion of a budget submission of triggers to make immediate drastic reductions in discretionary spending is simply inconsistent with sound budgeting practices and needs to be recognized for what it is—budgetary gimmickry, smoke and mirrors. This is, indeed, inconsistent with our bipartisan, I hope, legitimate efforts to balance the budget by the year 2002.

Thus, this sense-of-the-Senate amendment says it is the sense of the Senate that the discretionary spending caps should not include triggers which would result in 100 percent of the nondefense discretionary reductions occurring in fiscal year 2001 and 2002, and, second, should not include triggers that make drastic reductions in nondefense discretionary spending in fiscal years 2001 and 2002, the last 2 years of the budget, for the purpose of achieving a balanced budget in the year 2002.

This amendment is very simple. That is it. You just heard the sense-of-the-Senate amendment. It is straightforward. By passing this amendment, the Senate, today, can make a strong statement opposing budgetary gimmickry, smoke and mirrors, and in support of nonsense budgeting.

We all travel around this country and to our town meetings. It is very clear that the American people are tired of gimmicks out of Washington, are tired of the smoke-and-mirrors budgeting that we have undertaken in the past and that is reflected in the President's budget. Repeated use of these gimmicks over time has contributed to the overall lack of confidence that we see in our budgetary process in our Federal Government today.

A few months ago, the President introduced his 1997 budget, proudly claiming that his budget balanced in the year 2002 using Congressional Budget Office numbers. Now, this is the 2,200 pages of the President's budget for 1997. Intrigued by the President's new enthusiasm, very different than a year and a half ago, for a balanced budget, my colleagues and I on the Budget Committee went through the 2,000 pages. It was very interesting what we discovered. Buried in the budget supplement on page 13, we discovered a very troubling budget gimmick that it is important for all of our colleagues to understand, to note that is in there. It is really the purpose of the sense of that amendment to point this out and to refute it.

On page 13, it says that in case the new assumptions produce a deficit in 2002, the President's budget proposes an immediate adjustment to the annual limits or caps on discretionary spending, lowering them enough to reach balance in the year 2002.

Let me explain how this proposal works. The proposal is called a trigger here in Washington, but to the typical American it is not a trigger. It is a gimmick. It is a smoke-and-mirrors approach. The CBO, the nonpartisan Federal budget analysts that look at this information, says the budget of the President will have a deficit of $81 billion in the year 2002. To make up that deficit which the CBO tells us will exist in 6 years, the President's budget, in this document, includes a trigger. That trigger will make unspecified cuts in discretionary spending over those last 2 years. That is how his budget achieves so-called balance, through this gimmick.

Now, discretionary spending, what is it? It makes up one-third of our entire Federal budget. It includes spending on our basic Government functions, including education, including roads, including the environment, including science and scientific research, including veterans, including medical research. The President's trigger says it cuts discretionary spending in these fields in the years 2001 and 2002 but does not say where these cuts will come from. It does not say which programs will have to absorb these drastic and instant cuts of such magnitude.

Let me refer to this first chart. It basically is headed ''Spend now, save later.'' In red is the President's budget. In green is the budget proposed today before the U.S. Senate, the chairman's mark. The President's budget frontloads the spending and backloads the savings. The President proposes to increase spending over the next several years. This is 1996, 1997, and 1998.

The President's budget says: Yes, increase the nondefense discretionary spending over the next several years and then drastically cut thereafter. Contrast that to the mark that we have before us today, the chairman's mark for spending cuts; reductions begin and continue evenly over that entire period of time.

These drastic cuts are really what we are focusing on in this sense-of-the-Senate amendment today because what the President's budget tells us in the supplement, that if they do not reach balance and the CBO says it will not reach balance, these cuts come in. Look at the drastic cuts occurring in these 2 outlying years. The chairman's mark shows a steady glidepath of decreased spending over time.

Now, discretionary spending is an inside-the-beltway term. Let me show how the cuts and the President's budget compare to the cuts in the Senate balanced budget resolution. On the second chart we will look at one such area that is of the Food and Drug Administration. As we can see in our budget before the Senate today, in the Senate budget, we see we assume a freeze at a spending of about $880 million over the next 6 years. In contrast, we see the President's budget also has a freeze the first year but then a reduction over time—again, with drastic cuts coming in to the year 2000.

The Food and Drug Administration, a program we all know is valuable to the safety of our country, that is valuable both in terms of food and drug safeguards, we see the significant cuts. If we look at the Environmental Protection Agency, the Senate plan, again, in green, increases spending about $900 million next year and freezes it over the period out to the year 2002. In contrast, the President's plan increases spending over time. But, again, in those last 2 years, because of this smoke and mirrors, because of this budgetary gimmickry, we see drastic cuts that have to take place according to the budget as presented and written by the President in these last 2 years.

It is these drastic cuts that we are addressing in this sense-of-the-Senate amendment. On the one hand, we have had many attacks on this side of the aisle for ravaging the environment. Look at the difference of what actually occurs in the Senate-reported budget versus that of the President of the United States.

Let me turn to another area which is obviously quite close to me, being a scientist in the U.S. Senate. That is the National Science Foundation. Once again, you see that what is in the chairman's mark, passed out of the Budget Committee, is very different than what is proposed in the President's budget—once again, if we focus on the last 2 years.

The National Science Foundation funds many of those important scientific research policies, projects, and investigations, which have long-term payouts and affect our individual lives.

Another area I am very close to is the National Institutes of Health. If there is one thing I keep coming back to this floor talking about, it is that we need to think long term. We cannot just think short term and think just what gets us to the next election, or what will be politically appealing to the masses of people today. We have to

think long term. The National Institutes of Health, as you can see, is at about $12 billion in spending right now. Under the Senate-reported plan, it will be frozen and will continue at that level. Right now, under the President's plan, there is a proposed increase. It makes us feel good because this is long-term investment for this country. But look what is also in the document. Look what happens in 2001 and 2002, which is 5 years from now. There are drastic cuts in the President's plan for the National Institutes of Health—a valuable program that engages in life-saving research that will affect everybody's lives in this body and all Americans lives in the future. It is this long-term view, not just the short-term view, that we must take.

We can look at another area, again, that I have been close to, which is veterans' medical care and hospital services. I have had the privilege, over the last 12 years of my life, to spend every week operating in a veterans' hospital, either in Tennessee or in California. It has been a big part of my life to see the sort of care that can be delivered to our veterans, who deserve this care. Well, once again, we see in green on the chart what happens under our budget proposal, which came through the U.S. Senate Budget Committee. You can see that over time, there is essentially a freeze of about $17 billion. But contrast that with the realities that are in the President's budget. The realities are that we have extreme and drastic cuts, over time, into the year 2000.

Again, we will focus on the years 2001 and 2002. These charts are really selected charts. You can go on and on, program by program. But what is important is for all of our colleagues to understand what happens by putting in this budgetary gimmickry. These are just a few examples, and there are many, many more. The simple fact is, Mr. President, that these cuts are never going to happen. I hope that they will not happen because they are so drastic, and they would occur in fields that need sufficient funds. And that is, science, education, the environment, and the Veterans' Administration. People know that these drastic cuts will never happen. We have this feeling put forward in the President's budget that we can spend more right now, and we can worry about saving later, and that we can cut drastically later. This is not fair to the American people or to Members of this body.

We, as Senators and elected leaders, must avoid gimmicks when we are dealing with taxpayers' money. Earlier today, there has been a lot of pointing as to what happened in the past, 10 years ago, and with asterisks, and 15 years ago. Well, it is a new day and time, and there are new people in this body, and we have come here and said, ''No more gimmicks. That is not what the American people want. No more smoke and mirrors. Let us address the problems that can be addressed in a bipartisan way.'' We know what the problem is and the problem is that we have not been spending very smart in the past. We have been spending too much. Now is the time to avoid gimmicks and to spend smarter.

Again, I will also re-echo what my distinguished colleague from Connecticut just said. This can be done in a bipartisan way; this can be done bringing both sides of the aisle together. I hope that in that spirit of bipartisanship both sides of the aisle will come together and join me in opposing the budgetary gimmicks and the budgetary smoke and mirrors that are in the President's plan, and support commonsense budgeting.

Mr. President, at this juncture, I will yield 5 minutes to my colleague from the State of Missouri, and that 5 minutes should be taken off the resolution.

The PRESIDING OFFICER. The Senator has that right.

The Senator from Missouri is recognized.

Mr. BOND. I thank and congratulate my colleague from Tennessee. Senator FRIST has put his finger on the real problem in this budget. The President, in his budget, has glowing words, as several of my colleagues on the other side have, about the priorities that they think are important. The President has said that we must invest in education and training, the environment, science and technology, law enforcement, and other priorities.

But, as I pointed out earlier today, when it comes to making these sets of numbers balance out, they have a meat ax, a paint-by-numbers meat ax that whacks 10 percent out of all of those budgets in 2001, and 18 percent in 2002. Now, are you for the priorities? If so, this is an opportunity to vote for some honesty in budgeting. The President has claimed he gets to balance. I think most of the people in this body say we want to get to balance. But do we really want to get to balance by taking the drastic cuts that my colleague from Tennessee has just talked about?

I talked earlier this morning about the cuts in NIH, National Institutes of Health, FDA. Yesterday, I talked about the serious cuts that would happen to the Environmental Protection Agency if you apply this meat ax arbitrarily in 2001 and 2002, because the President's numbers do not add up, unless you have the meat ax.

What the Senator from Tennessee is saying is, if you are serious about this budget, serious about reporting a responsible budget that gets to balance, let us take a look at what your budget, as now proposed, would actually do. It savages some of the very programs the President said he wants to promote and defend on the way to a balanced budget.

Well, Mr. President, I urge my colleagues on both sides of the aisle, if you are serious about establishing priorities, if you really believe that numbers do not lie, if you believe that budgets should say what they mean and mean what they say, let us get rid of the arbitrary cuts in NIH, funding for the Women, Infants and Children Program, funding for child care, funding for the National Science Foundation, and NASA, and, yes, funding for the Veterans' Administration.

My distinguished colleague who has had experience in working with the Veterans, Administration knows how compelling the needs of those veterans are. I have visited facilities and talked with people who are finding that the problems in those Veterans' Administration facilities cannot be dealt with.

If we follow this meat ax budget approach, we would be closing more than one out of four veterans' facilities in the Nation. That means, as I said, California, with 11 hospitals, would lose 3, or probably 4. Our friends from California might want to tell us which of these four hospitals would be closed; and Florida, with six facilities, would probably lose at least one, maybe two; Illinois, with six, would also lose one or two; Massachusetts, at least one; Missouri, at least one; New York, at least three, and probably four; Pennsylvania, at least two, and probably three; Texas, at least two; Ohio, at least one.

Do we arbitrarily want to close all of these facilities because we do not want to meet our obligations to the men and women who have defended this country who are either injured in war or who are now medically indigent? I cannot believe that is a serious budget proposal.

If my colleagues really want to pursue the President's budget and defend his priority, then I urge them to vote for the Frist resolution so that they can go back and make some intelligent decisions rather than taking a meat ax to the very programs the President said he wants as his priorities. His program would slash environment, children, education, and health care for veterans. Mr. President, that is not acceptable.

I urge my colleagues to support the amendment which I think is very well considered presented by the Senator from Tennessee.

Mr. LAUTENBERG addressed the Chair.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, I yield myself 15 minutes off the amendment.

Mr. President, as we begin consideration of the fiscal 1997 budget resolution, we ought to take a good look at the history of what has happened to the Federal budget in the last 15 years.

The fiscal records of Presidents Clinton, Bush, and Reagan could not be more different. For 12 years the Reagan and Bush administrations racked up $2.3 trillion a day. In fact, if we did not have to pay the interest on the debt that was chalked up in these 12 years, the budget would be balanced in fiscal 1996.

Just to be sure there was not too much confusion to make the point, let me repeat that, if we did not have to

pay the interest on the debt that was stacked up in these 12 years, the 12 years of the Reagan and Bush administrations, $2.3 trillion worth of debt, the budget would be balanced in fiscal year 1996. Not once did President Reagan or President Bush propose a balanced budget. Fortunately, President Clinton's 3-year record is much different. President Clinton promised a change in 1992, and he has produced one.

If you would consider the following, it makes the point very clearly. The deficit has gone down for 4 straight years. The deficit for the year that we are in now is expected to be only $144 billion which is 1.9 percent of our gross domestic product. This is the lowest annual percentage of any industrialized country. For example, Japan's deficit is over 3 percent of its GDP. Great Britain's is 7 percent, and Italy is 9 percent budget to GDP.

Finally, President Clinton is the first President to put forward a balanced budget proposal since the 1974 Budget Act created the Budget Committees.

So the question is no longer whether we will balance the budget. The question is how we will balance the budget. President Clinton has laid out the right way to balance the budget. He did exactly what the Republicans demanded last year. He put forward a 7-year balanced budget scored by the Congressional Budget Office.

President Clinton once again has put forward a 7-year balanced budget scored by the Congressional Budget Office. His budget is much different than the Republican budget. His budget protects Medicare and Medicaid, education and the environment, and does not increase taxes on working families. The President's budget not only protects 37 million senior citizens from deep Medicare cuts contained in this budget but would also make the Medicare trust fund solvent until the year 2006. It preserves the guarantee of Medicaid for 37 million seniors and disabled persons. It protects our Nation's environment by ensuring full funding for implementation of the major environmental programs that so many support like clean air, clean water, and toxic waste cleanups. It makes critical investments in education and training. It provides increased funding for programs like Head Start, title I, and Safe and Drug-Free Schools.

Finally, the President's budget maintains the EITC, the earned-income tax credit, which provides tax relief for working families who earn less than $28,000 a year. This allows them to maintain their family needs for basic essentials for sustenance.

The Republican budget is much different. It is punitive to working families and senior citizens. In reality, the underlying budget resolution should be dubbed ''extremist budget, part 2.''

For example, they claim that they have lowered their Medicare care cuts. But have they? The answer is no. They claim that their cuts have come down to the President's level. But they have not. In January the final Republican offer in the budget negotiations included a $226 billion cut in Medicare over 7 years. This budget resolution calls for $228 million in Medicare cuts over 7 years. The number is virtually the same.

These large cuts combined with their structural changes will truly make Medicare, as it is said, ''wither on the vine.'' I think that quote comes from the Speaker of the House. If the Republican budget is enacted Medicare will become a second-class health care system.

The Republican budget also eliminates the guarantee of Medicaid coverage for seniors, for the disabled, for children, and for pregnant women.

This budget continues the Republican assault on education. Over 7 years the budget cuts $70 billion in education and training compared to the President's budget.

This budget contains the Republican trashing of the environment. It will cut environmental programs by 19 percent in the year 2002. It will slow down toxic waste cleanups.

I am not going to stand idly by, and neither are many, and watch this pillaging of the environment go unchallenged. Senator JOHN KERRY and I will offer an amendment to restore these deep cuts in the environmental protection programs.

Finally, their budget contains the Republican war on working families. At the same time the Republican leadership is opposing an increase in the minimum wage, they are also proposing a tax increase on working families who earn under $28,000 a year. It is hard. It is unfair. And that is why this resolution should be called ''extremist budget, part 2.''

Mr. President, as we heard the debate here, I have heard references to moral fiber; to the fact that the President lacks the moral fiber to produce a budget that truly answers the question as to balance in 7 years. Mr. President, when we talk about moral fiber I cannot help but think about the moral fiber that is necessary to say to 12 million Americans that you ought to make more than $4.25 an hour, that on $180 you are still way below the poverty level, and when you go, if we finally can get there, to $5.15 an hour, you are still being asked to get by on less than the poverty level.

Where is the morality of that issue? I cannot see it. We can talk about the accountants' version of morality. That is what we are discussing. We are discussing whether or not this budget is balanced in 7 years.

The President, President Clinton, has delivered on his promise, and the budget deficit has come down 4 years in a row. It is the first time since President Truman that has happened. And we question the moral fiber of the proposal? It is an outrage.

Part of the proposal put into the underlying budget resolution is a reduction, or the elimination, of much of the earned income tax credit. That is the payroll tax portion of the incomes less than $28,000. Give it back—$28,000.

The poverty level for an individual today is $8,000 worth of income, and $11,000 for a family of three. But we are saying that even though the average income is substantially above the $28,000 that we ought to raise taxes on those people. Does anybody have an idea how well you can support a family in the high-cost areas of the country on $28,000 a year? At the same time, Mr. President, it is proposed that we furnish a tax break for those in the higher income levels. Under the original proposal, if someone earned $350,000, they would have gotten an $8,500 tax deduction, but we do not want to give a 90-cent raise to people making $4.25 an hour. It is outrageous. We ought not to loosely talk about morality when we discuss these. If we want to discuss them as numbers, if we want to challenge the figures, everyone has a right to do that. But when we get into the subjective evaluations of what is moral and what is right, it is more hokum than a serious evaluation of morality.

Mr. President, I have had the good fortune to have spent a lot of my years in the corporate sector, and I ran a fairly successful company. The company today employees 29,000 people, the company that I started with two other fellows, all of us from poor families in the working community of Patterson, NJ. So I know something about the corporate world, and I know something about how one conducts business. When I hear about how we have to achieve this balance in our budget, eliminate the deficit in 7 years, I think it is a worthwhile target, but I think we have to include in that evaluation which part of the budget is important and which part of it is simply paying attention and fulfilling obligations to special interests.

There are few companies worth their salt in this country that do not brag about their creditworthiness, about their ability to borrow to make investments in the future. Unfortunately, the accounting technique that we use in Government does not permit us to take capital investments and amortize them over a period of years. They are treated like cash investments. So we have a skewed view of what national accounting is about.

I announce here and now that I, too, want to achieve a budget balance, but I do not want to do it on the backs of poor working-class families. I do not want to do it on the backs of citizens who have been promised as they paid into the Medicare trust fund that they would get particular benefits, that they had a contract with their Government. I do not want to balance the budget on their backs. I do not want to balance the budget on the backs of young people who desire and have the ability to get an education who are not going to be able to get it if we continue to cut into college loan funds.

So it is a question of not when we are ready to balance the budget—the President has laid down a budget that will balance in 7 years; CBO says they agree with him; they are the objective voice that we are using here—it is only a question of how we get that budget balanced. I think if we all work at it, we all try our best, we can achieve something that is fairer to all of the members of our society.

So I hope my colleagues will support the President's balanced budget and oppose the extremist Republican budget. Last year, we stopped the extremist Republican budget that gutted Medicare to pay for tax breaks for the rich. They want to do it again.

At this point, Mr. President, I ask how much time we have on the amendment?

The PRESIDING OFFICER. There are 15 minutes 45 seconds.

Mr. LAUTENBERG. I yield the remainder of that time to the distinguished Senator from Oregon to use as he sees fit.

Mr. FRIST addressed the Chair.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. FRIST. I ask, how much time on this side?

The PRESIDING OFFICER. There are 13 minutes 45 seconds.

Mrs. BOXER. May I ask the Senator from Oregon if he would reserve just 3 minutes of his 15 minutes. We do have an offer we want to propound to the other side.

Mr. WYDEN. I would be happy to.

Mrs. BOXER. I thank the Senator.

Mr. WYDEN. Let me say thank you to my friend from New Jersey as well and say that I think he has made a fine statement and offered much on this issue with which I agree. I commend him for it.

Mr. LAUTENBERG. I thank the Senator.

Mr. WYDEN. Mr. President, many Americans see the process of setting a budget resolution as a murky, inside-the-beltway exercise that, charitably speaking, leaves them confused and frustrated. More than occasionally I have shared this frustration. But Americans also know that the decisions we make now are going to affect their futures and the futures of their children and their grandchildren. At home in Oregon, that means doing the hard work that the majority budget resolution simply ignores. At home in Oregon, it means making tough choices, not politically expedient ones.

For example, it means fixing Medicare and Medicaid, not just sucking billions of dollars out of these extraordinarily important health care programs. At home in Oregon, we have ground down the cost of health care and Medicare to one of the lowest per capita averages in our Nation. Republican budget drafters could have built on Oregon's success. They could have helped transform the Medicare Program, its management and its finances, in a way to encourage innovation and equality and efficiency as we have done in much of my State. But this budget simply cuts rather than transforms. It leaves behind many of the same old problems in the Medicare Program, the problems that have seen so often results in rewards for inefficiency and instead again pounds the vulnerable. I think it is a mistake, and I think it is possible to do far better.

On the welfare reform issue, all of us understand this is a job that must be done. Again, at home in Oregon, we found a way to make a real start by reforming our health care system for the working poor and launching a new welfare-to-work program that is putting our citizens in good-paying jobs. It took an up-front investment that is already paying dividends and is expected to be yet more successful in the future. But it took political will. It took reasonable public support to get the job done, and again I think this budget is not going to make that possible.

I am afraid this budget on the welfare reform issue promises a stillbirth for future efforts in other States by operating on the idea that you can just out-cheap the system rather than transform it to make it work.

If you look at the budget offered by the majority, we would have to cut $56 billion more than the administration foresees for education and training. On one of the issues most important to the future of Oregon families, this budget says it is more important to spend on a number of outdated military weapons systems than it is to support education and vocational training for our children who are going to need the skills and the experiences essential to compete in a global economy.

I say to my friends, the cold war is over. We won it. But the majority budget does not reflect this reality.

The new war, the economic war that enlists every schoolchild in my State and across the country, is the one that we are going to have to fight aggressively. Our competitors in Asia and Europe shoot with real bullets. They are making stronger investments in education and training than we are, and they are creating world standard, technical quality work forces.

What is the response in this budget? The majority budget extracts funds that we need for training and educating our schoolchildren and reinvests it in goldplated weapons systems that even the military questions today. The majority budget goes on to cap the Direct Student Loan Program at 20 percent, a program that eliminates red-tape and middle-level bureaucracy in order to get funds to working families and students. Head Start would be frozen, eliminating opportunities for up to 20,000 children. And, while Americans across the country are talking about the specter of corporate downsizing, this budget would deny assistance over the next 6 years through the Job Training for Dislocated Workers Program to many of the workers in our Nation who have lost their jobs.

On the environmental issue, an issue of great importance to our State, we see again how there is a retreat in this budget from much of the great bipartisan progress that has been made in the last 20 years. For example, in my State this bipartisan progress has led to effective stewardship of great natural treasures like Crater Lake and the Three Sisters Wilderness. This budget would put that bipartisan tradition of environmental protection in reverse, simply by cutting the National Park Service budget by 20 percent below the administration's proposal. This is going to force some parks to close, others are going to cut back on maintenance and access, and we are going to spoil, in my view, much of the important progress in environmental protection that has been made in the last few decades.

In the early 1960's, citizens of my State launched a huge public program to clean up the polluted Willamette River, a project that, at that time, was one of the biggest and most expensive environmental efforts in our history. We understand the value of clean water and resource protection, and we were willing to pay the price of renewing that great river. And that wise investment has been paid back many times.

The people of our State want to see those special values and environmental stewardship projected in this budget resolution. But this budget makes a retreat from those values by cutting the environmental programs nearly 20 percent in 2002. The budget would relieve polluters of certain Superfund cleanup costs and make every taxpayer shoulder new burdens. EPA enforcement activities would be rolled back, and there would be fewer environmental cops on the beat.

I am particularly concerned that the need for salmon restoration funds in the Columbia River and maintaining our fish hatcheries in this Great Basin are priorities that again come up unattended and short in this resolution.

So I say to my colleagues on both sides, one of the efforts I have been proudest of in my early days in the Senate was getting 34 Senators to join me in a letter that I authored, making it clear that it was important to get the nongermane and devastating environmental riders out of the omnibus appropriations bill. We were successful at that. The spending bill does not gut the environmental protections that have been pushed so hard by so many for so long. If this budget resolution forces a retreat on environmental protection, we will make the same effort, as this process goes forward, to turn it around as we did in our successful work in terms of getting the antienvironmental riders out of the omnibus appropriations bill.

Let me conclude with a word or two about taxes. Oregonians want tax reform and they believe that this should be a priority as part of this budget resolution. But this majority budget cuts taxes in strange and mysterious ways

that many of my constituents challenge. A $500 per child tax credit for a person making $110,000 per year? How does that square against increasing taxes to low-income working families, families that work hard, that play by the rules, and have had a chance to see work rewarded under the earned income tax credit? This budget, unfortunately, retreats, in terms of support for working families that are struggling to get ahead. It retreats on the question of Medicare and Medicaid. And I believe, as a result of those changes, we are going to see lower quality health care, a sicker pool of individuals relying on those Government programs, and we will see, as a result of the tax changes and the health changes, a significant reduction in the opportunities that all of us want to see for individuals in these public programs who want to get out having that opportunity to do so.

The proposed cuts in Medicaid would end guaranteed health coverage, for example, for 36 million Americans. For seniors, the $250 billion in Medicaid cuts over 7 years risks cutting off prescription drugs, home and community-based care, and assistive devices such as wheelchairs. I do not think our families can afford those additional burdens.

So, as we now go to the amendments on this issue of extraordinary importance, let us look beyond the cold, stark figures of the budget. Budgets just are not about numbers, they are about the hopes and aspirations of the American people. We have to get a balanced budget. The families of my State balance their budgets. It is important for the Congress to balance the Federal budget as well. But it has to be approached in a way that ensures a sense of fairness, that sacrifices are not just singled out for those who do not have political power. Let us make sure that this budget resolution, this budget resolution which would provide an opportunity to reform Medicare and Medicaid in a way that Oregonians have already begun, would be pursued by the Congress as a whole.

I am happy to yield time to the Senator from California.

Mr. FRIST addressed the Chair.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. FRIST. Have the yeas and nays been ordered?

The PRESIDING OFFICER. They have not.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is not a sufficient second.

Mrs. BOXER. If the Senator will yield, I would explain we would just like to assure the vote is after 2 o'clock and we will be delighted to vote on this amendment.

Mr. FRIST. That will be fine.

The PRESIDING OFFICER. The Senator from California has 2 minutes and 25 seconds.

Mr. FRIST. Mr. President, I 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.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, do we have a unanimous-consent agreement now we are going to vote on the Frist amendment at 2 o'clock?

Mrs. BOXER. We do not yet.

Mr. DOMENICI. Is all time yielded back?

Mrs. BOXER. No. We have 2 minutes and 30 seconds we would like to use.

Mr. DOMENICI. Mr. President, does the Senator from Tennessee have any additional time he would like to use?

Mr. FRIST. We still have 13 minutes on our side. If we have time, the Senator from Michigan would like to use some of that.

Mr. DOMENICI. In any event, I ask unanimous consent we vote on the Frist amendment at 2 o'clock, and there be no intervening amendments or requests for votes in the interim.

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

The Senator from California.

Mrs. BOXER. Mr. President, I would like to just ask—we would like to use a few minutes off the bill as well as this 2½ minutes. We would like to do that. Under the rules, are we permitted to do that? Would I have that right?

The PRESIDING OFFICER. You may choose what block of time you would like.

Mrs. BOXER. I would like to add to the 2 minutes another 6 minutes.

The PRESIDING OFFICER. Are you yielding it from the time on the resolution?

Mrs. BOXER. Yes; that is correct.

The PRESIDING OFFICER. The Senator has that right.

Mrs. BOXER. Thank you very much, Mr. President.

Mr. President, I am a little bit puzzled by the amendment the Senator from Tennessee has offered because it is an amendment regarding a trigger that is supposedly in the Democratic budget that is on the table, and there is no trigger mechanism in the budget we have offered. I ask my colleagues to carefully peruse this document, and you will not find a trigger mentioned in the budget that is before you.

So this is really a phantom amendment about something that is not happening in the Democratic budget. Behind me is a chart which shows the Democratic budget that we have before us, and it shows that the discretionary spending is fairly close between the two budgets, the Democratic one and Republican one, despite the fact Senators on the other side have decried steep reductions in veterans, so on and so forth. That is not true. There is no trigger in this budget. We spend $65 billion more on discretionary spending than does the Republican budget.

So, in our view, this is a kind of bizarre situation. We are happy to vote for the Senator's amendment because we agree that we do not want to see deep cuts in the outyears, and we do not have them in our budget. So we would be happy to take this without a vote, although Senator DOMENICI says he prefers a record vote. We are happy to do that. I yield to the Senator from North Dakota who has comments to make on this.

Mr. DORGAN. Mr. President, it seems to me a mistake has been made here, and I do not know the genesis of the mistake. As I understand it, we have an amendment that has been offered that suggests there should not be a triggered reduction in discretionary spending pending certain events, and there is no such trigger in the legislation before the Senate.

Mr. FRIST. Will the Senator yield?

Mr. DORGAN. Momentarily—I will be happy to yield, just briefly.

Mr. FRIST. The word ''trigger'' is not used, but if you look in function 920 of the document—I do not have it before me, I will have it shortly—you will see a series of numbers, and in those series of numbers the trigger is spelled out in actual numbers. So the effect of the trigger is spelled out in function 920, and that is what we are addressing.

Mr. DORGAN. This is a matter of fact, not a matter of conjecture. There is no trigger that would automatically reduce discretionary spending pending certain events in the future. If we are going to legislate this way, maybe we should legislate against four or five other triggers that do not exist. As long as there is no prohibition against legislating to prohibit things that do not exist, let us amend this by saying, ''Let's prohibit a trigger that would reduce defense spending.'' There is no such trigger, but why not add that.

I do not quite understand the circumstances here. There is, in fact, a trigger that given certain circumstances would allow an increase in certain discretionary spending, but there is no trigger that would provide for the decreases that are the subject of this amendment.

In fact, the important point here is contrary to the assertions that have been made on the floor of the Senate yesterday and today about a whole range of issues, including funding for the NIH, funding for the EPA and others, contrary to those assertions, the budget that has been proposed by the President would provide more spending in these areas. In the aggregate, it proposes more spending in the discretionary spending accounts because that represents what he believes to be a priority.

We have the circumstance of people coming to the floor of the Senate saying, ''We want more spending''—the majority party—''We want $11 billion more spending on defense. We want to buy trucks the Defense Department did not ask for, planes they do not need, ships they do not want. We want to spend it on defense.''

The President has said he believes we ought to spend slightly more on discretionary spending than the majority party is proposing. But this amendment is a real Trojan horse. It seeks to preclude something that has not been proposed, and if that is a new standard of amendments, then let us have fun by precluding a dozen additional proposals that have never been made. But it is not, in my judgment, a very sensible way to legislate.

Mrs. BOXER. Will the Senator yield?

Mr. DORGAN. I will be happy to.

Mrs. BOXER. I want to thank the Senator for participating in this. As a member of the Budget Committee, I will tell you right now, we have looked at this document. There is no word ''trigger'' in it. The Senator from Tennessee, who wrote this, admits there is no word ''trigger.'' And yet, he has a sense-of-the Senate amendment that says the discretionary spending caps should not include triggers. We agree. That is why the bill we have put forward, the Democratic budget, has no triggers.

This is what it has. We have used these numbers. They are $65 billion more than the Republicans have put forward, and they are complaining that we cut the budget too much—we cut the budget too much. They spend $65 billion less on veterans, $65 billion less on all of these discretionary spending areas.

So this amendment is a phantom amendment, and that is why we are going to support it, because we do not like the idea of a trigger. We have not offered a budget that has a trigger, so why have an argument about it?

I yield to my friend.

Mr. DORGAN. I simply observe, it seems a waste of the Senate's time to have a record vote on an amendment designed to prohibit something no one proposed. It might be fun to offer an amendment like this, but it serves no purpose and will simply delay the Senate.

I think the Senator from California, I think the Senator from Nebraska also said, since this has not been proposed, if someone feels the urge to offer an amendment to prohibit something not proposed, we accept it. It seems to me irrelevant and nonproductive to have a record vote.

Mrs. BOXER. We are ready to do a voice vote, but if the chairman wants a record vote that has nothing to do with the budget on the table, we will vote for it.

Mr. FRIST addressed the Chair.

Mrs. BOXER. I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. FRIST. Mr. President, I will be referring to function 950 in the amendment. This is the President's policy which is laid out, the numbers that were put before us in the President's bill. Let me just read, again, what that policy is, and I quote page 13 of the President's budget:

> In case the new assumptions produce a deficit in the year 2002, the President's budget proposes an immediate adjustment to the annual limits or caps on discretionary spending, lowering them enough to reach balance in the year 2002.

June O'Neill from the Congressional Budget Office came before our committee, and I will quote from her testimony on April 18, 1996. She says:

> The basic policies outlined in the President's budget would bring down the deficit to about $80 billion by the year 2002 instead of producing the budget surplus that the administration estimates.

Mr. DORGAN. Will the Senator yield?

Mr. FRIST. Let me finish this line of thinking. We are going to have a deficit in the year 2002, according to CBO, using the policies set forth in the budget presented by the President of the United States. That is the President's plan. The President does have a trigger in his plan, and it is spelled out in function 950, which I ask you to refer to. Correction, 920. And if you look on page 41, those triggers, the trigger in the reduction is actually spelled out in numbers. The trigger has already taken place, and what my sense-of-the-Senate amendment simply says is that those triggers, which result in drastic reductions in the year 2001 and 2002, which are spelled out on page 41 of this document, are already written and worded right now. Those triggers have taken place.

My sense-of-the-Senate amendment says those drastic reductions spelled out in actual numbers, as spelled out in the policy by the President of the United States, are wrong.

Mr. DORGAN. Will the Senator yield?

Mr. FRIST. Yes.

Mr. DORGAN. I appreciate that. I yielded to the Senator when he asked. I enjoy the opportunity to discuss this. I guess the Senator's point is accurate with respect to what he read from the document in front of him. That is not what is before the Senate.

Will the Senator not agree with me that is not what we have laid before the Senate, and if that is the case, you are talking about something we are not debating today?

If I can make one final point. When you talk about cuts, there is not any way to deny that the amount of discretionary spending proposed by the majority party is substantially less than the amount of discretionary spending proposed by the President.

So those two questions: Is it not true that we are debating something here that is not before the Senate? And what is laid before the Senate does not contain a trigger; is that correct?

Mr. FRIST. To answer the Senator's question, is this the President's budget? This is the President's budget. I read the policy. The budget is spelled out in actual numbers on page 41 of function 950, the actual numbers which is the trigger in place, the actual numbers of policy spelled out in the document.

The PRESIDING OFFICER. Who yields time?

Mr. FRIST. Mr. President, how much time remains on either side?

The PRESIDING OFFICER. There is 9½ minutes.

Mr. FRIST. I yield to my colleague from Michigan on the amendment.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. ABRAHAM. Thank you, Mr. President.

Mr. President, I think we should begin by just reminding everybody what we are about. Pending is an amendment to the Republican budget resolution which would substitute the President's budget for our own. So I will incorporate here in my comments remarks both about that budget itself, as well as the amendment by the Senator from Tennessee.

The President's budget, in my judgment, is quite deficient in a variety of ways. We can call it a balanced budget if we want to, but as the amendment before us reveals, it is only a balanced budget if drastic reductions in discretionary spending take place in the final years of that budget. But that is not the only problem with the budget.

First, and foremost, I believe the budget is inadequate to deal with the Medicare crisis which faces this country. We know already that the Medicare part A trust fund is headed towards bankruptcy. We have not gotten the most recent projections of the trustees of the Medicare trust account, but we believe that the date of bankruptcy will be much sooner than anticipated just a year ago when the majority attempted to try to address the problem and were thwarted by the President and the minority.

The fact is that Americans expect the trust fund to be solvent. Right now the trust fund is paying out more than it is taking in. It will reach insolvency far sooner than anticipated. What we have attempted to do, in the budget that the majority has presented here today, is to try to keep that trust fund solvent for 10 years.

The President's budget attempts to do that by simply removing a very vital part, home health care, from the trust fund and moving it off the trust fund somewhere else.

If that is the way we are going to approach Medicare, Mr. President, then who knows what will be taken out of the trust fund next. Americans have a right to expect that trust fund will remain constant, that the items covered will remain protected, and that every time we face a crisis, Congress does not simply remove more and more parts of the trust fund and eliminate the coverage it provides.

By moving them, as they have in the President's budget, the President and his budgeteers are, in fact, moving some $55 billion of trust fund responsibility to the taxpayers as part of the general account. That is not the way to guarantee the solvency of Medicare, and it is in contrast to Republican efforts to ensure Medicare's solvency for 10 years its solvency in the budget we have presented.

The second concern I think needs to be addressed is the issue of taxes. As Senator GRAMM just a few moments ago indicated in a series of charts that the tax burden faced by America's hard-working families is the highest in the history of this Nation. Indeed, if the President's budget becomes the law of this land, under this budget we will move to the highest federal tax burden ever.

At the same time, Mr. President, under this budget, social spending will also reach record highs at 17.3 percent of the gross domestic product of this country. That means more and more working families sending more and more dollars to Washington to pay for more and more programs that Americans find to be overbloated, bureaucratic and, in many cases, unnecessary.

That is not the direction we should head, Mr. President. That is why the President's budget sends us in the wrong direction.

To just once again comment on the tax portion of this budget, as I said, it heads us toward the highest tax burden in history. There has been an effort in the budget to address the question of high taxes with a purported tax cut. But when one examines the President's budget and calculates all the taxes that are cut and all the taxes that are raised, what you come up with is a final bottom line number of $6 spread over 6 years. Distributed to 250 million American people, that works out, Mr. President, to $4 per year per American.

I have talked to the taxpayers in my State. When they think in terms of getting a tax break, they at least were hoping for something slightly more substantial than that, Mr. President. The $4 a year will not make much of an impact on the hard-working middle-class families of my State or any of the other States.

But I would like to more totally focus my comments at this point on the amendment before us to this budget. In this amendment, we are trying to address what we consider to be the truly extremist issue before us today. That is the proposal that in the final 2 years of this budget we will see drastic cuts, across the board virtually, in the domestic discretionary spending programs, huge cuts, cuts which I think go way too far. I think probably most of my colleagues, one way or the other, would agree they go too far.

To approach balancing the budget in this fashion, to approach it by having all of these cuts happen somewhere in the far distant future, and to happen at this drastic of a level, literally 100 percent of the President's discretionary spending reductions happening in the years 2001 and 2002, in my judgment, totally undermines any validity to claim that this is a balanced budget.

This is the same thing as having a family say, ''Well, we're running in the red right now. We're spending more money than we take in. We've got to correct this. The way we're going to do it is not by addressing the problems over a period of time, this year, next year, and the following years, but 5 years from now we're going to eliminate all our expenditures on food.''

That might make the budget of the family balanced in the fifth year, but it is unrealistic and wholly improbable that in one year an American family is not going to consume any food. The same way, it is inconceivable that 100 percent of the discretionary spending cuts are going to take place in the final 2 years of this budget to achieve balance. Neither will happen, Mr. President.

For those reasons, I think the approach that is taken in this amendment is on track. I think we have to make a clear statement to the American people that we are not going to achieve a balanced budget with any kind of cook books, any kind of gimmickry, any kind of last-year changes of this magnitude. We are going to go at it in a responsible way.

So for those reasons, Mr. President, I am pleased to support the Frist amendment and urge my colleagues to do so as well. I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. What is the situation? Do we have a unanimous consent to vote at 2 p.m. on the pending amendment? What exists with reference to time?

The PRESIDING OFFICER. That is correct. Senator FRIST's side has 1 minute 50 seconds. The Senator from Nebraska has 2 minutes. The remainder of the time can be taken from the general-issue pool.

Mr. EXON addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. EXON. Mr. President, while the distinguished manager of the bill is here, I will just make a comment or two and see if we cannot do something to move this process along. I understand that a rollcall vote has been demanded on that side of the aisle, which is surely their right to demand a rollcall vote. I understand—I do not know who it is—but someone on this side of the aisle could not be here to vote until after 2 o'clock.

I simply point out that we are wasting an awful lot of time. In the committee, as the chairman knows, this Senator has tried to move things along. On the floor, this Senator has been trying to move things along.

Here we are debating a sense-of-the-Senate resolution which we all know has no effect in law whatsoever. But if we are going to spend this much time on sense-of-the-Senate resolutions that have no effect in law, and then put off votes that should have occurred an hour ago until some time after 2 o'clock—if that holdup is on our side, I apologize—I simply say that I guess we have given up all chances of finishing this bill by tomorrow night as was clearly stated was the goal.

Since that goal was stated, we have had one vote. We have been locked pretty much in meaningless debate in the view of this Senator, since yesterday morning at 9:30. We had only one vote yesterday. Like yesterday we came in at 9:30 this morning. Here we are at 2 o'clock this afternoon and we are continuing to move around, politicize and question the motives of others.

We have so much to do in the U.S. Senate. I would have liked to have seen this finished by tomorrow night. I recognize now that is impossible. I simply say that this Senator is interested in reducing the number of the amendments that we have, as best we can. I simply say I hope we do not get tied up for this lengthy period of time as we have on the amendment before the Senate. We have agreed to accept the amendment.

Earlier today I said we had 31 or 32 amendments. We now have 51 Democratic amendments on this side of the aisle. If we take as much time on those and other amendments that I am sure are pending on that side, we could be here through July 4th on the budget resolution, talking past each other. We have agreed to accept this meaningless amendment by voice vote, but that is not good enough. Why? I do not quite understand. I simply say I think we are bogging down this process in an unreasonable manner. I renew my pledge to do whatever I can to expedite the process.

I do not think there is any question that the majority is going to vote down the budget of the President of the United States, which is their right. Why do they not just go ahead and do it and move on with the process?

I renew my pleading to the chairman that we move forward and expedite this process.

Mr. DOMENICI. Mr. President, I yield myself 2 minutes. I very much want to not use up our time. Senator HUTCHISON would like to have some time before this 2 o'clock time. She has been waiting a long time.

Let me suggest to my good friend, Senator EXON, first, if the Senator wants to work with me to establish policy for the rest of this debate, that sense-of-the-Senate resolutions—what was your word—are irrelevant, unnecessary.

Mr. EXON. I said it had no effect in law, which it does not.

Mr. DOMENICI. We will make a deal with you. We will get a grand agreement. You do not offer any of them, we will not offer any of them. I put that before you, since sense of the Senates have no effect in law. We are ready to negotiate. Just have real amendments from now until tomorrow afternoon at 3 o'clock and we will be finished with this. I am authorized to speak for the majority leader. We intend to finish this budget resolution this weekend so people who have plans better start talking to our leaders about how they might help us get this budget resolution finished. Everybody has plans, but

we have plans to get a budget resolution finished. Frankly, I think we can. I look over the list of amendments on our side. I have not had a chance to look over them on your side. I will shortly.

Frankly, I do not know why, from now until 3:30 tomorrow afternoon, giving us until 10 o'clock or 11 o'clock tonight, and a nice chunk of time tomorrow, we could not get it finished.

Let me talk a little bit about this amendment. The interesting thing about this amendment and the budget tendered by the minority, they may have pulled the trigger but they have replaced it with a giant plug. There may be no trigger but there is a plug. The plug is $67 billion out there in a little compartment of Government called function 920. You do not have to tell anybody how you got there, just put $67 billion in. What it will do, who it will hurt, what it will cut, is not itemized, as ours is. We would like to make sure that the vote says we want to pull the plug, pull the trigger on that plug so it is not there.

Having said that, Senator, I seriously will work with you to try to narrow what we are doing and get on and try and get this done. Thank you for your cooperation.

Mr. EXON. Mr. Chairman, I thank you for your cooperation. This is an irrelevant amendment, a sense of the Senate that we should not have debated as long as we have. But we have. Talk about plugs, the kettle keeps calling the pot black.

I simply cite on page 43, line 20, there is a $43 billion plug in your budget. Take a look at it. Maybe you can explain it. I simply say that it seems to me we keep blaming each other for the delays, when it is a responsibility of both of us. I think this sense-of-the-Senate matter is irrelevant. That is why I agreed to a voice vote. But you are entitled to a rollcall vote.

I yield 4 minutes off my time to the Senator from North Dakota.

Mr. DORGAN. Mr. President, this is not a debate about plugs and triggers but a debate about that we feel is important in terms of investments for the future of this country. I am going to speak, after we have voted on this amendment, about the budget more generally. I want to stay on this subject because I think it is very important to lay out the facts.

The facts are these: If you get rid of all the discussion about any triggers, all the discussion about plugs, the question of who is spending more or investing more in discretionary spending, especially nondefense discretionary spending, is not a serious question any longer at all. The President's budget proposes more investment in the kinds of things that many of us think are very important—college financial aid, Head Start, cops on the beat, the WIC Program. Things that we think are important are going to be better funded in the President's budget.

Now, the majority party says their priority is to add $11 billion above what the Pentagon asked to be spent to buy trucks, planes, ships, and submarines that the Pentagon did not request. They want to add $11 billion in that spending. Then they want to make the case that somehow they are spending more money in discretionary spending than the President's budget. It is simply not true.

If you pull out the defense numbers from that chart, which is included in discretionary spending, the Republican budget would put $10 billion less in nondefense discretionary, which means that the Republican budget over those 6 years is $116 billion below the budget submitted by the President in budget authority—$116 billion below in discretionary spending.

You cannot paint those numbers any other way. That chart does not lie. That chart, if you take out the $11 billion increase in defense the majority party wants, would show a wider gap in nondefense discretionary spending. The President is requesting a much more substantial amount of spending in things like Head Start, WIC, education, student financial aid, cops on the beat, and a whole series of those issues than would exist in the majority party budget. They would have us believe somehow with charts and all kinds of tapdances around these numbers that they are proposing more funding for discretionary spending. It is simply and demonstrably not true. That is the point that is important as we cast this next vote.

The Senator from Nebraska has it absolutely right. I do not know why we are wasting time voting on a proposal to eliminate something that does not exist, but, I suppose, some people will feel better if they can amend something that did not exist and maybe we can have six or eight more of these, but it wastes time and accomplishes nothing.

I yield the floor.

Mr. FRIST. Mr. President, I yield the remaining time on the amendment.

The PRESIDING OFFICER. The time on the amendment has been consumed. The Senator would now have to yield time on the resolution.

Mr. FRIST. I yield time from the resolution to the Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas [Mrs. HUTCHISON], is recognized.

Mrs. HUTCHISON. Thank you, Mr. President. I thank Senator DOMENICI and Senator FRIST for all the work they are doing to try to draw distinctions between the President's budget, which is before us as an amendment, and the underlying budget resolution, which is the responsible budget resolution that really balances by the year 2002.

My colleagues have said that the President's budget balances and that it provides for middle-class tax relief. The American people want a Federal budget that balances, and they also want to keep more of the money that they work so hard to earn. But let us look at the President's budget and let us respond to the demands of the American people. As Paul Harvey would say, ''Now it is time for the rest of the story.''

Let us look at the issue of balance. I really think the President cannot have a straight face when he says his budget balances, when more than half of the cuts—more than half—come in the last 2 years—2001 and 2002—of the 7-year period the budget covers. There are $600 billion in cuts over 7 years, and some $350 billion of those are in the last 2 years.

I think it is very obvious that whoever is elected President this year, 1996, is not going to have to face the issues in the year 2001 and 2002, because there will be yet another President.

I do not think we can, responsibly, with a straight face, pass the President's budget and tell the American people that we have done the responsible thing. I want to use some examples of what the President's budget does. Take NASA for an example. Under the President's budget, the NASA budget lopes along about where it is now for 3 years, and then it drops 10 percent over 2 years. Now, that is not a responsible approach toward a research, technology, or scientific endeavor. How can you be midway into an experiment and, all of a sudden, not have the money for it?

The Republican budget, on the other hand, has steady declines in the NASA budget, for which they can prepare. NASA officials can see very clearly what is going to happen and plan how they are going to have to allocate their resources.

Let us take defense spending, another example. The President is proposing another $3 billion in cuts this year. That would make it the 12th straight year of decline in defense spending. Today we spend only a little more than one-half of what we spent on defense in 1985. Weapons purchases alone are down 70 percent from 1985. And here we are, at a time when we have American troops all over the world that are seeking to keep peace in some way or another; while we must maintain the highest defense readiness, and we are looking at a major technology initiative in theater missile defense to defend against the very real ballistic missile threat to our country and our troops in the field; with all these priorities, we are looking at a Presidential budget that reduces defense spending again.

Now let us look at tax cuts. The President's budget has a tax credit of $300 per child up to the age of 13. But the tax credit is only temporary, because it ends if a balanced budget isn't reached in the year 2002. And, according to the Congressional Budget Office, the President's budget will not be balanced by the year 2002.

By comparison, the Republican budget, the underlying budget, has a permanent tax credit of $500 up to the age of 18 for middle-income taxpayers. That is

a big difference to an American family. Anyone who has a teenager knows that those are the years when you face the most urgent demands on their hard-earned income.

Let us talk about the homemakers of this country. The budget that is underlying—like the budget that we sent to the President last year and which was vetoed—hopefully will include homemaker IRA's. But the President's budget does not. He does not think that the work done inside the home is every bit as important as the work done outside the home. Therefore, he did not provide for the retirement security options for the homemakers of this country. We must not stand for that. We must make sure that this year we do address that terrible inequity, so that a one-income-earner family and a two-income-earner family will have the same retirement security options. It is only fair that homemakers have their retirement nest egg and that one-income-earner families, who are sacrificing to have a homemaker at home when their children come home from school, will not have to suffer in retirement years.

So there are big differences between the President's budget and the budget that we are trying to pass today. We must reject the President's budget. It is a hollow budget. The balance will only occur if we make huge cuts in the year 2001 and the year 2002.

Mr. President, now is the time for Congress to act responsibly, to have cuts that are sloping very gradually, so that agencies or people that are entitled to benefits will know exactly what is there in a responsible manner. The cuts in the rate of growth of spending should be gradual, not staying at the same level until no one around here will be in office anymore, and then cutting to the bone and saying, ''Oh, yes, we are going to set the budget numbers, but we are going to let you in the future make the tough decisions.'' No, Mr. President, now is the time to make the tough decisions, and that is the issue before us.

Are we going to do the responsible thing for our children and grandchildren for the future of this country, or are we going to adopt the President's budget that is before us on the floor right now, which will not really balance? Those tough decisions being put off now will not be any easier then. Most certainly, we cannot expect a defense budget to go up, down, and back up. Nor can we afford to have an experiment at NASA proceed to a certain point and then drop off the face of the Earth—figuratively speaking.

Mr. President, that is not responsible. We know it, and the American people know it. Let us do the responsible thing and reject the President's hollow budget and make the real tough decisions now. That is what the American people asked of us in 1994. It is what we promised. Let us keep the promise.

I yield the floor.

Mr. FRIST. Mr. President, how much time is remaining?

The PRESIDING OFFICER. There are 2 minutes before the vote. There is no time remaining on the amendment.

Mr. FRIST. We yield back our time.

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. GREGG. 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. GREGG. Mr. President, I ask unanimous consent that we proceed immediately to the vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is on agreeing to the amendment of the Senator from Tennessee.

The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Kansas [Mr. DOLE] is necessarily absent.

The result was announced—yeas 99, nays 0, as follows:

[Rollcall Vote No. 114 Leg.]

YEAS—99

Abraham	Feinstein	Lugar
Akaka	Ford	Mack
Ashcroft	Frist	McCain
Baucus	Glenn	McConnell
Bennett	Gorton	Mikulski
Biden	Graham	Moseley-Braun
Bingaman	Gramm	Moynihan
Bond	Grams	Murkowski
Boxer	Grassley	Murray
Bradley	Gregg	Nickles
Breaux	Harkin	Nunn
Brown	Hatch	Pell
Bryan	Hatfield	Pressler
Bumpers	Heflin	Pryor
Burns	Helms	Reid
Byrd	Hollings	Robb
Campbell	Hutchison	Rockefeller
Chafee	Inhofe	Roth
Coats	Inouye	Santorum
Cochran	Jeffords	Sarbanes
Cohen	Johnston	Shelby
Conrad	Kassebaum	Simon
Coverdell	Kempthorne	Simpson
Craig	Kennedy	Smith
D'Amato	Kerrey	Snowe
Daschle	Kerry	Specter
DeWine	Kohl	Stevens
Dodd	Kyl	Thomas
Domenici	Lautenberg	Thompson
Dorgan	Leahy	Thurmond
Exon	Levin	Warner
Faircloth	Lieberman	Wellstone
Feingold	Lott	Wyden

NOT VOTING—1

Dole

The amendment (No. 3968) was agreed to.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER (Ms. SNOWE). The Senator from New Mexico.

Mr. DOMENICI. Madam President, let me tell my colleagues where we are. Frankly, we have a long way to go. Once again, I am urging that Senators on our side—and I will yield to Senator EXON on his side—we need all the amendments, everybody who has an amendment to get us the amendment or at least the substance of it. We are going to try to work something out so we can get out of here at a reasonable time.

We are not anywhere close to that. I think on our side we have 22 proposed amendments. We are looking them over, first with staff and then with various Senators.

Senator EXON has a tentative list that is not even completed, of how many?

Mr. EXON. Fifty-one.

Mr. DOMENICI. That is 51, and 22, that makes 73 amendments.

Our leader has told me his desire is that we finish this budget resolution over this weekend. That means we have all night tonight and we have all day tomorrow and perhaps we have part of Saturday. I know that brings a lot of grumpy looks on lots of faces, because I am sure everybody has something they planned to do tomorrow. I have great respect for that. But if I am the general, I will do the job. If I am the follower, I will do the job. Right now, I am the follower. I am doing what the leader suggested.

We are going to be here a long time unless we can reach some agreement. In fairness, we are working with the minority leader and with Senator EXON, who is being very cooperative, to see how we can narrow this down.

Maybe my colleague could report to the Senate from his side?

Mr. EXON. I thank the chairman for bringing this up.

Mr. DOMENICI. We need order.

The PRESIDING OFFICER. Order in the Chamber.

Mr. EXON. Madam President, everything he said I second. The way we are going we will not be through even if we would stay here all weekend including Sunday. The way we are going that would not be enough, we would not get out of here until July 4 sometime, and I am not saying what year. We must move this ahead, not only because I think we are wasting a lot of time but because we have other things that we must address.

I say to the leader, we are sending out a hotline at the present time to try to get an agreement that all the Democratic Senators would file amendments with me by 4 o'clock, or maybe 5 o'clock. I think something like that would very likely be acceptable on my colleague's side. Then we would know how many amendments we have and we might be able to work out something so we can maybe come to a reasonable agreement and if necessary go over sometime until next week, which I think everyone would like to do.

But we are not going to do that, I suggest, following up on the statement of the manager of the bill, the chairman of the committee, as he has just indicated, unless we can have some movement. I think we can get that small amount done, and that small amount is simply to get the amendments listed as we have previously. I think that can happen, but I cannot commit to that now because we are running a hotline. But I believe that

will come to pass. I think the immediate thing we have to do is decide where do we go from here? The Senator from Nebraska is interested in going to a vote as soon as possible on my amendment offered this morning at 9:30, to have a vote on the President's budget. We have had a lot of debate on it. I do not know whether we shed much light, but we have had a lot of debate.

In the meantime, I understand the next amendment on that side, and correct me if I am wrong, is an amendment that is supposed to be offered by the Senator from Missouri. Is that correct?

Mr. DOMENICI. That is correct.

Mr. EXON. I am looking at this for the first time now. Is this a sense of the Senate? It is not a sense of the Senate?

Mr. DOMENICI. No, sir, it is a substantive amendment.

Mr. REID. Will the Senator from Nebraska yield for a question?

Mr. EXON. Certainly.

Mr. REID. Madam President, I have been here listening to the dialog between my colleague from Nebraska and the Senator from New Mexico, the manager of the bill. I just have a question maybe one of them can answer.

I have been faithfully attending to my duties here in the Senate the last 3 weeks. Frankly, we have not been doing anything. We have been playing here on the gas tax, minimum wage, and something called the TEAM Act. What, all of a sudden, when we finally have something we can work on that is substantive —what is the rush? Why, suddenly, are we going to work like we have not been working before? Is there some reason suddenly we have to work on these very weighty issues into the middle of the night and on weekends?

Mr. EXON. I do not know for sure how to answer my friend and colleague from Nevada, except to say I do not think it would hurt the image of this place very much, in the public mind, if we would at least appear to be getting something done. That is the reason that I have to say we should move on this more expeditiously. But I think the question can more likely be answered by the chairman of the committee, with whom I have been working. I suspect maybe that is who the question was directed to anyway.

Mr. REID. The Senator from Nebraska had the floor. I certainly am willing to work whatever hours anyone wants. I, like most Senators here, when there are not things going on on the floor, still have lots of work to do on committees.

Mr. EXON. May we have order in the Senate?

Mr. REID. I will await the judgment of the manager of the bill and the Democratic manager of the bill and be available whenever it requires. My only comment was that we have not been doing a great deal the last few weeks and I hope since we are on the bill now substantively, where we do not have the opportunity to offer an amendment on minimum wage which 90 percent of the American public wants, that we can handle this—expeditiously, of course—but I see no reason to treat this bill any differently than we do other bills. There is a lot of work that needs to be done and I think we should do it in an expeditious fashion, not necessarily work in the middle of the night, on weekends, on this bill when we have not been doing it on others.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Madam President, I would say to my good friend, Senator REID, from Nevada, it is not like we are trying to hurry this thing through. We almost always have agreed to waive substantial portions of the time on budget resolutions. Almost every evening as we went out we would say we have agreed to use up 5 hours or 7 hours, and I am checking so we will know and next time we can answer you, how we have been doing that.

Second, it is very important we get this finished because we want to give the Appropriations Committee—the Senator serves on that committee—we want to give them their numbers at the earliest possible time so the 13 appropriations bills can be done early this year, rather than holding them over until December and maybe next year.

In addition, we are not in any way talking about forbearing, precluding amendments. We are talking about whether we really need to do 75 amendments.

Mr. REID. If my friend will yield, I understand. I know how hard he has worked on this bill.

I do say, however, the budget resolution was not reported on time. I say to my friend from New Mexico, and I am not speaking for anyone other than myself, I have listened to the debate on this. I think it has been a productive debate to this point. I think it has been good for the Senate. I think it has been good for the American public to have this debate.

I hope this budget resolution can be debated in its entirety. I think we need to have debate on the issues. I say to my friend, I agree with my friend from New Mexico, I do not think we need 75 or 100 amendments on this budget resolution but there are some substantive amendments that I think we need to fully debate and arrive at conclusions on.

My only point is, as my friend knows, he works hard, I work hard. I am willing to do that. I just am a little bit concerned that there is some attempt to stop a full and complete discussion on this, one of the most important matters we are going to decide all year. But I appreciate the courtesy of explaining the Senator's position.

Mr. DOMENICI. I thank the Senator.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOMENICI. Madam 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. Madam President, I have just received word, I want to say—Senator DASCHLE is here—I just want to say we are going to have Senator BOND's amendment ready in 5 or 10 minutes. He will come down and offer it. In the meantime, I want to say it is the intention of the majority that we proceed well into the night to see how much time we can use and how many amendments we can take care of.

I wanted to make sure you knew that, your Senators know that, and I am informing ours right now.

Mr. DASCHLE. I appreciate the Senator's comments. I hope we can get a good debate on amendments. We have a number of them we are prepared to offer just as soon as we dispose of the amendment offered by the distinguished ranking member. We will be prepared to offer those. I assume we will alternate back and forth.

I think it is good to put Senators on notice that we will be here tonight. We are prepared to vote, and we ought to continue as we are.

I thank the Senator.

COAST GUARD BUDGET FOR FISCAL YEAR 1997

Mr. GORTON. Mr. President, with an extensive shoreline in Washington State, the Coast Guard plays an important role in protecting those people who rely on the waters of the Columbia River, Puget Sound, and the Pacific Ocean for commercial and recreational purposes. Whether it is dangerous search and rescue operations, enforcement of existing fishing treaties with Canada, or maintenance of navigational aids, the Coast Guard does its job and it does it well.

For that reason, Mr. President, I included language in the report accompanying the budget resolution that commends the Coast Guard for both its current operations, as well as its efforts to streamline and reduce its overall budget. Under Adm. Robert Kramek's leadership as Commandant of the Coast Guard for the past 3 years, the Coast Guard has reduced its work force by 4,000 positions and lowered its budget by $400 million per year. All of this done without reducing any valuable services to the general public.

In all of the debate over the next 9 months regarding funding for specific programs, I hope that the fiscal year 1997 Coast Guard budget appropriately reflects the efforts being made by Admiral Kramek and all of his staff to provide better government at less cost, while still providing important services to the citizens in Washington State and across the country.

Mr. DOMENICI. I suggest the absence of a quorum just for a few moments until Senator BOND arrives and that it be charged equally.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. GRASSLEY. Madam President, I ask unanimous consent to speak as in morning business.

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

Mr. DOMENICI. How long does the Senator desire to speak?

Mr. GRASSLEY. Ten minutes.

THE MORAL CHARACTER OF CONTENT

Mr. GRASSLEY. Madam President, after 3 years of inaudible policy on drugs, the administration is suddenly trying to find its voice. Naturally, after not having been used for so long on this issue, the voice is a bit rusty and unsteady. For those of us not used to the sound after so long a silence, it is just a little hard to make out the meaning. At the moment, the meaning sounds a lot like a New Year's resolution—full of seasonal promises. It is not too clear just what is being said or how much faith we ought to put in this election-year resolution. It is also not too clear if what is being said bears any relationship to the issue being addressed.

The question is, Is the voice speaking from principle or opportunism? The answer lies in finding clues to see whether we are in the presence of conviction or convenience. Sincerity, after all, is not measured in the volume of one's words or the lofty sentiments with which they are pressed. It is to be gaged by actions that match rhetoric. It is measured not in sound bites or self-serving gestures but in commitments made and promises kept. It is signified by candor and stout-heartedness. It is judged by deeds. It is marked by courage. And it is generally easy to tell the difference between stage-managed courage and the genuine article. The genuine article generally has a past and a future because it is based on substance, on character. Its history is not one of fair-weather friendships and will-o'-the wist obligations. The counterfeit tends to swell on cue and to fade when the audience leaves.

So, as the administration clears its throat on the drug issue, it might be timely to take a look at the content and context of the pronouncements that are likely to ensue. At the moment, the new-found conviction of the President on the drug issue, as I said, looks a lot like a New Year's resolution. It is probably only a coincidence that this new year is also an election year. I hope, however, that the present resolution is a little sturdier than most New Year's declarations—so full of promise and so short on fulfillment. We do have some guideposts to go by to decide whether what we have on the drug issue reflects principle or calculation.

It is no secret to the press or to many in the public that the President is candor-challenged. He has a problem with consistency when it comes to what he says. And much of this fidelity deficit seems to owe a lot to expediency. The question is, Does policy grow from sound foundations or from what sounds good at the moment? It was one of the chief advisers to the President who gave us some insight on this. As Mr. Stephanopolous told us, to this President, words are actions. Just listen to what I say, don't look at what I do—or say tomorrow.

There is something of the magician in this philosophy. It is, after all, essential to the illusionists' art that you be distracted by words from what the hands are up to. Thus, it is possible to have no consistent policy but to claim one. It is possible to have mismanaged foreign affairs and assert the opposite. It is possible to have reneged on a bounty of campaign promises and to call it keeping faith. It is possible to make a virtue of having offered no fiscally responsible budgets while blaming others for the lapse. It is possible to have discovered the drug issue on the eve of an election and then to denounce critics as playing politics. And all of this with an elegant turn of phrase.

But there is more involved here than words. We have actions to guide us, to help us go beyond the sleigh of hand. What do they tell us when it comes to sincerity on fighting drugs? In this case, actions do speak louder than words.

The echoes of the Inauguration balls were hardly over before the President cut the Office of National Drug Control Policy—the Nation's drug czar—by 80 percent. That gesture was not an economy it was a massacre. It would also seem to be a statement about the importance of drug policy in the President's own household. But it was not singular.

The new-car smell of the administration had hardly dissipated when the Nation's chief medical officer, the Surgeon General, suggested we could legalize our way out of the drug problem. The tepid condemnation that followed from the President did nothing to foreclose this line of thinking. In fact, the idea of normalizing drug use has gathered strength in the last few years. But this was not all.

The administration also cut interdiction funding. This controlled shift in the priorities in our interdiction policies produced uncontrolled muddle here and abroad. We may not have scared our enemies with this policy, but we successfully confused our friends and our own people. But the story does not end here.

Along with these actions, the President also abandoned the bully pulpit. This is, perhaps, the truest measure of intent. If there is one thing that the President is able to do, it is to talk. He has a gift for words. We must ask ourselves, knowing this, why the President spoke virtually not at all on the drug issue for 3 years? What does this say about a commitment to the drug issue? In over 1,700 utterances in 1994 alone, illegal drugs were mentioned less than a dozen times. As they say, ''silence is golden.'' This is a silence that speaks volumes. But there's more.

In these years of just say nothing, the nature of our drug problem began to change. Although we still had a hardcore addict population largely resistant to our efforts to treat them, we had made major strides in reducing use, particularly among our young people. Between 1980 and 1992 we had succeeded in reducing so-called casual use by more than 50 percent for all drugs, and over 70 percent for cocaine. We had succeeded in persuading young people that drugs were both dangerous and wrong to use. That is now changing.

Since 1992, teenage drug use has surged. The age of people using drugs has dropped. The belief that drugs are dangerous and wrong has reversed. Popular culture once again abounds in drug glorification messages. The legalization movement is better funded and organized, and has found allies like William Buckley. Much of the media has declared a moratorium on discussing drugs—unless it is to give space to legalization arguments. All of this in 3 years, and all of it with hardly a word from the Nation's leading wizard of words.

If the past is any guide, then, we need to approach the present born-again resolution on drug policy with some questions about its meaning and purpose. In this regard, I was struck by comments in several leading periodicals about the new resolution on drugs coming from the White House this election year. These may give us a hint about the future, about whether the President's new found voice speaks from principle or poetic license.

The Weekly-Standard, a policy journal, recently editorialized that ''Bill Clinton is mostly talk. He enjoys daily political combat and negotiates its demands with rare talent. But he has never been much for actual, week-in, week-out government. Over any given administrative term in his long career, the Clinton record is thickly stained with the evidence both of his personal disengagement and of the ideological inclinations of his loosely supervised appointees.'' The piece further notes, ''So the early months of a Clinton election year always look the same: He mounts a slick and furious propaganda offensive to muddy that evidence, the better to confuse and silence his opponents. What looks bad, Clinton knows, can often be made to look good—if you jabber about it enough.''

If this view is any indication of the depth of the recent pronouncements on drug policy by the President, then we are in the presence of a pretty shallow reservoir. We have words filling in for action. But this was not the only comment on the President's newly found vocabulary on drugs.

A recent piece in the Wall Street Journal noted that ''Bill Clinton's retreat in the drug war is among the

worst sins for which his administration should be held accountable.'' The editorial reminds us that the President didn't inhale. It also reminds us that ''some dozen White House employees, including senior staff, had been 'requested to be part of an individual drug testing program' because of their prior drug history.'' But past indiscretion may be no guide to the future.

The Journal piece, however, touches on something more fundamental. Something that I have talked about before that may be more telling. This involves the character issue. The Journal notes, ''* * * we would like to know exactly why Bill Clinton took a powder on the drugs wars * * *.'' It then adds, ''* * * the heart of our complaint with this President's attitude on drugs has to do with what we would call its character, its moral content.''

It goes on to make the following point: ''Unlike the Reagans, you will never see the Clintons articulating the war on drugs as an essentially moral crusade * * * the Clintons, like the generation of liberal constituencies that they lead, are going to be rhetorically correct, believers in the powers of bureaucratic healing—and nonjudgmental.'' In other words, Clinton is unable to be a leader on this issue because his opinions on the subject have no fixed address. If this is an accurate assessment, then the President's newly found fervor on the drug issue is likely to have moved on by next November. If true, the present commitment will not last much beyond the echo of his pronouncements. It is not based on principle but on opportunism.

There are many more news accounts about the President's election-eve conversion. These provides us with more insight on how we are to judge the present situation. They do not give us a definitive answer. We must judge for ourselves. But there is not much in the past to indicate that strong principle informs the present sincere-sounding rhetoric. It must have content not just context. For the content to be serious, it must be backed up by character. Without principle what confidence can we have in the words? What we need, what we are looking for, is not resolutions but resoluteness. We do not live by words alone. But it seems that words are all we are likely to get.

Madam President, I ask unanimous consent that these news items be printed in the RECORD.

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

[From the Wall Street Journal, May 2, 1996]

WAITING TO EXHALE

Now, in April 1996, with eight months left on a four-year term, Bill Clinton flies the press into Miami so he can be seen standing shoulder to shoulder with General Barry McCaffrey, a decorated war hero he's enlisted to lead a war on drugs. Standing among school children Monday, the President poured his great rhetorical heart onto the drug war. Along the way came these key words: ''Make no mistake about it, this has got to be a bipartisan, American, nonpolitical effort.'' Translation: Don't blame me for this problem, especially during an election campaign.

In fact, Bill Clinton's retreat in the drug war is among the worst sins for which his Administration should be held accountable. After years of decline in drug use, recent surveys make it clear that a younger generation of Americans is again at risk (see the chart nearby). The number of 12-to-17-year-olds using marijuana increased to 2.9 million in 1994 from 1.6 million in 1992. Marijuana use increased 200% among 14-to-15-year-olds during the same period. Since 1992, according to large surveys of high school students, there has been a 52% increase in the number of seniors using drugs monthly. One in three report having used marijuana in the past year. Private anti-drug advocates such as Jim Burke of the Partnership for a Drug Free America and Joe Califano of Columbia University's Center on Addiction and Substance Abuse have been running alongside this drug fire, yelling for help to anyone who'd listen.

Better late than never, of course, and it is good that Mr. Clinton wants to mend his ways with General McCaffrey. We applaud the appointment and think General McCaffrey has sounded many right notes. Legalization, he says, ''is out of the question.''

A quarterly regional analysis put out by his office brings the problem up to date: ''A recent New York State high school survey reports that 12% of New York teens said that they smoked marijuana at least four times a month, double the number in the 1990 survey,'' Discussing ''Emerging Drugs,'' the report notes methamphetamine's popularity in the San Francisco area: ''in addition to its use by young users who combine it with heroin ('a meth speedball') it can also be found in 'biker's coffee,' a combination of methamphetamine and coffee popular among young, fairly affluent urbanites.'' Additionally, the report notes that ''Club drugs, a name which generally includes MDMA, Ketamine, 2c–B, LSD, psilocybin and a range of other hallucinogens, are increasingly mentioned in this quarter.''

These recent events are not a coincidence. The drug retreat was the result of a series of explicit policy decisions by Mr. Clinton and those around him. Which is why we think it is worth focusing on the meaning of his wish that the anti-drug war be ''bipartisan, American, nonpolitical.'' This means that between now and November's election no one is allowed to utter the phrase ''didn't inhale.'' No one is allowed to remember Surgeon General Joycelyn Elders talking about drug legalization, even as her own son was arrested and convicted on drug-sale charges.

Nor should anyone be allowed to bring up White House deputy personnel director Patsy Thomasson's admission to a congressional committee that some dozen White House employees, including senior staff, had been ''requested to be part of an individual drug testing program'' because of their prior drug history. Ms. Thomasson's experience in these drug mop-up duties extends back to her days in Arkansas when she took over the business of Dan Lasater—Little Rock bond dealer, Clinton campaign contributor and friend-of-brother Roger—while Mr. Lasater served prison time for ''social distribution'' of cocaine. This week Mr. Lasater is testifying before the Senate Whitewater Committee, and we assume he will be asked to enlighten the committee about the millions of dollars of mysterious trades that his firm made through an account without the knowledge of the account's owner, Kentucky resident Dennis Patrick.

On matters of pure policy, among Bill Clinton's first acts was to cut spending on the war. The staff of the Office of National Drug Control Policy was cut to 25 from 146. Drug interdiction funds were cut. The number of trafficker aircraft seized by Customs fell to 10 from 37 in FY '93–'95. Drug czar Lee Brown wandered the nation's editorial pages seeking the public support he rarely got from his President. New York Democratic Congressman Charles Rangel announced: ''I really never thought I'd miss Nancy Reagan, but I do.''

Finally, about a year ago, Mr. Clinton received a stinging letter from FBI Director Louis Freeh and DEA director Tom Constantine, charging that the President's anti-drug effort was adrift. So now we have General McCaffrey, who says, ''There is no reason why we can't return America to a 1960s level, pre-Vietnam era level of drug use.''

Sorry, General, but pre-Vietnam America is not coming back. General McCaffrey's current President is a founding member of the generation that transformed America in the years of Vietnam and those that followed. It bequeathed to all of us a culture and ethos of such personal and moral slovenliness that we must now enlist a battle-hardened soldier to save the children of the anti-Vietnam generation from drugs. It is perhaps the most perfect, bitter irony that when these parents now exhort their children to stop using marijuana (of a strain that is significantly more potent than anything they dabbled in), the kids reply: ''Why should we? We're not hurting anyone.''

Basically, we'd very much like to know exactly why Bill Clinton took a powder on the drug wars after he became President. There was in fact a rationale of sorts offered at the time for the change in tone and direction. In contrast to what was thought to be the Republican approach of throwing people in jail for drug offenses, the Clinton approach would emphasize prevention and treatment. There is a case to be made for prevention and treatment, but the heart of our complaint with this President's attitude on drugs has to do with what we would call its character, its moral content.

Unlike the Reagans, you will never see the Clintons articulating the war on drugs as an essentially moral crusade. With its emphasis on treatment and programs and prevention, it is mainly the kind of effort that the sociologist Philip Rieff identified as the triumph of the therapeutic. Rather than the schoolmarmish Nancy Reagan, the Clintons, like the generation of liberal constituencies that they lead, are going to be rhetorically correct, believers in the powers of bureaucratic healing—and nonjudgmental. In their world, no one is ever quite caught for disastrous personal behavior or choices. Instead of absolution, there are explanations.

This, in our opinion, is the real reason the drug war waned when Bill Clinton became President. The message this new President sent to his young, yuppie, MTVish audiences was that he was just too cool to go relentlessly moralistic over something like recreational drugs. Sure he had an anti-drug policy in 1992 and a czar and speeches, but Bill Clinton wasn't going to have any cows over the subject. Surely, the drug-testing White House staff understood that much.

We don't doubt that a lot of people in this country, especially parents of teenaged and pre-teen children, would very much like to rediscover General McCaffrey's pre-Vietnam world of less constant cultural challenge. But the people who turned that culture upside down, making it a daily challenge for parents, have at last been given the chance to run the government. But this death-bed conversion on drugs simply lacks credibility. As much as we applaud General McCaffrey's new offensive, only a triumph of hope over experience could lead anyone to believe it would be sustained past November if Mr.

Clinton and his crowd are returned to the White House.

[From the Weekly Standard, May 13, 1996]

GENERAL CLINTON, LOSING THE DRUG WAR

(By David Tell)

Bill Clinton is mostly talk. He enjoys daily political combat and negotiates its demands with rare talent. But he has never been much for actual, week-in, week-out government. Over any given administrative term in his long career, the Clinton record is thickly stained with the evidence both of his personal disengagement and of the ideological inclinations of his loosely supervised appointees. So the early months of a Clinton election year always look the same: He mounts a slick and furious propaganda offensive to muddy that evidence, the better to confuse and silence his opponents. What looks bad, Clinton knows, can often be made to look good—if you jabber about it enough.

This is your president's brain. And this is your president's brain on drugs: Clinton is justifiably nervous that his credibility gap in the nation's drug war—still a major public preoccupation—might be exploited by Republicans in the fall.

Candidate Clinton didn't inhale. President Clinton's surgeon general, Joycelyn Elders, made repeated pronouncements on the virtues of drug legalization. Before the ink was dry on his presidential oath, Clinton gutted the White House drug office with a two-fold, shabby purpose: satisfying a campaign pledge to trim his staff, and purging a hundred-odd career civil servants whose only sin (shades of Travelgate) was to have worked under a Republican administration. That massacre remains the president's best known drug-war initiative; three years later, he has spent very little time on the effort. ''I've been in Congress for over two decades,'' Democratic Rep. Charles B. Rangel grumped late last year. ''I have never, never, never seen a president who cares less'' about drugs.

So it is now, predictably, ''inoculation'' season, as the Clinton campaign embarks on a weeks-long media tour designed to portray the president as fully and effectively engaged in the war on drugs. Much of it is typical hokum. A talk-show schlockmeister has been recruited to produce anti-drug television commercials; ''Montel Williams's leadership on this crucial effort is inspiring,'' burbles the White House. A Gallup poll on the drug war has been commissioned, as the White House admits without embarrassment, ''to demonstrate thinking which will support our efforts.'' And the president himself—in a spare Miami moment between rounds of golf and multimillion-dollar Democratic fundraisers—has unveiled a ''new'' drugfighting strategy. He is ''working hard in Washington,'' he tells a group of network cameramen and middle-school students. And his work is paying off, since ''every year for the last three years. . . . drug use has dropped.''

We'll come back to this falsehood in a moment. Were the Clinton drug-fighting record purely a matter of Elders-like bloopers and mere inattention, the president's current show of concern—and the debut of his newly minted tough-guy ''drug czar,'' retired army general Barry McCaffrey—might be sufficient protection against GOP election-year complaints. But it really isn't true that Clinton has done ''nothing'' about drugs, as Republicans may want to charge. It's worse, far worse: His administration has engineered the most significant redirection of federal drug policy in several decades. This is a poorly reported story. And an alarming one that begs for informative political debate.

Throughout the 1980s and early 1990s, the federal government pursued what might fairly be described as a ''do everything'' strategy against illegal drugs. Executive-branch agencies conducted crop eradication and criminal investigative efforts in foreign countries. They launched ''interdiction'' programs against smugglers operating in the so-called transit zone between those countries and the United States, and on our borders. They undertood a dizzying variety of law-enforcement, drug-prevention, and rehabilitative-treatment initiatives here at home. It was a richly funded campaign; total federal spending on the drug war rose nearly 700 percent between 1981 and 1992. And it roughly coincided with a more than 50 percent decline in the rate of overall drug use nationwide, from its historical high in 1979 to its subsequent low in the final year of the Bush administration.

There was a standard Democratic critique of government drug policy during this period of Republican presidencies: The executive branch was supposedly placing exaggerated emphasis on efforts to reduce the supply of illegal drugs to American neighborhoods, and shortchanging an equally necessary therapeutic approach to addicts and schoolchldren. The drug war's most visibly warlike aspects—its overseas and interdiction programs—were subjected to particular scron. As the Customs Service was spending millions of dollars to get radar balloons tangled in high-tension electical wires on the Southwest border, the scoffers said, cocaine addicts went homeless and died for want of bed-space in federally funded treatment facilities.

Of course, it is a simple fact that federal law can only be enforced by the federal government, and that effort—G-men and prisons, most obviously—is intrinsically more expensive than even the most lavish education and drug-treatment programs could ever be. And so the federal drug budget will always be heavily weighted toward ''supply reduction'' (and away from ''demand reduction'') activities. Even in a Democratic administration. President Clinton still spends twice as much money on restricting drug supply as on ending demand.

But he is spending it very differently. Democratic hostility to drug-war ''militarism'' is alive and well in the Clinton administration. Under his supervision, the federal government is now conducting an anti-drug effort almost exclusively inside the United States. At our borders and beyond, the drug war has, for the most part, been canceled. By formal White House directive.

In 1993, the administration instituted what is technically called a ''controlled shift'' of federal drug-war assets. Money and personnel devoted to anti-smuggling efforts in the Caribbean, Gulf of Mexico, and on the U.S.-Mexican border were ostensibly redeployed directly to the Latin American countries in which most illegal drugs originate. But that redeployment has never actually occured. The federal drug-budget accounts from which any new Latin American initiative could be funded are 55 percent smaller today than in 1992. The old-fashioned anti-smuggling effort has been ''shifted'' to nowhere. It has been eviscerated.

The result? Coast Guard cocaine and marijuana seizures are down 45 to 90 percent, respectively, since 1991, In 1994, the Customs Service let two million commercial trucks pass through three of the busiest ports-of-entry on the Mexican border without seizing a single kilogram of cocaine. Between 1993 and early 1995, the estimated smuggling ''disruption rate'' achieved by federal drug interdiction agencies fell 53 percent—the equivalent of 84 more metric tons of cocaine and marijuana arriving unimpeded in the United States each year. Drug Enforcement Agency figures suggest that cocaine and heroin are now available on American streets in near-record purity—and at near-record-low retail prices.

Which can only be evidence that the supply of illegal drugs on American streets has significantly expanded on Bill Clinton's watch. Because the only other possible explanation, that the demand for drugs has fallen, is at variance with the facts. The president was sadly mistaken—or, well, he lied—when he told those Miami schoolchildren that American drug use ''has dropped'' every year since he took office. Drug use has steadily risen since 1992, especially among the young. Overall teenage drug use is up 55 percent. Marijuana consumption by teenagers has almost doubled.

This is a pretty striking picture of deliberate government decision-making gone disastrously awry. It's the president's fault. He has proposed nothing to correct it, Gen. McCaffrey and Montel Williams notwithstanding. And he should be called to account. All the president's facile election-year speechifying aside, there are serious differences of personnel and policy that divide this Democratic administration from the Republican administration that would replace it in 1997. Where the drug war is concerned, as in so many other respects, those differences should be clear. They do not flatter President Clinton.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mrs. BOXER. Mr. President, the Senator from Iowa has made a 10-minute attack on the President on an issue dealing with the fight on drugs. I ask that the same courtesy be extended and that I be permitted to speak in morning business for 5 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

THE FIGHT ON DRUGS

Mrs. BOXER. Mr. President, let me say, Mr. President, that it always saddens me when the floor of the U.S. Senate is turned into a place to debate issues regarding the Presidential race. I think it is very important that when things are stated on the floor that are not true, we have an opportunity to respond. I thank the chairman of the Budget Committee for giving me that opportunity.

There is a lot of talk around here about the failure of this President to crack down on the issue of drug enforcement. I want to set the record straight. Federal drug prosecutions are up 13 percent from 1994. Federal prosecutors achieved an 84 percent conviction rate in all drug cases in 1995. So we are beginning to see a change. During the past 3 years, there has been a 9.4 percent increase in prosecutions of the toughest, most complex drug cases. There are now about 48,000 convicted

drug dealers in Federal prisons, three-fifths of the total Federal inmate population, and the highest number in history.

There has been a drug-testing initiative. The President ordered Federal prosecutors to seek drug testing of all people arrested on Federal criminal charges, and is seeking $42 million to fund this initiative in 1997. These tests will help Federal judges determine whether a defendant should be granted bail.

The Justice Department has funded 65 grants, totaling $8.5 million to help communities establish and expand drug courts that help break the cycle of drugs and crime. The 1994 Crime Act authorized $1 billion through the year 2000 to support State and local drug courts.

So, Mr. President, people can come down here and make speeches about our President. But at least have the facts. I think this President, and every President, is entitled to the facts. Who is the President that came up with the idea of putting 100,000 cops on the beat? It was this President of the United States of America, Bill Clinton, who came up with the idea that we need more cops on the beat, because it is prevention to have cops on the beat, it is prevention to have community policing. It is the other side of the aisle that wants to rescind that law providing 100,000 cops on the beat and replace it with a block grant, and who knows where the money will go. We want cops on the beat. We are on our way to getting it done. Which President signed the Violence Against Women Act? I am so proud of that because I worked with Senator JOE BIDEN on it for 5 long years. It was this President. And we are going after violence in domestic situations. We are going after the crime of rape. We are working toward making streets safer. Do we have a long way to go? Of course, we do. This is complicated.

Clearly, if we can get drugs out of society, there will be a decrease in crime. We know there is a definite correlation here. We have a President who understands we need enforcement and understands we need very good people to prosecute these cases. We have a President who has cracked down on the border. I come from California, and we are seeing an entirely different situation down there, with large increases in the Border Patrol, and with the U.S. attorney who has just done wonders with the conviction rate of second-time criminal aliens coming back into this country from Mexico. He has prosecuted more of them in 1 year than the previous 5 years altogether.

So when we come down to this floor and we start to use it as a debate over the Presidential race, I wish we would not do it. But if we do it, let us be honorable about it. Let us be factual about it. This is the President who fought so hard to take prevention, effective prosecution, enforcement, interdiction—take all of those aspects of fighting drugs and putting them into one policy, getting through an effective crime bill, and making sure that in fact we are waging an effective war on drugs. This is the President who understands this issue.

So I want to thank my chairman of the Budget Committee for giving me this opportunity to put into the RECORD what the record truly is. And the fact of the matter is since I have been here all I have heard from many on the other side is a desire to repeal the crime bill, repeal the ban on assault weapons which are used by gangs, repeal the Brady bill which has kept weapons out of the hands of 67,000 people who have had mental health problems in the past. We do not want those people getting guns.

I appreciate this opportunity to correct the record.

Mr. President, I yield the floor.

CONCURRENT RESOLUTION ON THE BUDGET

The Senate continued with the consideration of the concurrent resolution.

Mr. BOND addressed the Chair.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

AMENDMENT NO. 3971 TO AMENDMENT NO. 3965

Mr. BOND. Mr. President, I send an amendment to the desk in the second degree.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Missouri [Mr. BOND] proposes an amendment No. 3971 to amendment numbered 3965.

Mr. BOND. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

In the pending amendment:

On page 30, line 5, decrease the amount by $175,000,000.

On page 30, line 6, decrease the amount by $7,000,000.

On page 30, line 11, decrease the amount by $907,000,000.

On page 30, line 12, decrease the amount by $246,000,000.

On page 30, line 17, decrease the amount by $2,256,000,000.

On page 30, line 18, decrease the amount by $1,920,000,000.

On page 30, line 23, decrease the amount by $3,621,000,000.

On page 30, line 24, decrease the amount by $3,033,000,000.

On page 31, line 4, decrease the amount by $3,302,000,000.

On page 31, line 5, decrease the amount by $3,124,000,000.

On page 31, line 10, decrease the amount by $2,355,000,000.

On page 31, line 11, decrease the amount by $2,187,000,000.

On page 33, line 5, increase the amount by $175,000,000.

On page 33, line 6, increase the amount by $7,000,000.

On page 33, line 12, increase the amount by $907,000,000.

On page 33, line 13, increase the amount by $246,000,000.

On page 33, line 19, increase the amount by $2,256,000,000.

On page 33, line 20, increase the amount by $1,920,000,000.

On page 34, line 1, increase the amount by $3,621,000,000.

On page 34, line 2, increase the amount by $3,033,000,000.

On page 34, line 8, increase the amount by $1,708,000,000.

On page 34, line 9, increase the amount by $1,552,000,000.

On page 40, line 23, increase the amount by $1,594,000,000.

On page 40, line 24, increase the amount by $1,572,000,000.

On page 41, line 5, increase the amount by $2,355,000,000.

On page 41, line 6, increase the amount by $2,187,000,000.

On page 45, line 15, increase the amount by $7,000,000,000.

On page 45, line 16, increase the amount by $10,952,000,000.

On page 47, line 9, increase the amount by $175,000,000.

On page 47, line 11, increase the amount by $7,000,000.

On page 47, line 13, increase the amount by $907,000,000.

On page 47, line 14, increase the amount by $246,000,000.

On page 47, line 16, increase the amount by $2,256,000,000.

On page 47, line 17, increase the amount by $1,920,000,000.

On page 47, line 19, increase the amount by $3,621,000,000.

On page 47, line 20, increase the amount by $3,033,000,000.

On page 47, line 22, increase the amount by $3,302,000,000.

On page 47, line 23, increase the amount by $3,124,000,000.

On page 48, line 2, increase the amount by $2,730,000,000.

On page 48, line 3, increase the amount by $2,623,000,000.

The PRESIDING OFFICER. Under the previous agreement the debate on the Bond amendment is limited to 1 hour.

Mr. BOND. I thank the Chair.

Mr. President, my colleagues, this is a simple amendment. It increases function 700 for veterans by $13 billion over the period of 1997 to 2002, and to pay for that it increases the reconciliation instructions for welfare reform by $13 billion which raises the total number under the President's plan from $39 to $52 billion.

I think it is time that we get back to talking about the budget which is the subject in front of us today. We have just had a very clear-cut indication in this body that people want to talk about a real budget that does not make drastic cuts in the last year. They said it was a bad idea. This is the first good opportunity to vote on the President's proposal to achieve the balanced budget by taking a tremendous whack out of discretionary programs including those items which he cited as his high priorities in the last 2 years.

I am very pleased that our colleagues unanimously on both sides of the aisle said that did not make any sense, and that we should not go at it in a meat ax way. I think we ought to start taking a look at responsible adjustments to try to bring this proposal back into the realm of reality.

The amendment that I have just offered has a series of numbers. Those numbers ensure VA medical care will not be one of the victims of the President's drastic outyear cuts, and it also restores the cuts proposed for the years 1998, 1999, and 2000 before the trigger—before the cap—hits.

My amendment would bring the VA medical care up to what is included in the Senate Republican budget proposal, an almost $13 billion add-on. As I said, it offsets this by asking for greater savings in welfare.

Let me address the second part of that first. After 30 years of ever more expensive and less effective approaches to poverty, last year Congress came up with a plan that we sent to the President which he vetoed which would have reformed welfare in a meaningful way. I think our approach struck a fair balance between the role of the Federal Government in providing a safety net and giving States increased responsibilities. You would have saved $64 billion over 7 years in the process.

Since the creation of Aid to Families with Dependent Children, public aid has been regarded as an entitlement. If you meet the requirements for eligibility, you receive the cash with no strings attached. The current system has been rightly maligned by persons from all walks of life, including researchers, advocates, politicians, and even the recipients themselves. They know the system does not work. The system is impersonal. It is inefficient. It encourages continued dependency.

I am concerned that, if we do not require recipients of public assistance to work, or at least behave responsibly, or take steps to wean themselves from public assistance, our efforts at reform are just going to be another word for more of the same.

Our welfare bill which passed the Senate overwhelmingly on a bipartisan basis had a real work requirement. In that bill, we also permitted States to implement reform ideas without undertaking a lengthy and cumbersome waiver process. States who wanted to require welfare recipients to obtain preventive health care for their children, or to ensure their children stay in school and wish to allow recipients to keep more of their earnings from a part time job—all of them a good idea—now have to go through a waiver process from HHS. It is costly, time consuming, and silly.

I have addressed before a silly problem that came up in Sedalia, MO. You have heard me talk about this on previous occasions. But this is the example of what the Federal law, as it now stands, does not permit States to do. The State of Missouri working through their local family services office and the employers in the area decided in Sedalia, MO, to try a pilot program to get people jobs in an expanding new industry in town. People seeking food stamp assistance were sent, if they were able bodied, to the employer for job interviews. If they were offered a job then they got off the need for food stamps. If they refused to show up, or if they were offered a job and refused it, then the State could sanction them, and did not have to give them food stamps. There was a real incentive for these people to make an effort to get work. A lot of them did get work. Some of them did not like the work that was offered. They went out and took another job. That is fine.

A lot of people in that community who had been depending upon public assistance went back on the work rolls. Two of the people, however, who were sent to the employer they failed the employer's mandatory drug test. When they went back to the State the State could not cut them off of welfare, or food stamps in this instance, because they had failed a drug test. And the State wants a waiver. The State said this is crazy. And they are right. If we want to get people off of welfare and to work, and we prohibit States from saying, ''If you cannot get a job because you failed the drug test, then we will pull you off the welfare rolls. We will not give you assistance.'' That means, if somebody wants to stay on public assistance and get food stamps, or welfare, all they have to do is take drugs. What a perverse incentive.

The State has been battling to get a waiver. My view is the States should not have to get a waiver. The States ought to be permitted to make those commonsense determinations and see what works.

The current system that President Clinton is defending by his vetoes keeps those nonsensical requirements in place.

Where States, despite the best efforts of the Clinton administration to keep control, have been able to implement significant reforms the results have been astounding. Welfare caseloads have dropped to 25 percent from 30 percent in some States including Massachusetts, Indiana, and Michigan. That is why we are here. More families are able to obtain self-sufficiency which has the added benefit of saving the Federal Government money.

As I pointed out, the welfare reform plan that we sent to the President which he vetoed would have saved $64.1 billion over 7 years. In this amendment before us I am proposing that we save $53 billion in welfare programs so that we can keep a promise we made to our Nation's veterans who risked their lives for us that they would always have health care.

This, I would think, is not an unrealistic number. The Senate Budget Committee plan calls for $54 billion in welfare savings. Some of the savings would be achieved in the Supplemental Security Income Program, which, as the fastest growing entitlement, desperately needs reform. We can make these savings by reforming the programs and returning them to the States for them to administer, thereby eliminating huge Federal bureaucracies.

I think the people of America want to see us get serious about welfare reform. If you believe what the President says—he says we want to change welfare as we know it—I think it is time we did what the people want and the President says rather than rely on the President's veto to keep the status quo.

Now, what this will do on the other side, for the Veterans' Administration patients, is to ensure that when they need health care they are not going to be denied. The people who are served in Veterans' Administration facilities around the country are the ones who have been injured in combat overseas and/or those who are medically indigent.

This is where they are cared for—in all of these locations. These are 170 Veterans' Administration facilities across the Nation. Last year, my colleagues on the other side of the aisle said that we could not have a flatline of spending in veterans affairs because it would result in closure of four of those hospitals. Frankly, there are savings that can be made in the Veterans' Administration, and I think that those savings are being pursued in the health care area by Dr. Ken Kizer and others. But there is no way that an almost 25-percent cut, $12.9 billion, can do anything but devastate the program. Millions of veterans will not be served. At least a quarter of these hospitals and veterans facilities will have to be shut.

Pick a State, any State. As I mentioned earlier, some of the major States like California would probably have to have three or four closures. My home State of Missouri would have to have at least one closure. All of the States with veterans facilities would be faced with losing some of those facilities, as well as service to many of their most needy people.

Massachusetts would lose at least one; Washington, at least one; Texas, two; Pennsylvania, two, probably three; Illinois, with six facilities, one or two; and Florida, the same position, at least one or two. I do not think that is acceptable. When we asked the Secretary of Veterans Affairs, who came before our committee, to comment on these proposals, he said he could not live with that scenario.

He did not like our scenario, which was a flatline, but I believe they can live with that. But he sure cannot live with a scenario that takes a tremendous whack out of the budget and, beginning after 1997, takes funding for the Veterans' Administration in a precipitous decline. That is why I think we need to have a realistic budget. It is time that we started talking honestly about what our needs are going to be in the future.

We are joined in this concern by a number of organizations which have expressed their grave concern over this. The Independent Budget, a group comprised of Amvets, Disabled Veterans, Paralyzed Veterans of America, Veterans of Foreign Wars of the United

States, wrote to Secretary Jesse Brown on May 14, 1996, which I will submit. I received a copy. My colleagues, chairs, and ranking members of the VA-HUD Appropriations Committee, received it. I will cite to you just the middle paragraph of the letter. It says:

Our Nation's sick and disabled veterans deserve a viable health care system devoted to them and their special health care needs. Many of us have opposed budget plans brought up in Congress because we believe they call into question the continued existence of such a health care system. President Clinton's 7-year balanced budget proposal does not provide the funding necessary to meet these needs. This is true in view of the fact that we have yet to witness true VA health care eligibility reform.

I send that letter to the desk and ask unanimous consent that it be printed in the RECORD.

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

THE INDEPENDENT BUDGET,
Washington, DC, May 14, 1996.

Hon. JESSE BROWN,
Secretary of Veterans Affairs, Department of Veterans Affairs, Washington, DC.

DEAR SECRETARY BROWN: On behalf of AMVETS, Disabled American Veterans, Paralyzed Veterans of America, and Veterans of Foreign Wars, the collective authors of the Independent Budget for the Department of Veterans Affairs, we are writing to inform you of our concern over President Clinton's seven year budget plan as it relates to the Department of Veterans Affairs' (VA) medical care.

Our nation's sick and disabled veterans deserve a viable health care system devoted to them and their special health care needs. Many of us have opposed budget plans brought up in Congress because we believed that they called into question the continued existence of such a health care system. President Clinton's seven year balanced budget proposal does not provide the funding necessary to meet these needs. This is true in view of the fact that we have yet to witness true VA health care eligibility reform.

We all are aware that we live in fiscally constrained times, and we all support taking steps to continue on the path of deficit reduction. But we cannot, and must not, set budgetary targets for VA medical care that are unrealistic and which are not a clear response to the problems faced by the VA, and the many veterans who rely upon the system. When budget plans do not reflect the true needs of the VA medical system, we will oppose them, and call on others to oppose them.

Sincerely,

KENNETH WOLFORD,
National Commander, AMVETS.

RICHARD GRANT,
National President, Paralyzed Veterans of America.

THOMAS A. MCMASTERS III,
National Commander, Disabled American Veterans.

PAUL A. SPERA,
Commander-in-Chief, Veterans of Foreign Wars.

Mr. BOND. I also would note that the American Legion, in a letter to me dated May 10, 1996, states:

After reviewing President's Clinton's FY '97 budget proposal for the Department of Veterans Affairs, the American Legion is deeply disturbed with the outyear funding levels recommended.

They conclude by saying:

The American Legion strongly believes there are acceptable alternatives Congress should seriously consider before turning its back on American veterans and their families.

Mr. President, that is simply what is at issue here. Are we going to turn our backs on veterans, or are we going to make some responsible choices and say it is time to get serious about welfare reform and make sure we put people to work and use some of the funds that we save to ensure that we care for our Nation's veterans, the elderly, the sick, the war-injured, the medically indigent who need our help and care.

Mr. WELLSTONE. Will the Senator yield.

Mr. BOND. I will be happy to yield. I relinquish my time, and I will be happy to yield the time on the other side.

Mr. WELLSTONE. I came over to speak on the budget, and I just came out on the floor, and I apologize to my colleague. But if I understand the context, could I ask the Senator, first of all, exactly what cuts are being made in the welfare area? Is this food stamps? Is this the Supplemental Security Income Program? Where exactly are you proposing to make these cuts?

Mr. BOND. I say to my friend, we are proposing in the reconciliation numbers, if you will look at the copy of the amendment, which is not very descriptive unless you have the whole document with you, and I assure him that these change the numbers for reconciliation so that in the reconciliation process——

Mr. WELLSTONE. Is this in food stamps?

Mr. BOND. The Finance Committee will have to make the changes to come up with the numbers which show the actual reforms made. We, on the Budget Committee, cannot make those reforms. The Finance Committee has to make those reforms. This will give them the same directions that the current Budget Committee report, now on the Senate floor, makes.

Mr. WELLSTONE. Is the Senator prepared to say that there would not be reductions in, for example, the food stamps or the Supplemental Security Income Program, or does the Senator believe there will be deductions in order to make the target?

Mr. BOND. We are not saying, Mr. President, exactly what the outlines of this welfare reform proposal will be. The Finance Committee has previously presented welfare reform proposals. We presented and adopted in this body a measure taking $64 billion out of welfare. It was included in the Balanced Budget Act. I would expect that the beginning point would be that point, and if Members wish to change that measure, they can even reduce that by some $10 billion and still achieve the savings that are necessary.

Mr. WELLSTONE. If the Senator will yield, the Senator is saying now in the Chamber—just a couple of other questions—that, in fact, there would not be cuts in the Supplemental Security Income and Food Stamp Programs? Because the Senate has gone on record in voting on the proposition I introduced that we would not take any action which would create more hunger among children.

The Food Stamp Program is a major safety net program. Is the Senator prepared to say that we are not going to be taking any action by this offset that would create more hunger among children?

Mr. BOND. This offset is not designed to create hunger among children. I would point out to my colleague from Minnesota that if he were here earlier, he would have seen the drastic slashes that the President's budget proposes in the feeding program for women, infants, and children. This is a program devoted to providing vitally needed nutrition.

Mr. DOMENICI. Will the Senator yield?

Mr. WELLSTONE. Mr. President——

Mr. BOND. Since the Senator from——

Mr. WELLSTONE. I did not ask about WIC.

Mr. BOND. Let me show this chart.

The PRESIDING OFFICER. The Senator from Missouri has the floor.

Mr. BOND. This is the President's proposed spending on women, infants, and children. This drops off the cliff. We propose to continue to fund it.

Mr. DOMENICI. Will my colleague yield?

Mr. WELLSTONE. Mr. President, on the question, could I ask——

Mr. BOND. Mr. President, I appreciate the questions, I say to the Senator from Minnesota. I have been asked for my attention by the Senator from New Mexico.

Mr. DOMENICI. Could I ask a question? We had a debate for about an hour and a half about this trigger idea. Lo and behold, we found the position of the Democrats is this budget does not have any trigger in it. You know, the trigger was the President's way of getting to a balanced budget when he did not have a balanced budget. So they have suggested they do not have a trigger.

But I say to my very good friend, sitting over in a little category called function 920, allowances, is $68 billion in budget cuts. So that was the trigger under the President's budget which permitted him to say, ''We are not cutting anything. It is those bad Republicans who are cutting everything, including veterans.''

Now the cat is out of the bag. Your budget, the President's budget as submitted by the Democrats—which they are going to vote for, I understand, willingly—it says to get to balance we really have to cut a lot of things we have not told anybody about yet. Right?

Mr. BOND. This is correct.

Mr. DOMENICI. This is the Oscar for fiction that I described: We do not have

to cut anything except that big bunch of money that is there. You are suggesting that even cuts more than Republicans expected to cut in our budget, and on veterans you have shown what it does. Is that correct?

Mr. BOND. That is correct, the cuts in veterans are absolutely devastating and would result in closing at least one-quarter of all veterans facilities. To me that is totally unacceptable.

Mr. DOMENICI. I want to just make one last observation and a question. The amount of money that you say should be taken out of welfare in the President's budget, Senator WELLSTONE wants to know details. As a matter of fact, is it not true that the bipartisan welfare bill which passed the Senate with 87 votes cuts more in welfare, and had 87 votes, Democrats and Republicans, than the final product even when you take the additional amount out? Is that not correct?

Mr. BOND. That is correct.

Mr. DOMENICI. I thank the Senator.

Mr. WELLSTONE. Could I ask one more question?

Mr. BOND. If this has been on our time, I need to reserve the time. I will be happy to respond, if there are further discussions, on time on the other side. But I wish to yield the floor. I will be happy to listen to my colleagues.

Mr. EXON. How much time does the Senator need, I say to the Senator from Minnesota?

Mr. WELLSTONE. How much time is left?

Mr. EXON. How much time do you need?

Mr. WELLSTONE. All the time that is left.

Mr. EXON. I yield 3 minutes to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for up to 3 minutes.

Mr. WELLSTONE. I thank my colleague.

Mr. President, I actually came out to talk about the President's budget versus the Republican budget, but I will say to my colleague from Nebraska I will do that later on.

I did want to, in responding to this amendment, just say to my colleague from Missouri, I have not really sorted out the whole amendment, but I did want him and my good friend from New Mexico to know that, as a matter of fact, the Office of Management and Budget came out with a report saying that that welfare reform bill that passed would, in fact, lead to more poverty among well over 1 million children. So, before we start talking about all these cuts, it would be helpful to know exactly where you intend to make the cuts and what impact it is going to have on the most vulnerable citizens in this country. It is true they do not have lobbyists outside. It is true they are not the heavy hitters. It is true that they are not the big players. But I think we ought to be careful. Again, I have to look at the specifics. But I never did hear a response to my question as to what impact this would have on what has been a major food and nutrition program.

My second point is it is my understanding from talking to the Secretary of Veterans Affairs, Jesse Brown, that the agreement with the President on the outyears is that each year this will, in fact, be negotiated. The interesting thing is that many of us fought against the last Republican budget which did have the reductions which we thought violated a contract with veterans. As a matter of fact, the President held very strong on that issue.

What I find interesting when I hear my colleague from Missouri talking about veterans is I know what I have been trying to push, which is what I hear from the veterans community, which is health care eligibility reform, which would make a huge difference. So I wonder why it is that all of a sudden we have this amendment out here on the floor when in fact it is not clear exactly who is going to be cut. I cannot get an answer to my question how it is going to affect children in this country.

In addition, what has been left out, from what I heard from my colleague from Missouri, is the very clear understanding between the Secretary of Veterans Affairs, who has been a huge advocate for veterans, and the President, is that of course there will always be negotiation when it comes to the out years because we all know that we take a look at this year by year with a very strong commitment to veterans.

So I take rather serious exception as to whether or not the President has been hanging in there strong for the veterans community versus the Republican budgets that we have had before us.

I say to my good friend from Nebraska, I will not take any more time now. Later on I hope I will have a chance to talk about this budget in overall terms, but I gather we do not have time on this amendment.

The PRESIDING OFFICER. Who yields time? The Senator from Nebraska is recognized.

Mr. EXON. Mr. President, I hope the manager of the bill, the chairman of the committee, could be present because I would like to straighten some things out. We had made an earlier agreement that we would move back and forth.

I thank my friend, the chairman of the committee, for being on the floor.

We made an arrangement. Good-faith arrangements are something this Senator has always lived up to in 18 years in the U.S. Senate. I was to offer the next amendment. I could not do so since the Senator from Iowa was on the floor, got the floor, and was talking as in morning business for 5 minutes. It went on way beyond that.

In the meantime, I have been working diligently with the chairman of the committee to try to work out the increasing number of amendments that are coming forth. We had discussed this, either off or on the floor. There were private discussions going on in good faith, I thought, with Chairman DOMENICI and myself, as ranking member. I went in to visit, to try to work that out and accommodate everyone. I came back out to find that the Senator from Missouri, probably unknowingly, broke the arrangement. The Senator from Nebraska had been faithfully waiting to offer the next amendment and I thought my prerogative would have been protected, as is customary in this body.

I ask the chairman of the committee whether or not it is true that the Senator from Nebraska was to be next recognized to offer an amendment, under the previous agreement?

Mr. DOMENICI. Mr. President, I say to the Senator, I am quite certain that somewhere in the record it will reflect we were going to your side after we had finished our last amendment.

I do not think we should cast any aspersions on Senator BOND. He came to the floor. Nothing was going on. He was unaware of this. We had been running him down at committee hearings to try to get him here. Frankly, when he first arrived, I told him to sit down and rest, he had hurried over here with such enthusiasm. He is not the great athlete he was 20 years ago. I should not say that. Obviously, he still is.

But what would the Senator like? He will finish his and you have one? It was not ready a while ago, but your staff told me it is ready. Would you like to offer yours and then what? Vote on yours first?

Mr. EXON. What I was hopeful of is that I would offer my amendment, we would have a vote on that, then go on to your amendments and proceed in the usual fashion. That is what I would like to have done. But it seems to me now you have used up considerable time on the time that you had. Is that right, I ask the Senator from Missouri?

Mr. DOMENICI. Mr. President, how much time has the Senator used?

The PRESIDING OFFICER. The Senator from Missouri has 11 minutes remaining. The Senator from Nebraska has 21 minutes remaining.

Mr. DOMENICI. On the Bond amendment.

Mr. EXON. I simply say what I would like, and I would like to work our way out of this situation—the Senator from Nebraska was expecting to be recognized to offer an amendment, and I would like to have had a vote on that. Then you would go back to your side, and I assume the Senator from Missouri would be next in line?

Somehow we got out of whack. My knowledge of the Senator from Missouri is that he has always been a very fair and articulate person. Maybe he came in here and maybe staff ignored him, maybe staff did not tell him what the proper procedures were and he went ahead. Whatever the situation is, the agreement that we have and entered into has been violated, and I think it is

up to the chairman to say how he wants to straighten it out.

Mr. DOMENICI. I do not want anybody to have this idea that anybody violated anything.

Mr. EXON. That was the result.

Mr. DOMENICI. I propose that we fix it this way: Whatever time is left on this amendment, we complete the amendment. We set it aside, and Senator EXON proceed with his amendment for whatever amount of time you want. When you are finished, we will vote in sequence, voting on your amendment first, but we will do them together so Senators will come down and vote twice, vote on yours first, and then Senator BOND's amendment second.

Mr. EXON. If I understand you correctly, you are suggesting that we finish the debate with the allotted time——

Mr. DOMENICI. Yes.

Mr. EXON. Then allow me to come in and have whatever time I need that can be agreed to, then we will vote on my amendment first and his second, to get back on the right course.

I have no objection to that, and I say to my friend from Minnesota, if he needs additional time, I will be glad to yield. The reason I did not yield unlimited amounts of time before was because I thought it was important that we get straightened out the violation of what I thought was the agreement. Now that we have done that, I yield——

Mr. DOMENICI. Let me get a unanimous-consent agreement on this so nobody will be objecting.

I ask unanimous consent that when the time has expired or yielded back on the Bond amendment, that it be set aside temporarily for the purpose of permitting Senator EXON to offer an amendment; that when the time has expired on the Exon amendment or yielded back, that we will vote on the Exon amendment or in relation thereto first, to be followed by a vote on Senator BOND's amendment, and I also ask at this point that the second vote be a 10-minute vote, since the Senators will be here.

The PRESIDING OFFICER. Is there objection?

Mr. EXON. May I suggest one other extension? Maybe we do not have to have a unanimous-consent agreement on this because we generally go with a gentlemen's agreement. Our side would offer the first amendment after the two votes; is that correct?

Mr. DOMENICI. By agreement, that is the way we are doing it. I do not know we should put it in the consent. I do not intend to violate the agreement.

Mr. BOND. First, I was going to ask for the yeas and nays.

Mr. DOMENICI. Let us get the unanimous-consent agreement.

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

Mr. EXON. Mr. President, just so I understand, so we do not have another disagreement, the agreement that we have gone back to, to recognize the agreed-to procedure, that the Senator from Nebraska will go next—I will do that—then we will have the vote on my amendment, then we will vote on the amendment from the Senator from Missouri. After we finish the second vote, then it will be a Democratic amendment up at that time?

Mr. DOMENICI. That is correct.

Mr. BOND addressed the Chair.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. BOND. Mr. President, I think we have kicked this one along and around far enough. I am very happy that we have reached an accommodation where we will finish debate on this and then we will set it aside to go to Senator EXON's amendment.

To set the record straight, I was called out of a hearing that I was chairing because it was envisioned that I would offer an amendment at 3 o'clock. I came to the floor. There was a quorum call, and then the Senator from California was speaking. When she concluded, there was no one else around, and I offered an amendment. I figured that we might get on to the business of the Budget Act.

I apologize for preempting the Senator from Nebraska, but I trust that everyone is happy now, that his vote will be ahead of ours, and I yield the floor.

The PRESIDING OFFICER. Who yields time? The Senator from Nebraska.

Mr. EXON. May I ask my friend from Minnesota, we may have some other speakers on this amendment, you sought additional time. We have 21 minutes?

The PRESIDING OFFICER. The Senator from Nebraska has 17 minutes remaining.

Mr. EXON. Can I yield 7 minutes, will that be adequate?

Mr. WELLSTONE. That will be fine.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 7 minutes.

Mr. WELLSTONE. Mr. President, I thank my colleague from Nebraska.

I want to respond to some of the comments of my colleagues on the other side, from Missouri and New Mexico, about the President's overall budget, what has been presented by my Republican colleagues.

I will say that as I look at the Republican's plan, I really do not quite understand what I think is a real disconnect with the people we represent, because as I look at this plan over a 6-year period of time, I see the same too deep of reductions in both Medicare and medical assistance.

Just to talk about this from a Minnesota perspective, I want to make it very clear that in my State, we are the skinny kids on the block. We have kept our costs down. We do not have the same fat in our system and, therefore, the effects of these cuts would, in fact, do harm to the quality of care for elderly people within our State. I am talking specifically about Medicare.

Some of the changes that the Republicans have made in their plan now put even more of an emphasis on the reimbursement to the providers. But in greater Minnesota, Mr. President, as high as 60 percent of the patient payment mix for some of our rural hospitals is Medicare, already below the cost of delivering care.

So I will say what I have said many times on the floor of the Senate in this debate, the numbers cannot drive the policy. The policy has to drive the numbers. This is a rush to recklessness. It will not work for Minnesota and, therefore, I hope that it will be rejected, and I know that people in Minnesota will reject it.

Mr. President, on the medical assistance, I will just say, again, to my colleagues, you have chosen to target some of the citizens who are the most vulnerable in America. In the State of Minnesota, 60 percent of medical assistance, which is what we call it in Minnesota as opposed to Medicaid, goes to people in nursing homes. I ask my colleagues, why do we want to make cuts there?

We have about 300,000 children in my State who receive medical assistance. It is the best safety net program in our State to make sure that children receive health care. Why do we want to cut there?

Then, Mr. President, I see another disconnect. I say to my colleagues here—I see the Senator from California—it was not more than about 2 months ago I had an amendment on the floor. We received 84 votes for it where we restored the funding that had been cut in title I, school to work, safe and drug-free schools, Head Start, and all the rest. Now I see similar kinds of cuts in education and job training.

The cuts proposed in the Republican budget are too extreme, they are too harsh, they are shortsighted, they go beyond the goodness of Minnesotans, they go beyond the goodness of America, and they should be rejected.

Mr. President, then I look to the higher education. I am going to have an amendment out on the floor. It is an amendment Democrats are going to offer, and we will have a vote on it. I will say to my colleagues, once you go beyond the tax credits that go to children and families, anything else you have left over in your budget should go to tax deductions to pay for higher education.

Mr. President, I do not see tax cuts that flow disproportionately to higher income people. I think we ought to reinvest it in education. If you want to talk about a middle-class issue, talk about making sure higher educational is affordable.

Mr. President, I have said it before, at least in committee—I will say it on the floor of the Senate today—I do not think some of my colleagues with their proposed cuts, again, in higher education, understand the squeeze that students and their families feel.

We have students in Minnesota that sell plasma at the beginning of the semester to buy textbooks. We have students in Minnesota working at two or three minimum-wage jobs—it would help if we raised the minimum wage—while going to school. Therefore, it takes them 6 years. We have students in Minnesota no longer 19 living in the dorms. They are older. They have families. They are trying to afford the education to get back on their feet, to be able to obtain decent employment.

I am going to have an amendment out on the floor that will hold all of us accountable and see who is committed to making sure there is affordable higher education.

Mr. President, I want to mention two other amendments that I am going to introduce, one of them which speaks to the question I raised for my colleague from Missouri, by the way, who I think is a great chair of the Small Business Committee. I think we are good friends. We do not always agree on issues.

But I am going to have this time a recorded vote, because I had an amendment at the beginning of this Congress. I could see it coming, that it was the sense of the Senate that we would not take any action that would create more hunger or homelessness for children. And I lost. People voted against that amendment.

The third time around it was voice voted for approval. I wish I had not done that because I think it was dropped in the conference committee, as I remember. As I look at some of these proposed reductions, I see the same kind of action taken.

So this time I am going to have a recorded vote where we go on record that we will not pass any legislation that could create more hunger or homelessness among children; and if in fact the result of some of these cuts is to do just that, then the next year we will revisit the action that we have taken. It is important that the Senate go on record this time with a recorded vote.

Finally, Mr. President, I want to say to my colleagues, we went through the battle on the COPS Program, community policing, and we made sure that it was not block granted. We made sure that there was a focus on community police. I could brag for the next 24 hours, and I only have probably 2 minutes—I ask unanimous consent that I have 2 more minutes.

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

Mr. WELLSTONE. About some of the work of the police chiefs and sheriffs in Minnesota and the men and women in law enforcement; very creative work to reduce violence in homes, very creative work with some of the kids, at risk kids, some of the kids that have the most trouble in schools, very creative work in some of the neighborhoods and some of the cities, but a program that has been extremely effective in metropolitan Minnesota and greater Minnesota.

I think I may come out with an amendment that makes sure that we in fact have the funding this next year for that program and make a commitment over the 6-year period.

Finally, Mr. President, let me just say that on the President's budget I do not find everything in there to be perfect. I think there is too much for the Pentagon. I think there is too much by way of tax cuts.

If I had my way—but I could never get my colleagues to vote for this; in fact I could not get quite a few Democrats to vote for it; I hardly got any support among Republicans. I want one more time on the floor of the Senate, with 1 minute left, to shout it from the mountaintop.

Why are you so anxious to cut educational opportunities for children, and job training, and not adequately fund community police, but you are more than willing to give away the wasteful subsidies to the pharmaceutical companies, to the oil companies, to the tobacco companies, et cetera, et cetera, et cetera?

Where is the Minnesota standard of fairness? What we have here, with the Republican proposal, is deficit reduction, a balanced budget, one more time, based on the path of least political resistance. You have your deepest cuts that affect those citizens who have the least amount of political clout. And when it comes to the big players, and the heavy hitters, and all the wasteful subsidies that go to so many of these large corporations, you hardly touch it. You hardly touch it. It is not credible. It is too extreme. And it should be defeated.

The PRESIDING OFFICER. Who yields time?

Mr. LOTT. Mr. President, would the distinguished Senator from Missouri yield me 2 minutes for a brief statement?

Mr. BOND. Yes.

The PRESIDING OFFICER. The assistant majority leader is recognized.

THE DEATH OF ADMIRAL BOORDA

Mr. LOTT. Mr. President, I take just a few minutes now to advise the Senate that I have just learned of the tragic death of Adm. Mike Boorda, the Chief of Naval Operations.

Since many of us were close personal friends with Admiral Boorda, and have dealt with him on a very close basis, I will take a moment to offer our prayers and very best thoughts to his family.

Admiral Boorda has been a model for our country. He rose through the enlisted ranks to become the leader of our Navy through hard work and perseverance. He was what is known in the Navy as a Mustang. He went in just as an enlisted sailor. He became the Chief of Naval Operations. Along the way, he was a surface warfare officer, and he commanded the U.S.S. *Farragut*, Destroyer Squadron 22, Cruiser-Destroyer Group 8, and Battle Force Sixth Fleet.

Most of us first saw the bright, intelligent and personable style of Admiral Boorda when he took over as Chief of Naval Personnel in August 1988. In 1991 he received his fourth star and became the commander in chief, U.S. Naval Forces, Europe. As CINCSOUTH, Admiral Boorda was in command of all NATO forces engaged in operations enforcing U.N. sanctions against the warring factions in the former Republic of Yugoslavia. On April 23, 1994, Admiral Boorda became the 25th Chief of Naval Operations.

Over the years, as a member of the Armed Services Committee, I have known many naval officers, and I have known, since being a Member of Congress, many Chiefs of Naval Operations. I have never known one better than Mike Boorda. The men and women of the Navy loved him.

I know my colleagues join me in remembering Admiral Boorda and expressing our deepest sympathies to his family. I yield the floor, Mr. President.

Mr. EXON. Mr. President, I ask unanimous consent that before the whip leaves that I may just say a word or two and ask a question of him.

We have had a lot of shocking developments around this place, but none has shocked me more than the statement he just made.

Admiral Boorda was a truly outstanding man, a great friend of mine. In fact, the last time that I saw him was just a few weeks ago. And he stopped in my office, without any notice whatsoever, and he said that ''I have nothing on my mind at all except to thank you for all the help that you have been over the years to the U.S. Navy.'' That is the kind of person he was.

Do you have any details at all on this? This had to be a very sudden affair. Do you know what caused his death? Could you explain a little bit?

Mr. LOTT. We do not know all the details, only what is being reported on CNN and through the Naval Congressional Liaison Office. I understand it was an accident of some sort of gunshot wound, that he perhaps went home at lunch, and this bullet wound was inflicted during that lunch period. And he had been discovered in the last couple of hours. I do not know any details other than that.

Mr. EXON. I thank my friend.

Mr. STEVENS. Will the Senator yield to me?

Mr. EXON. I will be glad to yield to the Senator from Alaska on the same basis.

Mr. STEVENS. Mr. President, I have come to the floor in a state of shock. Adm. Mike Boorda, a personal friend, traveled with me to my home State this year. I have spent many times with him in my office and in his office.

We will say a lot about him later, but Mike Boorda was the first Chief of Naval Operations to have been a walk-in enlistee. He was an enlisted man who worked his way through the Navy to the highest position in the Navy, as the CNO and Chief of Staff.

I really say to the Senate that this is a great loss. He suffered the loss of his father this year, very dramatic for Mike Boorda. And we talked a lot about that. But I hope that this is something that we can find a way to deal with very quickly because he is going to be sorely missed in this mix of our national defenses.

I think that from what I have heard, what the assistant majority leader just said, that we are in a different circumstance now. This is hard for us to take for certain what we have heard, which I hope is not true. It is a very difficult situation.

Mike Boorda I think was one of the bright stars of our military system today as it stands and is responsible for a lot of the initiatives that would have brought the Navy back to its prominence of days gone by. So I am really sad to be here.

I am pleased you have made the announcement, Senator LOTT. But that it is a most disturbing development is all I can tell the Senate, very disturbing.

Mr. BOND addressed the Chair.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I also had the privilege, just several months ago, to be traveling with Admiral Boorda, and a couple weeks ago visited with him in my office again.

He was truly an outstanding person, had great ability and great dedication to this country, and was more than willing to make any kind of contributions he could. All we can say is that our thoughts and our prayers are with his family and loved ones. And it is with deep, deep sorrow and shock that we receive this news.

Mr. EXON. Mr. President, suffice it to say I still have not recovered from the shock. I find myself in one of those positions that maybe we have all found ourselves in sometimes, having some kind of a bad dream but you know it will all turn out right and you will wake up. I am asking myself, am I having a dream? Obviously, I am not. This is a terrible, terrible shock. I simply want to join the others in wishing the best to the family. Our prayers are with all of them during these very, very difficult times.

Mrs. BOXER. Mr. President, I add my words of condolences. My memory of Admiral Boorda is coming to a meeting with women Senators with a number of other leaders from the military and being so concerned about making sure that this military moves forward in a way that is fair to women as well as to men. I will always remember that meeting.

Mrs. HUTCHISON. Mr. President, as a member of the Armed Services Committee, I was here when Admiral Boorda was first announced as the Chief of Naval Operations, the first man to come up through the ranks to become the Chief. I worked with him then on a variety of issues, but especially on his mind was the aftermath of Tailhook. As the only woman on the Armed Services Committee, we had a chance to sit down and talk about what had happened and what could be done to get the Navy going in the right direction.

The Navy is very special to me because it is the service that my husband chose during the Korean war. I love the Navy, and Mike Boorda loved the Navy.

I want to say that I thought he did as much as any human being could do to be in charge of a service during the downsizing time, which everyone knew had to be done. He did it in a way that would plan for the future, to make sure that the strategic part of what the Navy does for our national defense and our security were strong. Yet, he had the compassionate side that worried very much about sexual harassment. He wanted to make sure that he instilled in the men and women that he served as their leader, that, in fact, the value system that was instilled in the men and women of the Navy was the most important part of their service. He did everything a human being could do to instill that value system in them. Every time a problem arose, I would talk to Mike Boorda and he would be showing concern and saying, ''What more can we do?''

I think that he was a fine leader. I am stunned, as every one of us is, that we have lost this fine leader. I hope that his memory will be served as the person who was a man of his word, who served his country well, and who had the respect of everyone that met or touched his life. I yield the floor.

CONCURRENT RESOLUTION ON THE BUDGET

The Senate continued with the consideration of the concurrent resolution.

AMENDMENT NO. 3971

Mr. EXON. Mr. President, how much time is remaining on each side of the amendment offered by the Senator from Missouri?

The PRESIDING OFFICER. The Senator from Nebraska is advised each side has approximately 8 minutes remaining.

Mr. EXON. Mr. President, I yield 4 minutes to the Senator from California.

Mrs. BOXER. I thank my friend for yielding.

Mr. President, I have a heavy heart about this amendment, because I think if we do anything on this floor we should cross party lines and honor the children of this country.

What this amendment will do is hurt the children of this country and hurt them badly. We know that right now one in five children in America lives in poverty. Yet, this amendment would turn these children against the veterans in this country. That is not what we should be doing.

The fact is, we are talking here about assistance to disabled children. We ought to think about what I mean when I say a disabled child. We are talking about a child with cerebral palsy. We are talking about a child with spina bifida. We are talking about a child with heart problems. We are talking about children who are so vulnerable they cannot even get up in the morning without assistance. And we are going to cut from their sustenance? I do not know how we do that.

The irony about this amendment, it does not increase the caps on discretionary spending. So even if we vote for this, the chances that veterans will get more are not very good.

I think I really have to say there is something that I think my friend from Missouri is missing in his amendment. Maybe he does not realize that half a million veterans are on welfare. Half a million veterans are on welfare. So when he cuts welfare to give to veterans, he forgets that half a million veterans are going to get hurt by this. We know who they are— veterans who just cannot make it back, who were suffering from disabling diseases, be they physical or mental, half a million of whom are on welfare, some form of welfare. So we cut this. We are saying we are cutting it in order to help veterans, yet we are cutting 500,000 of the most vulnerable veterans.

I really believe there are other ways we can help the veterans. I would like to cut corporate loopholes. I would like to cut corporate welfare. That is what I am going to vote to do. We have a lot of corporate loopholes out there that need to be closed, businesses that get favorable tax treatment if they leave the country, people escaping taxation who were very wealthy. We should go after corporate welfare, not go after the disabled children, the disabled veterans. Then, we should spend it on the veterans.

I think we, on the Democratic side, will have an opportunity to honor our veterans by increasing what we spend on them by taking the money out of corporate loopholes, corporate tax loopholes. I think everyone can get behind that. However, we should not hurt the most vulnerable children, the most vulnerable veterans.

I really do believe that my ranking member is going to have an excellent amendment, instead of this one, which turns our veterans against the most severely disabled children and the most severely disabled veterans.

I yield the floor.

Mr. COHEN. I ask unanimous consent to proceed for a few minutes as in morning business.

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

ADMIRAL BOORDA

Mr. COHEN. Mr. President, Senator LOTT a moment ago spoke about the life and death of Adm. Jeremy Mike Boorda. I think all of us were stunned by this revelation.

Yesterday, most of us, Republican and Democrat alike, were shocked, and saddened, in some respects, at the announcement of another man of character and courage who decided to leave

a position he loved most to achieve a higher dream.

Today, just moments ago, we are advised of another man in our public service, one of the best and brightest that the Navy has ever had to offer, took leave of life. The reports at this point have not been confirmed. On one network they have indicated that it was a self-inflicted wound. I hope that is not the case. We are trying at this particular point to verify rumors. No such confirmation has been forthcoming at this point. We do not wish to add to the speculation any further than what is on the television at this moment.

I say a few words about Admiral Boorda from a personal point of view. He was a very close friend of mine. He attended my wedding a few months ago. Our relationship goes back several years, at least, when we were in Munich together, the Wehrkunde conference. It was memorable to me because one night while we were there, Sarajevo had been shelled. There was a great loss of life. Admiral Boorda took charge immediately. He ordered C–141's to get to Sarajevo. He did so over the objection of the U.N. command at that point. Akashi could not be reached. They said, wait until tomorrow; do not send any aircraft down. Mike Boorda said, ''I am not waiting for anything. Get those planes in there. Get those wounded people out of there and get them to the hospital.''

That was the kind of man of action and passion that I came to know and admire. He, over the last several years, demonstrated that time and time again in terms of his commitment to the Navy.

Yesterday, Senator DOLE talked about life being a hardship. Nothing came easy to Senator DOLE. I might say that for Mike Boorda. Life was a hardship as well. He was not born into wealth. He was not a man of privilege, but he is what we call a common man. He rose through the ranks of common men and women to the highest position in the U.S. Navy. He was admired by everyone who ever came within his presence. He was inspiring to those men and women who now served in our U.S. Navy. All of them will be equally stunned and shocked, as we were, to learn of the news of his death. I can only hope that the reports I have heard to date are not correct.

I pray for the members of his family who are alive today and no doubt in a state of shock and grief. I can only indicate to them that every person who has ever been touched by Jeremy Mike Boorda will remember him for the rest of their lives. I can only express my condolences at this moment and hope to have further comments about the life and times of Mike Boorda at a later time.

CONCURRENT RESOLUTION ON THE BUDGET

The Senate continued with the consideration of the concurrent resolution.

The PRESIDING OFFICER. Who yields time?

Mr. BOND. How much time do I have?

The PRESIDING OFFICER. The Senator from Missouri has 8 minutes, and the Senator from Nebraska has 2 minutes 55 seconds.

Mr. BOND. Mr. President, I yield myself 3 minutes.

We have heard a lot of straw men set up by opponents on the other side. We have heard about all kinds of horrible cuts that would come if we get a responsible budget number for welfare. This body should know that the $53 billion cut, which we propose in this amendment to include in reconciliation instructions, is equivalent to the $53 billion cut that was passed by an 87-vote majority in this body when we debated welfare previously.

Now, there could have been as many as 13 Members of the body that did not like what was in that welfare bill. But I can assure you, with 87 Members of this body voting for welfare reform, the horrible, tragic things that we hear about that could happen if we have to achieve reconciliation savings of $53 billion in welfare are so much smoke and mirrors. What we are concerned about in the numbers is assuring that veterans health care does not take an impossible hit, a $12.9 billion reduction. There is no way that one can work out.

My colleague from California, who has argued so eloquently for the veterans and has talked about them, did not propose any changes when she voted for the amendment that would slash Veterans' Administration spending by almost $13 billion in the Budget Committee. The Senator from Minnesota had said we should not worry about the cuts in veterans. We just cannot adopt a budget number that is consistent with the previous welfare reform that 87 Members of this body, on a bipartisan vote, supported when we first passed welfare reform.

Mr. President, budgets are about setting reasonable expectations for Government so that we can carry out our functions in a responsible manner and not continue to add to the deficit. All of the horror stories, all of the very difficult and compelling cases that were cited are not the ones that would be hit by the budget reconciliation proposal that this amendment contains.

Mr. President, I yield the floor and reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. EXON. How much time is left on each side?

The PRESIDING OFFICER. Five minutes for the majority, and 2 minutes 55 seconds on the Democratic side.

Mr. BOND. Mr. President, I yield 4 minutes to the distinguished chairman of the Veterans' Affairs Committee.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. SIMPSON. Mr. President, I want to associate myself with the comments of the distinguished chairman of the VA–-HUD and Independent Agencies Subcommittee on Appropriations, Senator KIT BOND of Missouri. He does a tremendous job. I have watched him through the years. He is attentive, he does his homework, he is impressive, and he gets quite involved in every way and in every issue in a most positive way.

What has been curious to me, as chairman of the Veterans' Affairs Committee, is the remarkable behavior of the Secretary of Veterans Affairs, Jesse Brown. He is continually distancing himself and the VA from the President's budget. I understand he testified early last month before the House Veterans' Affairs Committee that he ''felt the President's budget would be devastating for veterans.''

Later in the month, April 24, the Secretary appeared before the Senate Committee on Veterans' Affairs, which I chair, and which I oversee as chairman. In response to a question from my friend, Senator CRAIG of Idaho, the Secretary stated that the VA budget described in a document submitted to the Congress—over the signature of the President and entitled ''Budget of the United States of America''—does not represent the policy of the President.

I ask, whose policy does it represent? Did an employee of the Government Printing Office change the numbers for the proposed VA budget on his or her own, making the President of the United States and the Congress the victims of some wild practical joke? Did some cyber surfer hack his way into the White House computer system and change the numbers? Did somebody forge the signature of the President of the United States on a document submitted to the Congress in his name? My Heavens, we may have a real scandal here on our hands.

The Secretary of Veterans Affairs told the committee that VA's future medical budget will be subject to annual renegotiation by the President. He tells us he has received the President's assurances that the budget numbers are not binding. Well, that makes quite a puzzle.

The President of the United States has proclaimed to the American people that he will balance the budget in 7 years. His plan, like any budget, includes difficult decisions allocating limited resources between many worthwhile programs.

But, according to the Secretary's testimony, the President does not stand behind the parts of that plan relating to the Department of Veterans Affairs.

There are only 2 ways the President can deliver on his commitment to Secretary Brown. He can increase the VA spending by abandoning the goal of the balanced budget. But the President has made a commitment to the American people to present a balanced budget. We have heard that discussion for several hours. So I am sure that he would not take that course. Or, in the alternative, the President could increase the VA's budget by reducing the budget of other programs.

Does that mean the President has a secret plan to cut non-VA discretionary spending programs in order to fund increases in veterans' health care? I am sure he does not, Mr. President, because his budget also represents a funding promise made to the beneficiaries of non-VA programs.

Mr. President, the veterans' health care budget proposed by the President—when examined through the lens created by the statements of the Secretary of Veterans Affairs—presents the Senate with a remarkable mystery.

Veterans may wonder upon which rock the Senate should build their future, Mr. President—the budget proposed by the President? Or Secretary Brown's hopes that those budget numbers will be changed? That is what he said.

Mr. President, on April 24, Secretary Brown testified that, since 1980, VA's medical care funding has increased 20 percent—after adjusting for inflation. The resolution reported to the Senate by the Committee on the Budget builds on that rock.

So I submit to America's veterans—and to the Senate—that a generous history of increasing funding, combined with already-identified proposals for more cost-effective operation of the VA Health Care Administration, are much firmer rock upon which to build for the future than the administration's budget—a budget Secretary Brown tells us the President has already repudiated.

That, I think, is a most extraordinary thing.

I thank the Chair.

The PRESIDING OFFICER (Mr. GREGG). Who yields time? The Senator from Nebraska has 2 minutes 47 seconds.

Mr. EXON. Mr. President, when I introduced the President's budget this morning, I indicated that there were several features of the President's budget that I wish to change and would attempt to make changes in. One of those certainly was the fact that the Veterans Affairs allocation under the President's budget was not one that those of us on this side of the aisle were satisfied with. So I thank the Senator from Missouri, who has brought up this matter.

We recall during the deliberations of the Budget Committee that it was something we wished to correct also. We may have some differences of opinion on where the money should come from to do the correction. But I simply say that I think we all agree that a correction has to be made.

This is one of the things I had in mind—without spelling them out—when I said I am for the President's budget, with some changes. This is one of them. I want to say that I am offering an amendment that will precede the vote on the amendment of the Senator from Missouri, along the same lines. I am taking the money from a different source. Regardless of where the money comes from, it is something that will probably have 100 votes for to make a correction in this particular area.

However, after we finish this debate, as agreed to previously, I will offer my amendment and we will vote on that first. It essentially does the same thing as the Senator from Missouri does, but it takes the money to fund it from a different source. We will not need to go into that in any great detail now. We might talk about that when I offer my amendment.

I want to correct one thing before we finish debate on the amendment offered by the Senator from Missouri. We may be wrong, Mr. President, but I would simply note that we feel—I state this for the RECORD—if corrections are necessary by the offer of the Senator from Missouri, we will certainly cooperate in trying to offer an amendment. We feel that the amendment offered by the Senator from Missouri attempts to increase spending for veterans, which is a worthy cause. We agree with that. His amendment raises the functional category for veterans. Unfortunately, the amendment as drawn, in our view, would not increase discretionary spending, which I think the Senator from Missouri wants to do; that is, the discretionary spending limits and the appropriations caps as it affects that.

So, in reality, it is our view that the Senator's amendment would merely cut income security and leave the discretionary spending levels just the same as in the President's budget. I am sure that is not his intent. I am just making that suggestion. Is that something that the Senator has agreed with? Should we correct it? If so, in fairness, we would like to give time to do it. If we are not reading this right, please tell us so. I want to call it to the Senator's attention in the interest of fairness.

The PRESIDING OFFICER. The Senator from Missouri has 36 seconds.

Mr. BOND. Mr. President, I guess I had better talk rapidly.

We have raised the caps in the amendment in the copy we have. We would be happy to have staff be sure we are talking about the right numbers. The fact remains that both sides agree that we cannot cut, as the President has proposed, spending on the Veterans' Administration.

I thank the distinguished ranking member of the Budget Committee for his kind comments. We will have more to say about veterans affairs and the credibility of the President's budget on the next vote.

I ask unanimous consent that the yeas and nays be ordered.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. BOND. Mr. President, I ask unanimous consent that the amendment be set aside to permit the introduction of an amendment by the ranking member of the Budget Committee and that the amendment so set aside be placed second in the order for votes at the end of debate on the amendment by the Senator from Nebraska.

The PRESIDING OFFICER. Under the regular order the amendment is set aside, the amendment by Senator BOND is the second in order, and we now turn to the amendment of the Senator from Nebraska with 1 hour equally divided.

Mr. EXON. I thank the Chair.

I yield myself what time I may need, and there will probably be others to speak on this.

AMENDMENT NO. 3973 TO AMENDMENT NO. 3965

(Purpose. To cut corporate welfare to fund veterans' benefits)

Mr. EXON. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nebraska [Mr. EXON] proposes an amendment numbered 3973 to amendment No. 3965.

Mr. EXON. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

In the pending amendment:

On page 2, line 9, increase the amount by $7,000,000.

On page 2, line 10, increase the amount by $246,000,000.

On page 2, line 11, increase the amount by $1,920,000,000.

On page 2, line 12, increase the amount by $3,033,000,000.

On page 2, line 13, increase the amount by $3,124,000,000.

On page 2, line 14, increase the amount by $2,187,000,000.

On page 2, line 18, increase the amount by $7,000,000.

On page 2, line 19, increase the amount by $246,000,000.

On page 2, line 20, increase the amount by $1,920,000.

On page 3, line 1, increase the amount by $3,033,000,000.

On page 3, line 2, increase the amount by $3,124,000,000.

On page 3, line 3, increase the amount by $2,187,000,000.

On page 33, line 5, increase the amount by $175,000,000.

On page 33, line 6, increase the amount by $7,000,000.

On page 33, line 12, increase the amount by $907,000,000.

On page 33, line 13, increase the amount by $246,000,000.

On page 33, line 19, increase the amount by $2,256,000,000.

On page 33, line 20, increase the amount by $1,920,000,000.

On page 34, line 1, increase the amount by $3,621,000,000.

On page 34, line 2, increase the amount by $3,033,000,000.

On page 34, line 8, increase the amount by $1,708,000,000.

On page 34, line 9, increase the amount by $1,552,000,000.

On page 40, line 23, increase the amount by $1,594,000,000.

On page 40, line 24, increase the amount by $1,572,000,000.

On page 41, line 5, increase the amount by $2,355,000,000.

On page 41, line 6, increase the amount by $2,187,000,000.

On page 47, line 10, increase the amount by $175,000,000.

On page 47, line 11, increase the amount by $7,000,000.

On page 47, line 13, increase the amount by $907,000,000.

On page 47, line 14, increase the amount by $246,000,000.

On page 47, line 16, increase the amount by $2,256,000,000.

On page 47, line 17, increase the amount by $1,920,000,000.

On page 47, line 19, increase the amount by $3,621,000,000.

On page 47, line 20, increase the amount by $3,033,000,000.

On page 47, line 22, increase the amount by $3,302,000,000.

On page 47, line 23, increase the amount by $3,124,000,000.

On page 48, line 2, increase the amount by $2,355,000,000.

On page 48, line 3, increase the amount by $2,187,000,000.

Mr. BOND. Mr. President, before I start my formal remarks, let me straighten out any misunderstanding.

Were we not furnished a copy of the amendment. Is that what I understand? I am just trying to make sure that we know where we are coming from.

Mr. EXON. Mr. President, we will be happy to show the distinguished chairman. I am sure it is there.

Mr. BOND. If it is there, that is all I need to know. We were concerned it might not be.

You made a change. You made a change in the copy of the amendment after it was given to us. Is that the mixup? The best guess is that we were not furnished the final copy of the amendment. It is no big deal. The fact is it is in there. That is what I wanted.

Can you give us a copy of yours?

Mr. EXON. Yes. We will give a copy of the amendment to the majority. It does the same thing.

Mr. President, this amendment addresses the veterans proposition also. This amendment does much of the same as that intended to be done by the Senator from Missouri. It adds back to veterans the source of funds in the same amount. However, the Senator from Missouri cuts welfare to make up the difference. My proposal would cut corporate welfare. It is this Senator's belief that the majority turns too quickly to reducing projected spending on means-tested programs that go to the heart of the needs of the most needy in our society. Some of that was brought up during debate on the amendment offered by the Senator from Missouri.

Some may believe that we are all too eager to cut the neediest programs that we have—those so-called means-tested programs.

I am simply saying, while I consider it a must to better fund the veterans programs almost exactly as the Senator from Missouri has suggested, let us cut corporate welfare to pay for this and keep our reduction in the unnecessary spending under control.

We have had a good debate, I think, on veterans affairs. We do not need to extend the debate for any lengthy period of time because I think we would just be repeating ourselves over and over again. What we come down to, therefore, is that the amendment before the body is the amendment which we will vote on prior to voting on the amendment offered by the Senator from Missouri.

At this time, I ask for the yeas and nays on the amendment presently pending.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. EXON. I simply say, Mr. President, I reserve the remainder of my time and recognize any of my colleagues who wish to speak in behalf of the amendment offered by the Senator from Nebraska.

With that, I reserve the remainder of our time.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. BOND. Mr. President, I would like to be able to enter into a debate on this. But I am still waiting to see what it is the amendment does. I know it deals with veterans. But I am a bit at a loss to know how we should debate it when we do not have the amendment before us. I have been in some difficult situations, but this is probably one of the toughest ones.

Mr. EXON. Will the Senator yield?

Mr. BOND. I am happy to.

Mr. EXON. We have the only copy we had of this at the desk. We are making a copy for you. I think the Senator from Missouri is probably justified in wanting to see the amendment. The amendment does exactly what I said it would do; that is, to have the same figures that you have proposed but rather than take the money to make up the difference out of welfare as we know it, we take it out of corporate welfare. But, once again, in the interest of fairness, I suggest that we temporarily stand in recess until a copy can be made and delivered to the majority and give them whatever reasonable time they want.

Mr. BOND addressed the Chair.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I suggest we do not need to go into recess. I would make my friend an offer. If he will just tell us what he means by cutting corporate welfare, maybe we can carry out the debate, because I would trust his characterization. I would ask the Senator from Nebraska, does he mean he is raising taxes? Could he be a little more specific about the things we are doing?

Mr. EXON. The Senator, certainly as a member of the Budget Committee, knows full well what I am talking about with regard to corporate welfare. These are moves that we have made over the years that have been prominently under discussion for the last year with regard to the budget negotiations between the Congress and the White House.

If the Senator will refer to the material that I think he now has, page 3 of this year's Republican budget resolution states that in addition to the child tax credit, and I quote, ''The committee recommendation would accommodate further tax reform or tax reductions to be offset by the extension of expired tax provisions of corporate and business tax reform.''

It continues, ''Such receipts could be used to offset other tax reform proposals such as estate tax reform, economic growth, fuel excise taxes or other policies on a deficit-neutral basis.''

To outline this further, last year's vetoed reconciliation bill, supported by virtually every Senate Republican, included approximately $26 billion in revenue increases for corporate and other reforms.

That is what I am talking about. President Clinton has proposed nearly $40 billion in corporate reforms in his balanced budget submission to the Congress. Although the proposals are not identical, Republicans and Democrats agree that revenue can be raised from this category which is customarily referred to, as I think the Senator from Missouri knows, as corporate welfare.

The committee report to this budget, on page 63–67, describes expenditures in our Tax Code that lose hundreds of billions of revenue over a 5-year period. In that context, the Republican proposal as well as those of President Clinton are modest efforts to reduce loopholes that have allowed corporations to benefit.

That is what corporate welfare is all about. It eliminates corporate welfare to the extent that it is necessary to adequately fund the veterans programs at essentially the same figures that both you and I would like to see. Another way of saying this: What it does is make our tax laws fair for all Americans.

I am not surprised that the first words out of the mouth of the Senator from Missouri were, ''Are you going to raise taxes?'' If cutting corporate welfare, which I think the corporations are not entitled to during a time when we are strapped for money, if that is raising taxes, call it raising taxes. I think closing unfair corporate loopholes to take care of the needs of our veterans is far better than taking it away from what I referred to earlier, from the general welfare fund that goes essentially to the neediest among us.

I would simply say that these are modest efforts, modest loophole closings. Our amendment ensures that additional receipts from closing corporate loopholes will be used to lessen the cuts on the veterans rather than apply it to help pay for additional tax breaks for the wealthy, which I basically feel is in the mind of the Republican budgetmakers some time down the line.

In any event, whether that is true or not, all that the Exon amendment does is to return to the welfare funds the amount that the Senator from Missouri and others are proposing. And we

think that is good. We are simply saying that rather than to subtract this from welfare, the neediest among us, let us take the necessary funds from corporate welfare that we all know has drawn far beyond due bounds in recent years.

I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. BOND addressed the Chair.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. I yield myself such time as I may require.

We obviously are getting some basic philosophical differences here. My distinguished friend from Nebraska has accused us of reflexively turning to means-tested entitlements.

What we have done, Mr. President, in fact, is to turn to failed programs and say it is time to reform them. The President himself has said it is time to end welfare as we know it. That is why 87 Members of this body, Democrats and Republicans, said we need to reform welfare. The system is not serving the people it is supposed to serve—the taxpayers who fund it, the communities that see its impact, or the future generations who hope that we could help people get out of welfare and into productive employment. What we are saying is it is time to reform these programs. We are going to keep saying that because I think the overwhelming body of American citizens knows that welfare needs to be reformed.

By the same token, my friends on the other side of the aisle reflexively turn to tax increases. If it moves, tax it. We are talking about an amendment to the budget presented on behalf of the President by the distinguished Senator from Nebraska.

Let me point out that that bill already has $36 billion in new taxes in extenders. It raises $36 billion in extending taxes. It has $54 billion in other loophole closings. They have already got $90 billion of tax increases. And the distinguished ranking member of the Budget Committee says, let us just hit them with another $13 billion of taxes.

Now, Mr. President, I thought that maybe our friends would have learned something when President Clinton proposed and they voted for the significant tax increases of 1993. I have cited before on this floor the studies have shown that raising taxes in the way that was done in 1993 did not generate the kinds of revenue expected because it discouraged economic activity. It has slowed economic activity, economic growth and jobs in this country, and we have no less of an authority than the President himself, who said at a reception attended by people, I guess, whose taxes he had raised markedly in Texas, that he raised taxes too much.

We agreed with him at the time. Unfortunately, he just did not see it our way until later on. Now we want to take a $90 billion gross tax increase here and add another $13 billion to it. Certainly, our budget provides for changes in the mix of taxation if we need it. That can be done right now.

The chairman of the Finance Committee will offer a bill that may raise some taxes and lower others and shift the mix of taxes. But when we talk about the total burden of taxation, that is one of the problems which is causing our country to slow down, jobs not to be created, and as we get into a debate on the President's budget the one argument I have not heard made about it is that it does not raise enough taxes. But that is really what the amendment by the Senator from Nebraska would do. Are we really in trouble because we do not tax enough? I don't think so, Mr. President.

I urge my colleagues to reject this amendment and vote for the amendment which will follow it.

I yield the floor and reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. EXON. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 22 minutes and 30 seconds.

Mr. EXON. It may well be we can shorten down the time. We have been trying to move this ahead, move forward.

I did not realize we would be getting into a rehash of what we did 2 years ago with the President's budget. Once again, the Senator from Missouri is certainly entitled to his position. He indicates that the budget that we passed 2 years ago, the President's budget, has hurt jobs creation, has been devastating to the country. Evidently, from what he said, it has hurt employment.

The facts of the matter are that those same things were said in one form or another by those on that side of the aisle during the debate, and we passed that proposition with all Democrats supporting that to get it by, without a single Republican vote in either the House of Representatives or the U.S. Senate. The facts of the matter are, as we explained yesterday, that primarily because of that, coupled with the excellent leadership of President Bill Clinton, this Nation has been on a steady, logical growth pattern in all areas.

I remember hearing people on that side of the aisle who attacked that budget at the time saying it would be devastating to the economy of the United States of America, that we would never recover if we passed this. We have more than recovered, we have had one of the most astonishing periods of growth in American economy since that was passed that we have ever seen.

At the same time, coupled with that tax increase package and coupled with the economic growth that we have had under the direction of the Clinton administration, we have seen a dramatic drop, 3 years in a row, of the deficit of the United States of America, from basically $300 billion a year, now down to $147 billion.

I did not know we were going to get into a debate all over again on that measure that I voted for, and would vote for again, because I thought it was the right thing to do. In addition to being the right thing to do, we would not be in a position here in the Congress this year, nor would we have been in a position last year, to work toward a balanced budget, were it not for the fact that the Democrats, under the leadership of Bill Clinton, reduced dramatically the deficit which has spurred growth in the United States of America.

So if anyone wishes to take me on for what I did wrong 2 years ago, I am willing to do that because the facts of growth in the economy speak for themselves. I do not generally say how the stock market goes is how America goes, but certainly that is one factor in our economy that we need to look at. I suggest to all that since the development of that sound package by all Democratic votes and not one Republican vote in the House or the Senate, we have seen the stock market break every record that it ever established before.

The people are happy with it. It has reduced the deficit. It has gotten us to the place where we have a chance—although it is still a tough task—to balance the budget by the year 2002. Were it not for that particular measure that is now being criticized—in my opinion irresponsibly once again—we would not be in the shape we are in today of reaching for a goal of balancing the budget by the year 2002, which is something this Senator and many like me have fought for ever since I have been here.

I yield 5 minutes, or whatever time he needs, to the Senator from North Dakota.

Mr. CONRAD. I thank the Senator from Nebraska. This is one of those debates, as I listen to it, that I think causes people who are watching from outside the beltway to just shake their heads, because they have to wonder what is this all about? I must say, unless you are a green eyeshade type and spend all of your time poring over the subaccounts of the Federal Government, it is a little confusing.

I think one of the things that perhaps has been lost in this discussion is that if we are looking at a comparison between the various budgets on domestic discretionary spending—and that is, after all, the pool of money from which veterans benefits are drawn and all of the other discretionary spending elements of the Federal budget—the reality is, the Republican budget over 6 years cuts $296 billion, the President's budget, $229 billion, so the cuts in discretionary spending in the Republican budget are substantially greater than the cuts in the President's budget.

The issue has been raised, what are the subtotals? When you distribute those reductions, when you distribute them among all the functions in domestic discretionary spending, how do

veterans come out? I think one of the things that has been lost in this debate is that these functional totals are not binding. They are not binding. That is the way the budget process works. There is no requirement that the committees of jurisdiction abide by that functional subtotal.

I ask my colleague from Nebraska, is that not the case? As the ranking member on the Senate Budget Committee, is it not the case that these functional subtotals are not binding?

Mr. EXON. I would certainly emphasize that the Senator from North Dakota is so right. I am so glad he has pointed that out.

Mr. CONRAD. So, we get lost here in the details, but the overarching truth is the Republican budget, over 6 years, cuts $296 billion out of domestic discretionary spending. The pool of money for domestic discretionary spending is reduced by $296 billion. The President's budget reduces it by $229 billion over 6 years. I point out the centrist budget, which a bipartisan group of Senators, Republicans and Democrats, have agreed to, is $179 billion over 6 years.

Frankly, I would say both the Republican budget and the President's budget have unrealistic reductions in domestic discretionary spending. They are unlikely to ever occur. One of the reasons is, in both of those budgets, that the overall pool of money available for domestic discretionary spending is so sharply reduced that future Congresses are unlikely to adhere to the spending path outlined in either one of those budgets.

The fact is, the bipartisan group, which has tried to put together a budget alternative that would really have some prospects of actually holding course, holding to the course set for a 7-year period, has lower domestic discretionary savings than either of the other budgets. It is also true the President has less in the way of domestic discretionary savings than the Republican budget has. So if people are really concerned about veterans or any other subcategory of the budget, and they are comparing the President's budget and the Republican budget, the President's budget is more adequate, has less reductions over a 6-year period, or a 7-year period, than does the Republican budget.

So if you are concerned about veterans or if you are concerned about education or you are concerned about all of the other elements that are part of domestic discretionary spending, the President's budget is superior to the Republican budget.

The fact is, these functional subtotals that are the concern of the amendment of the Senator from Missouri are not binding. Those are the rules we work on around here. Those totals are not binding.

Somehow I think we are missing the point. We have bogged down in the details in an attempt to score partisan political points. Unfortunately, that is what is happening around here more and more. We have not gotten into what is the heart of the debate and the discussion, what is the heart of the matter. The heart of the matter is, all of us need to move toward a balanced budget. We need to do that because we are on a course that cannot be sustained.

The Entitlements Commission told us last year if we stay on the current course, we are going to have an 82 percent tax rate in this country, or a one-third cut in all benefits. That is the harsh reality of what we confront. And all of these budgets—all of them—are reducing domestic discretionary spending, they are reducing every other element of the Federal budget from what current law provides in an attempt to move towards fiscal responsibility.

Mr. President, I will just say in conclusion, I hope my colleagues will remember, the reality is, the President's budget has less reductions in domestic discretionary spending than does the Republican budget. That is just a fact. And the second fact that is important to remember is these functional subtotals that are the subject of debate here are not binding in any event. I thank my colleague.

The PRESIDING OFFICER. Who yields time?

Mr. BOND. Mr. President, I call on my distinguished friend, how many minutes?

Mr. THOMAS. Five minutes.

Mr. BOND. Mr. President, I yield myself 1 minute first and just say, I thank the Senator from North Dakota. He has been a great champion for reforming entitlements. He and I agree entitlements need to be reformed.

My amendment proposes reforms in the entitlement programs. The amendment of my friend from Nebraska, Senator EXON, adds another $13 billion in tax increases. And in looking at the extensive list on page 153 and 154 of tax increases that are already included in the President's recommendation, I am puzzled where they find another $13 billion. But that is the argument: Do we reform entitlements or raise taxes?

I now yield 5 minutes to the distinguished Senator from Wyoming.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. THOMAS. Mr. President, this is the first time that I have spoken on the budget. I am not on the Budget Committee, I am not an appropriator, but I, obviously, am very interested in this process, perhaps more interested in it as it pertains to the policy direction it would take than specifically in the dollars.

The budget is a document that has more impact than simply spending. The budget document is one that gives us some direction in terms of where we go. It gives us some direction in terms of philosophy. Do you want more Government or would you have less?

I have to tell you that I believe the people in Wyoming think the Federal Government ought to be less expensive, ought to be smaller, we ought to spend less. It has to do with balancing the budget, and it is interesting to listen to those who have worked so hard through the years: ''Balance the budget.''

Have you ever heard anyone rise who did not want to balance the budget? I do not think so. It has not been balanced for 25 years. I begin to wonder if all this rhetoric has been so meaningful. But in any event, we need to balance the budget. It is morally and fiscally responsible to do that.

It is a philosophical question if you want to balance the budget. We hear a lot of talk about how we moved the deficit down. How did we do that? By the largest tax increase in the history of this country. I do not happen to think that is the proper way to do that. I think we ought to reduce spending.

Of course, whenever you talk about reducing spending, somebody says, ''No, I don't want to reduce it there, I want to reduce it there. I want to reduce it for you, not for me.'' I understand that. When the average family spends 40 percent of their income in total taxes, that is an excessive amount. So we need to talk about that, and we need to take a look at our goals and see if this really, really does it.

I agree with the Senator from North Dakota that maybe we get bogged down entirely with all these details, which somebody has to do. But for most of us, it is a direction, a philosophy, it is where we are going, and the budget has something to do with that, a great deal to do with that.

I was very involved in our budget in the Wyoming Legislature. It was much smaller, much easier, same principle. One of the differences was we had a constitutional amendment that said we had to balance the budget. We could not spend more than we took in. What an idea.

So we talk about that Washington has never spent more on bureaucracy than it does now—this administration—never spent less in real dollars on defense since World War II. The tax burden has never been higher than it is now. Americans will pay half a trillion dollars more in taxes because of our tax increase.

I am concerned as well about the backloading. Now I hear, ''Well, we all backload.'' That is true. But the fact is that the Clinton budget backloads much more than the other one, 66 percent of the savings in the last 2 years.

Mr. CONRAD. Will the Senator yield?

Mr. THOMAS. No, this is the first time I have talked. I would like a chance to do that. Thank you.

So it is backloaded, and no one can argue with that. It is there and perhaps none of it should be backloaded. Of course, it will be when you reduce so much this year, it builds up, and I understand that. But we have to make some tough decisions if we are going to do that, and that is what it is about.

Raising taxes—as I understand, the Clinton budget takes out $97 billion in taxes, puts back 60, a net reduction of

$37 billion. That is really not much of a bite; not much of a bite for a country that pays that much in taxes.

The Republican budget, on the other hand, is about 122, I believe; $500 credit for children. That is a pretty good idea, I think. Permanent; age 18. We do not start with three.

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

Mr. THOMAS. I appreciate that, Mr. President. Thank you.

The PRESIDING OFFICER. Who yields time?

Mr. CONRAD addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. EXON. How much time does the Senator wish?

Mr. CONRAD. One minute.

Mr. EXON. I yield 1 minute.

The PRESIDING OFFICER. The Senator from North Dakota is recognized for 1 minute.

Mr. CONRAD. Mr. President, I would just like to say to my colleague from Wyoming, I am disturbed by backloading, too, but the reality is the Republican plan has 64 percent of its savings in the last 2 years. So this is a case of the pot calling the kettle black. Both of them have 82 percent of their savings in the last 3 years. They are both backloaded.

So to come and criticize the President's plan when your own plan does exactly the same thing is a little misleading.

Let me just say——

Mr. THOMAS. Will the Senator yield for a question?

Mr. CONRAD. I think if we were going to be direct with each other, we would acknowledge both plans are backloaded.

The PRESIDING OFFICER. The Senator's time has expired. Who yields time?

Mr. EXON. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Michigan has 16 minutes, and the Senator from Nebraska has 10 minutes.

Mr. EXON. Mr. President, let me thank my friend from North Dakota for his excellent remarks. His statement with regard to the savings that are talked about in discretionary programs is something that I intend to follow up on in my closing remarks.

I will just say at this time that I have been here on the floor since this debate began. I have heard the same things over and over and over again—the Republicans seem to think if they say something enough times, it is true. They have said on many occasions that the President's budget does not balance in the year 2002. I do not know how many times I have refuted that point, and noted that the Republican-appointed head of the Congressional Budget Office says that the President's budget does balance in the year 2002.

The same CBO office says that the Republican plan balances in the year 2002. So if the Republicans are trying to impeach the written word of their own appointed CBO office, then they impeach the source of their balanced budget as well.

Why can we not be realistic? Both programs are estimated—and I use the word ''estimated'' with emphasis—by the Congressional Budget Office as reaching balance.

I have heard another myth that is repeated over and over and over again and that is with regard to the terrible backloading, as alleged by the Senator from Wyoming.

I refer to the chart behind me once again. We have had it out here before. I am going to drag this chart out every time I hear on that side of the aisle that there is backloading going on.

This chart has been here before, but the red line on that chart is the President's backloading and the blue line on that chart is the GOP backloading. The years are below, and the numbers are up there.

So suffice it to say, it is not accurate, nor is it fair, nor does it contribute to the debate for me to get up and say, ''Oh, boy, there's all kinds of backloading in that GOP budget.''

Mr. BOND. Mr. President, will the Senator yield?

Mr. EXON. I will not yield.

I would be fearful that the Republicans would bring out something like this and show me that what they are accusing the Democrats of doing is what the Republicans are doing. Essentially they are one and the same.

I simply say that I will reserve the remainder of my time for my closing statement. But I just wish that we could keep our debates on something that is realistic, without going overboard and saying things over and over again, things that I do not know how many times I refuted. I reserve the remainder of my time.

Mr. BOND. Mr. President, before yielding to the Senator from Washington, I just want a point of clarification with my distinguished friend from Nebraska.

Does that chart show the President's numbers with or without the automatic trigger?

Mr. EXON. The automatic trigger, we went through that earlier, did we not?

Mr. BOND. That chart, does it show it with or without the automatic trigger?

Mr. EXON. Once again I say, whether it triggers or not, this is an honest chart on honest numbers that has been verified by the CBO.

Are you indicating there is something tricky about these numbers?

Mr. BOND. Mr. President, the CBO said the only way the President's numbers get to a balance in 2002 is if an automatic trigger clicks in and cuts 10 percent of discretionary spending in 2001 and 18 percent in 2002. I am simply asking whether that chart—and I did not prepare the chart—does that chart present the President's number assuming no trigger or assuming a trigger? Which way is it?

Mr. EXON. I have been advised this is the chart with the figures in it. If I find out differently, I will correct it for the RECORD.

Mr. BOND. I thank my good friend from Nebraska. That is all I wanted to ask, because we have, as he indicated, I think on a bipartisan basis, voted overwhelmingly that we do not want the trigger. We have said, no trigger. We do not want a meat ax.

So the only difference between the President's budget and the Republicans' budget is that the President's budget, by CBO numbers, does not now get to balance—without the trigger, it does not get to balance. Ours does. With that, I will yield 5 minutes to the distinguished Senator from Washington.

Mr. GORTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Mr. President, in my few minutes, I will make three points. The first point is to agree with my colleague, the Senator from Nebraska, by the analysis of the Congressional Budget Office, the President's budget does indeed balance in the year 2002. It does, according to the Congressional Budget Office, because of an automatic set of tax increases and spending cuts in the years 2001 and 2002, if the Congressional Budget Office's projections of spending and of the economy are correct.

In fact, Mr. President, the President's budget would balance if the Congressional Budget Office showed half a trillion dollars' difference between now and the year 2000 with automatic huge tax increases and spending cuts in the years thereafter.

If you put in such a trigger, the balance is automatic. The real point is that in the real world, using the same set of figures, it will not reach balance unless that trigger is pulled. We have just voted against the trigger.

The second point I would like to make is with respect to the debate right now on two amendments in front of us. Those two amendments each say that we should not reduce veterans benefits in the way that the President's budget indicates they will be reduced, a little increase in the first couple of years, then a huge reduction thereafter.

The difference is the classical difference between the parties. Republicans restore those veterans benefits by welfare reform. Democrats restore them by tax hikes, tax hikes sufficient so that the President's very modest tax reductions in his budget become a net tax increase over the period of time covered by this budget.

That is a classical difference. People can decide, would they rather support our veterans with welfare reform or would they rather support them with tax hikes? I think that is a relatively simple question.

But, Mr. President, my third point is that I am not sure of the total relevance either of the debate on triggers that the Senator from Nebraska has

spoken of, or even of the two amendments with which we are going to engage now. It is at this point I want to compliment and support the remarks of my Democratic colleague from North Dakota, Senator CONRAD, who points out that there is a superior way of going toward either of the proposals that are on the floor here right now, one which I believe we will debate early next week, the first proposal in several years that is in fact bipartisan in nature, the one that most decisively deals with a reform of entitlement programs, that makes them more realistically affordable by the people of the United States and, therefore, is more reasonable with respect to the amount of money that we have to spend on education and the environment and law enforcement and national parks and the myriad of other year-to-year responsibilities of this body.

So in that respect the Senator from North Dakota is right. I have the privilege to work with him. We will later on in this debate be presenting that budget.

I believe the Republican budget much superior and much more honest to the one that is before us right now, and I intend ultimately to vote for it if that is the last vote before us. But I believe the one worked out by this bipartisan group to be markedly superior to any of the others that have been presented this year.

Mr. ABRAHAM addressed the Chair.

The PRESIDING OFFICER (Mr. BOND). The Senator from Michigan.

Mr. ABRAHAM. Let me yield myself up to 5 minutes to also speak on the amendment.

Mr. President, as I look at this amendment that is before the Senate offered by the Senator from Nebraska in response to the previous amendment from the Senator from Missouri, once again I am struck by the approach that is being taken with regard to the President's budget. I talked several times about the President's budget during the course of this debate and tried to point out the extent to which the claims the budget includes relief for America's taxpayers are exaggerated.

Once again we see the approach being taken to make sure taxpayers end up with less. The President's budget claims initially it will provide Americans with $99 billion in tax relief. When you include the various so-called corporate loopholes and other increased revenues involved with the President's budget, the net tax relief drops to $36 billion. Then, when you terminate the various tax cuts as triggered in the year 2000, it reduces total tax relief between the year 1996 and the year 2002 to $6 billion approximately.

Mr. President, $6 billion works out to about $1 billion a year, or 250 million Americans working out to $4 per American per year in the budget that the President is offering. That is not a lot of tax relief by my standards. I think it would not be seen that way by the American people.

Here comes yet another wrinkle. An amendment that would further change the bottom line on taxes with regard to this budget. Indeed, by increasing the revenue side of this equation by an additional $13 billion, we now eliminate all of the tax relief contained in the President's budget and instead have turned the President's budget, should this amendment pass, into one which would have a net tax increase of $7 billion. I cannot imagine that is the approach the American people want us to take, to actually increase, on a net basis, the taxes we burden them with.

Some will argue that these taxes would somehow fall on the corporations, the big companies, and so on. I question that, Mr. President. It seems to me the big taxpaying entities have discovered a lot of ways to pass along the taxes to the average working families in America. Indeed, during the recent debate about the gas tax repeal, we were told that the 4 cent repeal would never get to the consumers because the intermediate-stage corporations would somehow find a way to pocket the dollars for themselves. If that is true for the gas tax, it will certainly be true for this tax. If this increase is put into our budget, we will again see the actual people paying for it, the hard-working families of our country.

I have to stand in support of what the Senator from Washington just said, complimenting the Senator from Missouri for his amendment and urging its support and urging our colleagues to oppose an increase in taxes as would be contained in the amendment being offered by the Senator from Nebraska.

I yield the floor.

The PRESIDING OFFICER (Mr. THOMAS). The Senator from Nebraska.

Mr. EXON. Mr. President, I yield 2 minutes to the Senator from North Dakota.

Mr. CONRAD. I thank the Senator from Nebraska. I simply say to my colleague on the other side with respect to the Senator's amendment, you can close a tax loophole and not raise taxes on any Americans. As a member of the Finance Committee, I have been trying for some time to deal with the question of the fact that 73 percent of the foreign corporations doing business in the United States do not pay a penny of taxes here.

The question is, how can that be? How do they avoid paying taxes in the United States when they are obviously doing very well here?

Mr. President, the reason is, we have a scheme called transfer pricing in the international tax system that allows corporations to put their taxes or their profits where there are no taxes. Foreign corporations who are in here competing with American corporations have been taking advantage of this loophole in a very significant way to avoid paying any taxes here. That is not only unfair to U.S. taxpayers, that is unfair to U.S. companies who are expected to compete with the foreign enterprise that escapes and avoids tax responsibility, that an American-based corporation cannot escape and avoid.

I say that my colleague from Nebraska has come up with a very reasonable way to take care of the needs of our veterans by closing a tax loophole. Now, some of our friends on the other side have never seen a tax loophole they do not like. They have never seen a tax loophole they do not endorse.

There is absolutely no reason to allow foreign corporations to do business in this country and not pay any taxes here. It is not fair, not only to U.S. taxpayers, it is not fair to American corporations with whom they compete.

I yield the floor.

Mr. DOMENICI. Mr. President, might I inquire how much time we have and how much time Senator EXON has?

The PRESIDING OFFICER. The majority has 6 minutes remaining, and the Senator from Nebraska has 4 minutes remaining.

Mr. DOMENICI. Mr. President, without using that time, might I exchange with Senator EXON about where we are going next. If we use our 6 minutes and you use your 4 minutes, are we ready to vote in the sequence that we heretofore agreed to?

Mr. EXON. We are ready. That sequence, just to set the record straight, we would vote on the Exon amendment first and the amendment from the Senator from Missouri second. And I believe, if I remember correctly, the first vote would be a 15-minute vote, and the second vote, I believe it was stipulated by the Senator from New Mexico, is to be 10 minutes. Is that the Senator's understanding?

Mr. DOMENICI. Yes. Mr. President, first, I want to congratulate Senator BOND on his amendment and Senator EXON on his amendment, because we are going to have an opportunity here, in about 12 minutes, to vote on 2 proposals.

There could be nothing closer to reflecting the difference between the 2 parties than these two amendments. So, make no bones about it, we will first vote on a Democrat amendment, which will increase taxes, no matter what you call it. You increase taxes to pay for appropriated accounts that are cut, which they are finally admitting in cutting this budget—that is, the veterans of this country. So the first vote is going to be: Do you want to raise taxes to spend more money? The second vote is going to be a Republican vote, and it will be very simple: Do you want to increase spending for veterans by cutting spending someplace else?

We say, yes. We say, the American people are not interested in raising taxes. We already raised taxes 2 years ago, which was the largest tax increase in history. The President has, in his budget, $90 billion, under the rubric of ''corporate welfare''—but it is $90 billion. Senator EXON says that $90 billion is not enough to do what we want to do. We want $13 billion more because

we caught them with the reality that they are reducing the level of expenditures for the veterans of this country by at least $13 billion, decimating our commitment to the veterans.

As our President is prone to say, we do not want to violate our values. Our values are very simple: Protect the veterans of America. Live up to your commitment. We do not want to violate that value. But I will suggest that the reality of it now is that the President violates that value. But he almost got away with it, with nobody understanding it—except for this amendment today, which clearly now says it, and even the Democrats understand. They understand veterans is cut enough that they want to raise taxes to pay for it.

Now, they were not saying they were cutting veterans just 4 or 5 days ago because, obviously, they just wanted to say Republicans were cutting programs to get to balance. There is a nice little gimmick. The President called it a ''trigger.'' The problem is that the trigger would not work on the floor, because if you have to use CBO economics, and not the President's choice of economics, then you have to pull the trigger, and they did that and they put a giant plug in their budget. That plug, so everybody will know, is a big whopping plug. It is $32 billion in tax cuts that have to be sunsetted. So we raise taxes $32 billion after having cut them. That is the first thing in the plug. We add Medicare cuts of $13 billion, and the President adds spectrum fees of $6 billion. This is kind of the cornucopia of solving budget problems. Spectrum fee. Mr. President, $38 billion is in the budget. This says $6.6 billion more to get to the balance of the President and the balance the distinguished minority manager put before the Senate.

And then is the big ticket item: discretionary cuts of $67 billion are in this new plug. Pull the trigger and expose the reality and there sits a plug, without which you cannot balance the budget. And $67 billion of that is in the discretionary programs, such as veterans. And we are trying to fix veterans with this amendment. We do it very simply, very simply. We say, we think veterans ought to get this $13 billion because we have a high value on our relationship to veterans. We think the welfare program of the country could be reduced by $13 billion to pay for it. Reduce welfare and turn it into workfare. And even at that, we have not reduced welfare to the extent that the bipartisan welfare reform that cleared this place would have.

So, in summary, we have now exposed the reality of the President's budget. We have exposed the reality of it. He did not want anybody to know that, to really get to balance, we needed $124 billion, and we now have that before the Senate—a piece of it before us. Do you want to increase taxes to take care of our veterans? Or do you want to reduce welfare to take care of our veterans?

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. EXON. I yield 1 minute to the Senator from North Dakota.

Mr. DORGAN. Mr. President, Will Rogers once said, ''It's not what he knows that bothers me; it's what he says he knows for sure that just ain't so.''

Two points: No. 1, the President's budget proposes more in discretionary spending than the Republican budget. There is no debate about that, and there is no amount of bluster on this floor that can change that.

No. 2, this is not about tax increases. The fact is, if this is a song with unlimited verses—tax increases, I guess—we spend $2.2 billion to pay companies to shut their American plants and move them overseas. How about shutting that down and using the money in a constructive way? Two men from Florida did a study that says we lose $40 billion a year by foreign corporations doing business in America that do not pay taxes here, and 73 percent of the foreign corporations doing business in America pay zero taxes.

To close tax loopholes is somehow increasing taxes? No. We are talking about big, fat, juicy tax breaks for some of the biggest enterprises in the world, and we are talking about closing them. Is there anything wrong with that? I do not think so.

Mr. MCCAIN. Will the Senator from North Dakota yield?

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

Mr. MCCAIN. Mr. President, I ask unanimous consent to be recognized for 1 minute to acknowledge the departure of a truly great American.

Mr. EXON. Mr. President, I ask unanimous consent that this time not be charged to either side, as we have been doing all afternoon.

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

The Senator from Arizona is recognized.

THE PASSING OF ADM. MIKE BOORDA

Mr. MCCAIN. Mr. President, I cannot begin to express how terribly saddened I am by the news of Adm. Mike Boorda's death this afternoon. My heart goes out to his wife, Bettie, and his children, Anna, Eddie, Bobby, and David. I pray that God's love, and the memory of a wonderful husband and father will comfort them in this moment of profound grief.

Mike Boorda was my friend of more than 20 years. He was an exceptional American, the first enlisted man to head the world's greatest Navy. He dedicated his entire adult life to the security of our country. He was a great sailor who loved the Navy beyond measure. He honored the uniform he was so proud to wear and the country he served so well. Most of all, I am grateful for the honor he did me by blessing me with his friendship. We all shall miss him very much.

May God grant him the eternal peace he deserves.

I yield the floor.

CONCURRENT RESOLUTION ON THE BUDGET

The Senate continued with the consideration of the concurrent resolution.

Mr. EXON. Mr. President, I think we should alert all—and I believe the managers of the bill would agree—that we, most likely, will start voting in about 5 minutes, is that right?

Mr. DOMENICI. Yes. Would the Senator mind if the first vote is 15 minutes, to be immediately followed by a 10-minute vote?

Mr. EXON. No. Let the RECORD show as the Senator from New Mexico indicated. We are going to start voting in about 5 minutes. The first vote will be a 15-minute vote, immediately following, without any intervention, by a vote on the amendment offered by the Senator from Missouri, and that will be a 10-minute vote.

Mr. President, let me wind up briefly within the time I have left. I just find it a little bit odd that the Senator from New Mexico and the Senator from Missouri continue to complain that the discretionary numbers in the President's budget are too low. This has been mentioned by other Senators in debate, and I had this written down because I wanted to comment on it in closing.

Mr. President, if the President's appropriated savings are steep, then the Republican appropriations savings are positively cataclysmic. That is the point. Over the 6 years of the budget, the Republican budget cuts $65 billion more from appropriations than does the President. And in the final year of the budget, 2002, the Republicans cut $13 billion more in appropriated spending in that 1 year than does the President.

The Senator from Missouri knows that the Appropriations Committee will distribute those cuts—not this resolution. Indeed, neither the Republican budget, nor a Republican budget of any kind, contains program-by-program detail for appropriated accounts. The fairest comparison of appropriations in the outyears, therefore, is to compare totals of spending levels.

If I need additional time to close, I take it off of the time I have on the amendment.

In sum and in closing, the Republicans want to cut projected spending on the very poorest in the Nation. We want to plug some corporate loopholes that have been alluded to here and some specifics, and there are many more. We agree. We want to honor our veterans. That is the reason for this Democratic amendment. The real question is whether we want to protect the disabled kids or the corporations who are moving jobs overseas.

Mr. President, I yield any remaining time that I have. I believe the Chair will confirm that we have previously

agreed to the yeas and nays on the Exon amendment.

I 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.

Mr. DOMENICI. Have the yeas and nays been approved for the Bond amendment?

The PRESIDING OFFICER. That is correct.

Mr. DOMENICI. Before we vote, let me ask Senator EXON a question.

According to our understanding, your side has the next amendment after we vote on these two.

Mr. EXON. That is correct.

Mr. DOMENICI. Can we see that amendment during the vote?

Mr. EXON. We will provide that amendment to you during the vote.

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the amendment of the Senator from Nebraska. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Kansas [Mr. DOLE] is necessarily absent.

Mr. FORD. I announce that the Senator from Arkansas [Mr. PRYOR] is necessarily absent.

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

The result was announced—yeas 45, nays 53, as follows:

[Rollcall Vote No. 115 Leg.]

YEAS—45

Akaka	Feingold	Leahy
Baucus	Feinstein	Levin
Biden	Ford	Lieberman
Bingaman	Glenn	Mikulski
Boxer	Graham	Moseley-Braun
Bradley	Harkin	Moynihan
Breaux	Heflin	Murray
Bryan	Hollings	Nunn
Bumpers	Inouye	Reid
Byrd	Johnston	Robb
Conrad	Kennedy	Rockefeller
Daschle	Kerrey	Sarbanes
Dodd	Kerry	Simon
Dorgan	Kohl	Wellstone
Exon	Lautenberg	Wyden

NAYS—53

Abraham	Gorton	McConnell
Ashcroft	Gramm	Murkowski
Bennett	Grams	Nickles
Bond	Grassley	Pell
Brown	Gregg	Pressler
Burns	Hatch	Roth
Campbell	Hatfield	Santorum
Chafee	Helms	Shelby
Coats	Hutchison	Simpson
Cochran	Inhofe	Smith
Cohen	Jeffords	Snowe
Coverdell	Kassebaum	Specter
Craig	Kempthorne	Stevens
D'Amato	Kyl	Thomas
DeWine	Lott	Thompson
Domenici	Lugar	Thurmond
Faircloth	Mack	Warner
Frist	McCain	

NOT VOTING—2

Dole	Pryor

The amendment (No. 3973) was rejected.

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

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

The motion to lay on the table was agreed to.

VOTE ON AMENDMENT NO. 3971

The PRESIDING OFFICER. The Senate will now proceed under the previous order to vote on the Bond amendment, No. 3971.

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Kansas [Mr. DOLE] is necessarily absent.

Mr. FORD. I announce that the Senator from Arkansas [Mr. PRYOR] is necessarily absent.

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

The result was announced—yeas 75, nays 23, as follows:

[Rollcall Vote No. 116 Leg.]

YEAS—75

Abraham	Feingold	Levin
Ashcroft	Feinstein	Lott
Baucus	Frist	Lugar
Bennett	Gorton	Mack
Biden	Graham	McCain
Bingaman	Gramm	McConnell
Bond	Grams	Murkowski
Brown	Grassley	Nickles
Bryan	Gregg	Nunn
Burns	Harkin	Pressler
Byrd	Hatch	Reid
Campbell	Hatfield	Robb
Chafee	Heflin	Rockefeller
Coats	Helms	Roth
Cochran	Hutchison	Santorum
Cohen	Inhofe	Shelby
Conrad	Jeffords	Simpson
Coverdell	Johnston	Smith
Craig	Kassebaum	Snowe
D'Amato	Kempthorne	Specter
DeWine	Kerrey	Stevens
Domenici	Kerry	Thomas
Dorgan	Kohl	Thompson
Exon	Kyl	Thurmond
Faircloth	Leahy	Warner

NAYS—23

Akaka	Glenn	Moynihan
Boxer	Hollings	Murray
Bradley	Inouye	Pell
Breaux	Kennedy	Sarbanes
Bumpers	Lautenberg	Simon
Daschle	Lieberman	Wellstone
Dodd	Mikulski	Wyden
Ford	Moseley-Braun	

NOT VOTING—2

Dole	Pryor

The amendment (No. 3971) was agreed to.

Mr. DOMENICI. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 3973

Mr. MCCAIN. Mr. President, the Senate just voted on an amendment by the Senator from Nebraska to increase veterans health care funding by changes in the Tax Code. Purportedly the revenue would be derived from closing corporate tax loopholes, although there is no guarantee that's where the money would come from. Proponents of the amendment have characterized the amendment as cutting corporate welfare.

First, I want to say that I support additional funding for veterans health care. In fact, I voted for the Bond amendment to increase health care spending by $13 billion.

Senator EXON's amendment also recommends a $13 billion increase. However, I want to address the issue of how the Senator from Nebraska intends to pay for the increase.

As my colleagues are aware I have been outspoken and active in the effort to cut inappropriate corporate subsidies. In fact, last year I offered an amendment to the reconciliation bill to cut over $50 billion in corporate pork spending. Unfortunately, that amendment was defeated. I might note that the effort did not enjoy the support of the Senator from Nebraska.

In addition, I have authored bipartisan legislation to review and eliminate corporate subsidies, including tax loopholes.

The Senator from Nebraska says the increase in veterans health care would be paid for by filling corporate tax loopholes. That sounds good, Mr. President, but the way that the amendment is written, that result is not guaranteed.

Moreover, even if we could be sure that loopholes were closed, I believe we owe it to the American people to dedicate the revenues derived from such reforms to reduce the tax burden on American families across the board.

Simply stated we can and should pay for necessary increases in veterans health care by offsets in other Federal spending, not by increasing the overall Federal tax burden.

I thank the Chair and yield the floor.

Mr. DOMENICI. Mr. President, I understand now the minority may have found another way to offer the President's budget and they intend to do that; is that correct?

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

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

THE DEATH OF ADM. JEREMY MICHAEL BOORDA, U.S. NAVY

Mr. THURMOND. Mr. President, I was informed this afternoon that Adm. Mike Boorda, the Chief of Naval Operations, died today. I have little additional information at this time on what happened or how; but I want to take a minute to acknowledge the passing of a fine naval officer who made many extraordinary contributions to the Navy and to his country. I think this is a tragic day for both the Navy and the Nation. We lost an individual who was both a strong leader and a decent man.

Admiral Boorda enlisted in the Navy in 1956 and rose from seaman to admiral. He was selected and confirmed as

the 25th Chief of Naval Operations in April 1994. Prior to his confirmation as Chief of Naval Operations, he commanded all United States and NATO forces in Bosnia. As ranking minority and now Chairman of the Senate Armed Services Committee, I had the opportunity to work closely with Adm. Mike Boorda on many occasions. I found him to be an officer of great professional skill, who instilled confidence and stood as a model of what a dedicated and courageous officer and leader should be.

Admiral Boorda took command of the Navy at a challenging time. His steady hand and firm leadership during a period of great change, a turbulent period of declining force structure and personnel reductions, and his firm commitment to professionalism and operational readiness, have kept the Navy on a steady course and sustained its excellence as a fighting force.

Particularly impressive was the empathy and concern that Adm. Mike Boorda had for those under his command. As a former enlisted sailor, he had a keen appreciation of the hardships of service at sea and family separation that are a part of a sailor's daily existence. He understood their sacrifice and worked extremely hard to ensure the welfare of naval personnel. He never failed to advise me on conditions in the fleet during our frequent meetings. His concern for the quality of life of the men and women in the naval service was remarkable.

During more than 40 years of service to the Navy and to his country, Adm. Mike Boorda made many extraordinary contributions to his country. He was man of great energy, vision, commitment, and patriotism. He was a man who deserved our gratitude and respect for his service while he lived, and our praise and prayers now that he is gone. We will miss him greatly.

Our thoughts are with his family, his wife Betty, his four children, and his nine grandchildren. They include two sons and one daughter-in-law on active duty in the Navy. We extend our sympathy to them and wish them well.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

CONCURRENT RESOLUTION ON THE BUDGET

The Senate continued with consideration of the concurrent resolution.

Mr. DOMENICI. Mr. President, let me say to fellow Senators there will be additional votes tonight, but we are now trying to work on some aspects of handling this in a more expeditious and orderly manner. We will do that for the next hour and 30 minutes. There will be no votes before 8 o'clock.

I suggest the absence of a quorum and ask that it be charged to 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. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

ADMIRAL BOORDA

Mr. KENNEDY. Mr. President, I am saddened, as my colleagues are, by the news we just received about Admiral Boorda's death. His loss is a tragedy for the Navy, the Armed Forces, and for the entire Nation.

Admiral Boorda was an outstanding leader and had the best possible qualifications to be Chief of Naval Operations because he rose through the ranks. He entered the Navy as an enlisted man in 1956. He is the only enlisted person ever to reach that high position.

As ranking member of the Armed Services Subcommittee on Seapower, I had the privilege of working with Admiral Boorda for several years. I had great admiration for his knowledge, skill, leadership and dedication. President Kennedy was a Navy man, too, and he said at the Naval Academy in 1962:

> I can imagine a no more rewarding career of any man who may be asked in this century what he did to make his life worthwhile. I think I can respond with a good deal of pride and satisfaction: I served in the U.S. Navy.

Admiral Boorda's life and career exemplify the best in that tradition. I join the Navy and the Nation in mourning its loss, and express my deepest condolences to his wife, Betty, and to his entire family.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The time will be equally divided, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

ADMIRAL BOORDA

Mr. COATS. Mr. President, I associate myself with the remarks made by the Senator from Massachusetts, having just recently learned of the tragic death of the Chief of Naval Operations, Admiral Boorda. Admiral Boorda was a native of Indiana and had a distinguished military career, rose to the very top as Chief of Naval Operations. As chairman of the Personnel Subcommittee, I had numerous discussions and meetings with him, so I felt that I got to know him as well as you can in a busy Washington and all the busy activities we are involved in.

I was shocked by the news, deeply saddened by the news, and concerned for his family. While we do not have all the details of his death, I think we all feel the sense of grief that comes with this type of an announcement.

Admiral Boorda came into leadership at a difficult time for the U.S. Navy. Many changes have taken place in the Navy that brought to his desk a number of problems that were difficult problems to deal with. Yet, he did so with skill and did so with great thoroughness and determination to seek a proper solution.

So, Mr. President, I intend to say more later about Admiral Boorda and his career and service to this Nation. But I join with those in saying how shocked and saddened we are with this particular announcement.

I yield the floor.

Mr. COCHRAN. Mr. President, I ask unanimous consent that I may speak as in morning business.

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

DEATH OF ADMIRAL BOORDA

Mr. COCHRAN. Mr. President, I, too, want to join my Senate colleagues in expressing how profoundly saddened we are about the death of Adm. Mike Boorda, Chief of Naval Operations. He was truly one of the most impressive figures who has ever been selected to serve as Chief of Naval Operations. He rose from the ranks of the enlisted personnel to become an officer, and not only that, but the highest-ranking officer in the U.S. Navy. He brought to that job an enthusiasm for the work, a love for the Navy, and a respect for everyone in the Navy that was unparalleled.

I recall very clearly a visit that I had the good fortune to make with him to the Meridian Naval Air Station in Meridian, MS. He gone down to our State and was visiting other States in the South looking at naval installations. He visited the Pascagoula base on the gulf coast. I was with him in Meridian when, after a tour of the naval air station, he wanted an opportunity to meet with everybody on the air station. So a meeting was called and everyone was invited. All hands were invited to come see the Chief of Naval Operations in the gymnasium there on the base.

He talked to everyone. He had a hand-held mike. He walked out in the middle of the gymnasium, as people were seated in the stands all around. After his remarks, without any notes at all, he took questions and he was asked questions about everything from pay allowance issues, to housing, to the status of some repair contracts on Navy fighter aircraft, to the status of trainers, and how long they would remain in service. He knew something about everything that he was asked

that day, and he handled the questions in a way that showed a genuine respect for each person who asked the question, whether it was an officer, a pilot of an airplane, or an enlisted personnel. He left that place that day with everyone really endeared to him and totally impressed with him as a person and proud to be in the U.S. Navy with his being the highest ranking officer in that Navy.

So it is with deep regret and sadness that we heard today the tragic news of his death. Our condolences go out to his family and to all of those who worked closely with him, because they have to be deeply, deeply saddened by this terrible event. But his legacy will be long remembered and appreciated as an enduring gift of unselfish public service by a person who was a true patriot.

Mr. President, I yield the floor.

CONCURRENT RESOLUTION ON THE BUDGET

The Senate continued with the consideration of the concurrent resolution.

Mr. EXON. Mr. President, I suggest the absence of a quorum and ask that the time be charged equally to 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. EXON. 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. EXON. Mr. President, Senator ROCKEFELLER is here. We are trying to move things along. He is ready to offer an amendment. We had a discussion here a few moments ago. As I understood it, the arrangement would be that there would be no more votes before 8 o'clock, and that, in the meantime, we had agreed to set aside, temporarily, the Exon amendment, which is before the body, to allow other amendments to be offered. I am pleased to see my friend from New Mexico here. Senator ROCKEFELLER is here.

I ask unanimous consent that the Exon amendment be temporarily set aside for the purpose of other people offering amendments. I simply say that, under the rules that are still in effect, it would be the Republican's turn to offer an amendment. If there is no Republican here and ready to offer an amendment, with the approval of the chairman of the committee, we could recognize Senator ROCKEFELLER for his amendment.

Mr. DOMENICI. Reserving the right to object. We have not seen Senator ROCKEFELLER's amendment. We do not know what it applies to, the underlying bill, or what.

Mr. President, I have no objection. I will just ask, since we did this for you last time, you can proceed with the Rockefeller amendment, and then we will have an amendment. Since we are entitled to go next——

Mr. EXON. I guess I was wrong on that, Mr. President. I was ready to offer an amendment. I would have gone next. Out of deference to the agreement we made, I am not offering that. So I guess the slot really would be on our side. I see nothing wrong if the Senator agrees that Senator ROCKEFELLER will take the place of the Democratic slot I was prepared to take, and then the next amendment will be on your side. Eventually, sometime tonight, we will get back to the Exon amendment that is being temporarily set aside.

Mr. DOMENICI. I have no objection.

Mr. EXON. I yield as much time as is necessary to the Senator from West Virginia for the purpose of offering and explaining the amendment.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. ROCKEFELLER. I thank the Chair and the distinguished Senator from Nebraska, and also the chairman of the Budget Committee, for their courtesy.

AMENDMENT NO. 3979

(Purpose: To restore $50 billion in excessive Medicare cuts designed to pay for new tax breaks for the wealthiest Americans, offset by the extension of expired tax provisions or corporate and business tax reforms; to protect seniors against unjustified increases in premiums and other out-of-pocket costs; to prevent the closing of rural hospitals and other excessive provider cuts that erode access to needed medical services; to prevent the implementation of policies designed to force seniors to give up their own doctors to join private health plans; and to protect Medicare against policies that will cause it to wither on the vine)

Mr. ROCKEFELLER. Mr. President, I send an amendment to the desk on behalf of myself, Mr. DORGAN, Mr. KENNEDY, Mr. DODD, Mrs. BOXER, Mr. LAUTENBERG, Mr. DASCHLE, Mr. WELLSTONE, Mr. FORD, and Mr. EXON.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from West Virginia (Mr. ROCKEFELLER), for himself, Mr. DORGAN, Mr. KENNEDY, Mr. DODD, Mrs. BOXER, Mr. LAUTENBERG, Mr. DASCHLE, Mr. WELLSTONE, Mr. FORD, and Mr. EXON, proposes an amendment numbered 3979.

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 3, line 5, increase the amount by $100,000,000.

On page 3, line 6, increase the amount by $3,400,000,000.

On page 3, line 7, increase the amount by $5,900,000,000.

On page 3, line 8, increase the amount by $9,200,000,000.

On page 3, line 9, increase the amount by $13,200,000,000.

On page 3, line 10, increase the amount by $18,700,000,000.

On page 3, line 14, increase the amount by $100,000,000.

On page 3, line 15, increase the amount by $3,400,000,000.

On page 3, line 16, increase the amount by $5,900,000,000.

On page 3, line 17, increase the amount by $9,200,000,000.

On page 3, line 18, increase the amount by $13,200,000,000.

On page 3, line 19, increase the amount by $18,700,000,000.

On page 4, line 8, increase the amount by $100,000,000.

On page 4, line 9, increase the amount by $3,400,000,000.

On page 4, line 10, increase the amount by $5,900,000,000.

On page 4, line 11, increase the amount by $9,200,000,000.

On page 4, line 12, increase the amount by $13,200,000,000.

On page 4, line 13, increase the amount by $18,700,000,000.

On page 4, line 17, increase the amount by $100,000,000.

On page 4, line 18, increase the amount by $3,400,000,000.

On page 4, line 19, increase the amount by $5,900,000,000.

On page 4, line 20, increase the amount by $9,200,000,000.

On page 4, line 21, increase the amount by $13,200,000,000.

On page 4, line 22, increase the amount by $18,700,000,000.

On page 29, line 10, increase the amount by $100,000,000.

On page 29, line 11, increase the amount by $100,000,000.

On page 29, line 17, increase the amount by $3,400,000,000.

On page 29, line 18, increase the amount by $3,400,000,000.

On page 29, line 24, increase the amount by $5,900,000,000.

On page 29, line 25, increase the amount by $5,900,000,000.

On page 30, line 6, increase the amount by $9,200,000,000.

On page 30, line 7, increase the amount by $9,200,000,000.

On page 30, line 13, increase the amount by $13,200,000,000.

On page 30, line 14, increase the amount by $13,200,000,000.

On page 30, line 20, increase the amount by $18,700,000,000.

On page 30, line 21, increase the amount by $18,700,000,000.

On page 49, line 17, decrease the amount by $100,000,000.

On page 49, line 18, decrease the amount by $50,500,000,000.

Mr. ROCKEFELLER. Mr. President, I rise today in order to offer an amendment to restore $50 billion to the Medicare Program. This amendment restores $50 billion by closing corporate loopholes and by extending expired tax provisions already included in the Republican budget.

Mr. President, we are back again trying to make sure that the Medicare Program is not gutted to pay for tax cuts for the wealthy. This is where we were a year ago. This is where we are again now. My colleagues on the other side of the aisle have tried to dress up their budget. They are proposing all kinds of fancy maneuvers and 3 separate budget packages. They are pretending their latest budget is somehow kinder and gentler. But there is really not much new here compared to what we had last year. They lost the budget battle last year with the American

public when the public realized that the drastic cuts in the Medicare and Medicaid programs were going to be used to pay for tax breaks for the wealthy.

Instead of going back, as I would have thought they would have done, to the drawing board and come up with some new ideas and better health policies, they have merely changed the rhetoric. Instead of proposing ways to strengthen the Medicare Program, they have come up with some complicated three-tiered reconciliation process so that they can send three different bills to the President in a desperate attempt to score some political points. Instead of working with Democrats and with President Clinton to actually enact a bipartisan balanced budget, the Republicans continue to work behind closed doors.

The budget resolution before us has been preconferenced. I want my colleagues to understand this. It has already been preconferenced between the House and Senate Budget Committees. I have only been here 11½ years. I have never heard of that—a preconferenced bill involving something so massive as Medicare, for example. The deals have already been worked out and they have shut the door on any serious attempt to reach an agreement on a balanced budget. It is either their way, with massive Medicare cuts to finance tax cuts for the wealthy, or it is no way at all.

Mr. President, last year the Finance Committee did not hold a single hearing on the so-called ''chairman's mark'' to cut Medicare by $270 billion; totally different approach than the one that Senator KENNEDY and Senator KASSEBAUM in their respective minority-majority positions took in their committee. The Labor and Human Resources Committee has done their legislation in a bipartisan, open-to-all, way. We did not do that in Finance. We held hearings on the problems of the Medicare Program earlier in the year. But not a single hearing was held on the Republican's actual plan to cut $270 billion out of the Medicare Program. Not a single hearing was held to figure out what the impact of these really very radical cuts would be on the average Medicare beneficiary who already spends, let my colleagues understand this, 21 percent of their budget on health care.

I wrote Dr. O'Neill, head of the Congressional Budget Office, last year asking for estimates of what she thought this $270 billion might have in the way of an impact on the average senior's pocketbook. Needless to say, I never got a response.

It is no different this year, Mr. President. This year the Finance Committee has failed to hold a single hearing on any aspect whatsoever of the Medicare Program—not one hearing. This budget resolution assumes enactment of the same type of radical policy changes without even preserving current law financial protection for seniors.

Mr. President, this debate is not about whether we should balance the budget but how we should balance the budget. This Republican budget still seeks the unprecedented cuts in the Medicare Program, just as it did last year. Just as that was rejected by the American people, here we are back again.

The President's budget achieves balance with $50 billion, or 44 percent, less in Medicare cuts.

If they both achieve balance, then it seems to me quite reasonable to take the President's approach and simply restore $50 billion knowing that the budget would then be in balance.

Mr. President, even the Congressional Quarterly wrote, ''This year's Republican Medicare budget proposal looks a lot like last year's proposal.'' The same thing—a huge public outcry last year, and with a new year out it comes once again.

On the surface, the Medicare cuts appear somewhat reduced. But a lot of the reduction can be attributed to CBO's revised Medicare baseline estimates and because this year's budget only includes 6 years worth of cuts rather than 7 years.

For hospitals, though, this year's budget resolution is much, much worse than last year's. The American Hospital Association estimates that the projected hospital cuts in the budget are 20 percent greater than the cuts in last year's proposed hospital budget cuts.

I have here a letter which I ask unanimous consent to have printed in the RECORD.

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

MAY 16, 1996.

DEAR SENATOR: On behalf of the undersigned organizations representing hospitals and health systems, we strongly urge your support of any amendment to S. Con. Res. 57 (the FY 1997 Budget Resolution) which lowers reductions to Medicare. We cite in particular an amendment to be offered by Sen. Jay Rockefeller (D-WV) to restore $50 billion to the Medicare program.

While it appears that the overall Medicare budget reductions of $165 billion included in S. Con. Res. 57 are roughly the same as those in the last Republican offer in January, the budget drastically changes how the reductions would be allocated within the program. The FY 1997 budget proposal achieves the total reduction by saving $124 billion from Part A Medicare (the Hospital Insurance Trust Fund) and $44 billion from Part B.

The net result is that in S. Con. Res. 57, the reductions in Part A have increased by approximately $25 billion. Not only are these unprecedented reductions, but they would have a disproportionate adverse impact on hospitals. To achieve reductions of this magnitude, Congress may need to adopt policies that would freeze or actually reduce payment rates per beneficiary.

Hospitals and health systems support a reasonable deficit reduction package, and believe that changes in Medicare are sorely needed to keep the Part A trust fund solvent. Many of us have supported various proposals that achieve a balanced budget with reductions in Medicare. However, we are gravely concerned about the level of Medicare Part A reductions proposed in S. Con. Res. 57.

Again, we ask you to support any amendments that temper the level of reductions to Medicare Part A, including Sen. Rockefeller's amendment to restore $50 billion to the Medicare program, and seek a more balanced approach to achieving savings.

Sincerely,

American Hospital Association, American Association of Eye and Ear Hospitals, Association of American Medical Colleges, Catholic Health Association, Federation of American Health Systems, InterHealth, National Association of Public Hospitals and Health Systems, Premier, Inc., VHA Inc.

Mr. ROCKEFELLER. Mr. President, this letter is signed by the American Hospital Association, the Catholic Health Association, the Federation of American Health Systems, and seven or eight others, in which they say the budget drastically changes how the reductions would be allocated within the programs.

They refer to: ''Not only are these unprecedented reductions, but they would have a disproportionate adverse impact on hospitals,'' and so on. It is a much more drastic cut for hospitals. That is something that we all need to worry about.

The Prospective Payment Review Commission, ProPAC, a highly respected, nonpartisan commission that advises Congress on hospital payment issues, has warned us in their March report that severe reductions in hospital payments could have a severe impact on hospitals. They go on to say, ''The required restraint on cost growth may not be feasible, or desirable. Low updates over an extended period could affect a hospital's financial health and compromise access and compromise quality of care. They could also impede the diffusion of quality-enhancing technological advances.''

Mr. President, this is not a partisan conclusion reached by this Senator or the Clinton administration about the hospital cuts proposed in the Republican budget. This is a conclusion that has been reached by a group of health care experts who have been advising Congress on the financial health of hospitals since 1983.

This budget truly ignores the heavy reliance of rural hospitals on the Medicare Program. Small rural hospitals may have to shut their doors. We have heard that before. But with this 20 percent greater impact, it is far more dangerous.

Mr. President, in West Virginia one-half of all seniors live in rural areas. Well over half of our hospitals are rural and are, therefore, clearly and logically disproportionately dependent on the Medicare Program for their payments.

Mr. President, my colleagues on the other side of the aisle will yet again claim that they are proposing these massive reductions in Medicare to save the trust fund from insolvency.

Once again, I say this is nonsense. While the most recent Medicare trustees' report showed the trust fund in somewhat worse shape than last year,

the variation falls within the typical margin of error. There is over $120 billion in that trust fund, and there is no imminent danger that claims cannot or will not be paid.

During my almost 10 years' tenure on the Finance Committee, Mr. President, we have been faced with many of these situations, to be quite honest, with many scenarios of impending trust fund short-term insolvency crises. You have not heard very much about them. The reason you have not heard very much about them is that each time, except for the last time, Finance Committee members worked together to enact Medicare payment reforms to extend short-term solvency to that one and same trust fund. We have done it time and time again, maybe seven or eight times over a period of 15 years.

We enacted major reforms in hospital payments in 1983 and followed up with physician payment reform, something that Senator Durenberger and I were closely involved in in 1989, as well, of course, as Senator KENNEDY. We made countless payment and policy adjustments to rein in Medicare spending and extend trust fund solvency, but we did it together. It was bipartisan. You heard very little, if anything, about it.

In fact, until very recently, the Medicare Program outperformed the private sector in containing its health care costs. The private sector is doing slightly better right now, but realize that the private sector is ensuring fewer and fewer people while Medicare's enrollment is increasing. Medicare pays for home care services and skilled nursing home care, types of services that are not normally covered by private insurance policies, and Medicare pays for an older and sicker population.

So in spite of this, except for this year, they have held their costs below the rate of increase of the private sector. They have done very well. As everybody knows, or hopefully knows by now, their administrative costs are about 2 percent, which is virtually impossible to imagine but true.

At the beginning of the Clinton administration, the trust fund was projected to be exhausted by 1999—not 2002 but 1999. The Democrats on the Finance Committee were forced to work single-handedly in 1993 to extend the solvency of the trust fund by 3 more years, and I am aware of that because I negotiated the Medicare part of that.

I can tell you, Mr. President, that we did not have a single Republican vote. We did it, nevertheless. I did not hear one single concern expressed by the current congressional majority about the solvency of the trust fund back in 1993, which was not very long ago.

The Congressional Budget Office has certified that the balanced budget proposed by the President would extend the solvency of the trust fund for 10 more years. That is about the same level of solvency achieved by the Republican budget. But the President's budget does so without damaging programmatic changes and drastic cuts that would eventually cause the Medicare Program to, as one noted public servant said, ''wither on the vine.'' We can address the short-term solvency needs of the trust fund without slashing and burning the Medicare Program. We can extend short-term solvency without shifting huge new costs to senior citizens. The President's budget proves that it can be done.

The tougher issue, of course, is the long-term solvency of the trust fund, and about that we are all concerned. When the baby boomers begin to age into the Medicare Program, there will be a huge strain on the trust fund. None of the balanced budget proposals deal with the issue of long-term solvency. The Democratic proposal does not. The President's proposal does not. The Republican proposal does not do that.

Last year, I introduced legislation—which I believe is strongly supported by Senator DOLE; he said he strongly supports it—that would establish a bipartisan Medicare commission. When people hear the word ''commission,'' they say, ''Oh, yeah, one of those.'' Well, yes, one of those was what solved the Social Security problem for a great many years under President Reagan and Alan Greenspan back in 1981. The House and the Senate and the President, Republicans and Democrats, all went along with that. Tough decisions were made. Bullets were bitten. The bill was passed, and Social Security is not the concern that it was at that time.

None of the balanced budget proposals, as I indicated, deal with this, and I think a Medicare commission to make recommendations to Congress on ways to deal with the long-term solvency of the Medicare Program is the intelligent, rational way to go. If we adopted the President's proposal on Medicare, we would have plenty of time, plenty of time, to adopt a bipartisan solution that addresses this long-term solvency.

It has always been a matter of some amusement to me; if it is solvent until the year 2002—the Medicare HI trust fund—and this is 1996, that is called 6 years.

The President could call this commission into being next year, if he is reelected, or, if Senator DOLE is elected, then he could do it. He says he is for it. It would meet for a period of 6 months or a year or whatever it would be, and the problem, therefore, would be resolved and we could vote on it in 1998, 4 years before the crisis even hit us. Six years is ample time. Medicare is not in danger. Congress will not walk away from our responsibilities on Medicare. We simply will not do it.

So from my point of view, in concluding, the Republican budget is designed to raid, not save, the Medicare Program. Medicare's money is going to be used to finance tax cuts for the wealthy. It is that simple. It has nothing to do with assuring long-term solvency of the Medicare trust fund. I find that abhorrent. It has nothing to do with making sure that Medicare programs continue to provide high-quality health care for our senior citizens and the disabled. It has everything to do with the Republican promises to balance the budget in 7 years and hand out tax cuts to the rich.

Mr. President, I hope my colleagues will adopt my amendment.

Mr. President, I send a modification of my amendment to the desk in that there was a small error.

The PRESIDING OFFICER. The Senator has the right to modify his amendment.

The amendment, as modified, is as follows:

On page 3, line 5, increase the amount by $100,000,000.

On page 3, line 6, increase the amount by $3,400,000,000.

On page 3, line 7, increase the amount by $5,900,000,000.

On page 3, line 8, increase the amount by $9,200,000,000.

On page 3, line 9, increase the amount by $13,200,000,000.

On page 3, line 10, increase the amount by $18,700,000,000.

On page 3, line 14, increase the amount by $100,000,000.

On page 3, line 15, increase the amount by $3,400,000,000.

On page 3, line 16, increase the amount by $5,900,000,000.

On page 3, line 17, increase the amount by $9,200,000,000.

On page 3, line 18, increase the amount by $13,200,000,000.

On page 3, line 19, increase the amount by $18,700,000,000.

On page 4, line 8, increase the amount by $100,000,000.

On page 4, line 9, increase the amount by $3,400,000,000.

On page 4, line 10, increase the amount by $5,900,000,000.

On page 4, line 11, increase the amount by $9,200,000,000.

On page 4, line 12, increase the amount by $13,200,000,000.

On page 4, line 13, increase the amount by $18,700,000,000.

On page 4, line 17, increase the amount by $100,000,000.

On page 4, line 18, increase the amount by $3,400,000,000.

On page 4, line 19, increase the amount by $5,900,000,000.

On page 4, line 20, increase the amount by $9,200,000,000.

On page 4, line 21, increase the amount by $13,200,000,000.

On page 4, line 22, increase the amount by $18,700,000,000.

On page 29, line 10, increase the amount by $100,000,000.

On page 29, line 11, increase the amount by $100,000,000.

On page 29, line 17, increase the amount by $3,400,000,000.

On page 29, line 18, increase the amount by $3,400,000,000.

On page 29, line 24, increase the amount by $5,900,000,000.

On page 29, line 25, increase the amount by $5,900,000,000.

On page 30, line 6, increase the amount by $9,200,000,000.

On page 30, line 7, increase the amount by $9,200,000,000.

On page 30, line 13, increase the amount by $13,200,000,000.

On page 30, line 14, increase the amount by $13,200,000,000.

On page 30, line 20, increase the amount by $18,700,000,000.

On page 30, line 21, increase the amount by $18,700,000,000.

Mr. ROCKEFELLER. I thank the Presiding Officer, and I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. ABRAHAM. I thank you, Mr. President. I yield myself 10 minutes to speak to the amendment.

Mr. President, the Senator from West Virginia and I from time to time agree on things in the Chamber, and on this occasion we disagree on the approaches being taken to Medicare. Let me just begin by trying to put in context the magnitude of the problem which we confront. While it may be true in the past there have been projections that Medicare, the part A trust fund was headed toward insolvency at some point in the future, we have never come this close before in the following sense. We have never before faced a situation where we actually were paying more dollars out of the trust fund than taxpayers were paying into the trust fund, but that, indeed, is where we are today.

Last April, the Clinton administration estimated that the trust fund balance would increase by $4.7 billion in fiscal year 1995 and 1997 would be the first fiscal year in which it would run a deficit. However, Department of Treasury figures indicate now that the Medicare Program ran a deficit of $37 billion in fiscal year 1995, 2 years earlier than expected. CBO has projected that based on this change in circumstance, Medicare is now likely to become insolvent as early as the year 2000. I ask unanimous consent to enter into the RECORD at this point a letter from the head of the CBO, June O'Neill, which indicates their projected timetable.

Mr. President, the concerns I think all of us have about the solvency of the part A trust fund are ones that need to be addressed. They need to be addressed decisively. I agree with the Senator from West Virginia that we must confront the long-term population projections, the aging of the baby boom generation and the impact that will have on Medicare, but I do not think we should postpone dealing with that problem until down the road in some commission. I think we have to begin laying the foundation for dealing with that problem now. That is what we are trying to do with the Republican budget before the Senate here tonight.

New estimates, as I said, by the Congressional Budget Office post the year 2001 as the likely point at which the trust fund part A will be insolvent.

Matters seem to be getting worse. Last year, Republicans offered a systemic change, an effort to try to create a competitive choice system for Medicare recipients. We were able to get that through the Congress, but, unfortunately, it was vetoed ultimately. But the direction we are moving in is one that will try to address this problem both short term and long term. Contrary to some of the comments that have been made, the Finance Committee has had, it is my understanding, 13 hearings already on Medicare in this Congress.

But the fact remains that there are two basic choices for us to make here in the U.S. Senate. The President has offered a proposal which essentially maintains the solvency of the part A trust fund by shifting, from the part A trust fund, vital programs, home health care, to the tune of approximately $50 billion, maybe a little bit more than $50 billion, and through that mechanism produces a greater solvency for the trust fund.

We, on our side of the aisle, do not think that is the appropriate way to address the problem. Countless Americans depend on the part A trust fund to provide those home health care services. Moving them out of the trust fund, moving them into the general account, making them, instead, subject to congressional deliberation and imposing their costs on the taxpayers, or to force those programs to be competitive with others, is not the way to go.

If that is the solution we are going to take every time the trust fund approaches insolvency, if we say the answer is to move parts of the programs under the trust fund out of the trust fund, I do not think that is providing seniors with much security at all. In fact, I think for any senior who is listening to this debate, I would warn them if we set the precedent saying the way we are going to address the pending insolvency of the Medicare part A trust fund is by taking away services and putting them up for negotiation and debate in part B, or in some other way to be dealt with by the Congress, we are undermining the confidence that seniors will have in Medicare, and it will continue in my judgment.

So, instead of approaching it that way, what we have attempted to do on the majority side is to provide what we think is a comprehensive approach to guaranteeing the solvency for 10 years of the part A trust fund. In addition, what we have done is to take the President's own number, which is $44 billion of savings in the part B Medicare portion of the budget. So what that means is that we are taking action that will guarantee the solvency of part A for 10 years, through the year 2006. That is, I think, a goal worthy of us and one that we should, I think, accomplish for purposes of protecting the American people who are dependent on Medicare. And we are using the President's own projected savings in part B of $44 billion to arrive at our Medicare objective.

Now that may not be the approach that others support. They seem to feel we need to try to increase the funding. But if we increase the funding in Medicare we are only creating, I think, a more serious insolvency problem. If we do not begin now to reform the programs to create the options and the choices for Americans so we can begin to reduce the rate of growth of the Medicare Program, we are inviting even greater problems at a sooner point, in my judgment.

We strongly oppose the amendment that is being offered. We think that the President's approach is not the proper way to go. We think that the approach of just spending more money without trying to reform the system is not the approach to take. Certainly we do not think the way to go is to have the usual solution around here of more taxes to fund programs. We need to reform the programs themselves.

So, for those reasons, I strongly urge my colleagues to oppose the amendment. I yield the floor at this time.

The PRESIDING OFFICER. The Senator from West Virginia.

(Mr. ABRAHAM assumed the chair.)

Mr. ROCKEFELLER. Mr. President, I would like to respond to the distinguished Senator from Michigan in his reference to treatment of home health care financing. I am addressing, in fact, the distinguished Senator from Michigan as the Presiding Officer.

It is complicated, but it is very important. I would like to take just a couple of minutes, if that is all right, outlining why this change in home care financing does, in fact, make sense. And then also why, therefore, it is a legitimate way to improve the solvency of the part A trust fund.

A little history: Before 1980, financing of the home health care benefit was divided between part A and part B, pre-1980. At that time only the first 100 days of home visits after a 3-day hospital stay were financed from the part A fund. All other visits were financed by part B. The policy behind this was that Medicare part A was designed to pay for short-term recuperative home care services. In 1980, Congress enacted legislation that improved Medicare's overall home health care benefit by removing the 100-day visit limit and the prior hospitalization requirement, the so-called 3-day requirement. As a result, financing of all home care services was shifted at that point to part A, even though part A was never intended to pay for long-term home health care services. That is the rationale, and it makes sense.

The President's proposal restores financing of the home health care benefit back to the original intent of Medicare, and that is what happens in his proposal. It brings Medicare financing in line with use patterns that show home health care has evolved into two distinct benefits: Care to persons recovering from an acute care hospitalization and care where there is no hospitalization but long-term care services are required. This proposal extends the solvency of the part A trust fund by capping part A financing of Medicare's home health benefit and saves the trust fund almost $60 billion over 7 years.

I just wanted to make that point. The Senator from Michigan, the Presiding Officer, had raised this point and I think it does bear explanation on a policy basis.

I thank the Presiding Officer and yield the floor.

Mr. BENNETT addressed the Chair.

The PRESIDING OFFICER. The Senator from Utah.

Mr. BENNETT. Mr. President, I was listening to the presentation of the Senator from West Virginia and felt I had to respond in some particulars. I appreciate the Presiding Officer giving me relief from the chair so that I might do this.

I hear the Senator from West Virginia use the statement that we have heard many times on the floor, that the purpose of the Republican number for Medicare is to pay for tax cuts for the wealthy. I say once again, if these tax cuts are going to benefit the wealthy, the wealthy have to have awfully big families because the tax cut is limited to $500 per child and I do not know anybody who is really wealthy who is going to make any money off of this at $500 per child. The people who need this are the people who have low incomes and big families. Those are the people in my State who are getting a little tired of the rhetoric that this is a tax cut for the wealthy. I have heard the statement made on the floor that this is going to mean $10,000 in tax cuts to some people. They have to have an awful lot of kids to get $10,000 at $500 per child.

Second, ''slash and burn'' is a phrase that was used, on the amount of money to be spent on Medicare; the incredible cuts. I was a Member of this body when the Senator from West Virginia cosponsored the Clinton health care plan. In the Clinton health care plan, as explained in hearings before the Congress by Mrs. Clinton, the growth of Medicare spending was to be slowed. Mrs. Clinton made the very specific point, and some of us have seen that on videotape as it has been replayed, that we are not cutting Medicare, she said, we are simply slowing its growth so that we can pay for all the things we need to do in health care.

The bill that is before us slows the growth of Medicare less than the amount proposed by Mrs. Clinton in the bill that she proposed, and which the Senator from West Virginia cosponsored.

I do not consider that it was slashing and burning Medicare when Mrs. Clinton proposed it, and I do not think it is slashing and burning Medicare now. I hope we will stay with the numbers as they really are. We are proposing increasing spending on Medicare, and the Republicans are proposing increasing spending on Medicare at a higher rate than Mrs. Clinton proposed, and that was in the bill that the Senator from West Virginia cosponsored.

Mr. President, the Senator from West Virginia has talked about the repeated actions of the Finance Committee in dealing with short-term solvency problems. An analogy sprang to my mind. We have watched the Government of the District of Columbia give us repeated short-term solutions to their short-term solvency problems, and the long-term solvency problem has gotten continually worse until finally the District of Columbia is facing the crisis that it is.

I am not proud—I did not participate, so I was not involved—but I am not proud of the actions of the Finance Committee over the years in the way they have solved the short-term solvency problem. I am not proud of administrations that I would call my administration—that is the Bush administration—in the way it has addressed the short-term solvency problem, because all they have done repeatedly is postpone the day of reckoning, and to say, ''Well, we've been able to do it on a bipartisan basis.''

All right, shame on both parties. But what happens again and again when you are faced with the short-term solvency problem in Medicare is, say we are going to reduce the amount we will reimburse to the doctors and we will make those greedy doctors and hospitals pay by putting a lid on the amount they can charge. There is another word for that, Mr. President. It is called wage and price controls. We have been trying to solve our inflation problems in this country with wage and price controls perhaps from the beginning of time. They have never worked in any other arena, and they have not worked in Medicare. Every time the Finance Committee or the administration puts wage and price controls on Medicare payments, the people who are faced with those wage and price controls find ways around them. Then the costs start going up again, so we have to have another short-term fix with wage and price controls.

The only solution is to forget the pattern of the past and make systemic changes in Medicare, and my party has had the courage to attempt that. The party of the Senator from West Virginia has said, ''No, we will not attempt systemic changes in Medicare. Let's have a commission.''

I would be happy to serve on such a commission and endorse such a commission if the charge of that commission was to say that we are not going to do what we have historically done because it is what we have historically done that has brought us to the point we are today. We have to face the fact that Medicare is a wonderful 1960's program frozen in time by virtue of its having been made a Government monopoly. We have to break the monopoly, open this thing up to free market forces, recognize that wage and price controls do not work, and start with a clean sheet of paper. If we had that kind of circumstance, I would be happy to do whatever is necessary to cooperate with the Senator from West Virginia in a bipartisan fashion. But more of the same, a repeat of what we have done in the years that have gotten us to this, is not the kind of call we need to deal with Medicare.

Mr. President, I recognize that I have opened a can of worms or a hornet's nest here, and I should return to the chair, but if the President will grant me the indulgence, I recognize that the Senator from West Virginia is now on his feet and wants to defend himself, and I congratulate him for that. If I may be allowed to stay here and defend myself and we have this debate, I think it will be a worthwhile circumstance.

With that, Mr. President, I yield the floor, in anticipation of hearing a rebuttal from my friend from West Virginia.

Mr. ROCKEFELLER. General reminders, perhaps, would be more appropriate in terms of the phrasing. I certainly listened to what my distinguished friend said, and respect him. In fact, in all that he says, because he has a particularly articulate, modified way of saying things which I have long respected, which the Senator knows from our previous conversations.

The Senator has brought up a number of points, such as wage and price controls, and this is something which is not necessarily totally accurate, but which I ask the Senator to contemplate. He talked about the evils of wage and price controls. Let us leave wages out for the moment—no, let us not leave wages out for the moment.

I submit to the Senator what we are now seeing increasingly in private sector managed care—you made reference to the Clinton health care program which is long gone. It seems to me like the debate on health care reform was 10 years ago. Since it failed, there was this convulsion in the marketplace, an extraordinary explosion of activity, and managed care took off. We have health maintenance organizations, HMO's, which are wonderful in their concept of paying a doctor so much to keep a patient healthy. Therefore, the incentive was to keep the patient healthy, and the incentive was always on the relationship between the doctor and the patient. Then we see the introduction of for-profit HMO's, which are now sweeping the Nation. That introduces quite another concept, and that is the interest of the shareholder of the company as opposed to, perhaps, in contrast to, in contradiction with, perhaps, the relationship between the doctor and the patient.

I just wonder out loud if what we have seen, therefore, and the resulting kind of caps and limits, and ''this will be allowed and that will not be allowed,'' is, in fact, a form of wage and price controls, but under the guise of the private sector, therefore, we do not think of calling it as such. I just raise that as something for the Senator to think about.

Second, on the short-term basis aspect, the Senator expressed great concern about having to do this all the time. I am in total agreement. I am in total agreement, and I think the reason that we have had all of these short-

term fixes is because we have not had to consider Medicare in a longer term context.

The Senator made some correct observations. But that is why I think that a commission, never before entered into, on Medicare, which has grown enormously because Congress has added enormous new burdens on it, services to be paid for, as well as the cost of health care and everything else, that it is, in fact, a long-term commission approach which is the answer to solidifying patterns, making adjustments, and biting the bullet on some very difficult issues.

I think that the deal, so to speak, would be that the commission would be so well balanced as to who was on it—experts, seniors, consumers, et cetera, it would be fairly done and expertly done—that it would be voted through by the House, voted through by the Senate and signed by the President almost without debate, like the Social Security Commission's recommendations were. It was an enormously controversial problem. Senator DOLE and Senator MOYNIHAN were on that commission.

With respect to when the Senator talked about the old bromide, or whatever it was, of Democrats talking about tax cuts for the rich, I have to go by what people in the majority say, because we in the minority have to respond to that.

The Senate budget resolution would, and I quote, ''accommodate further tax reform or tax reductions, to be offset by the extension of expired tax provisions or corporate and business tax reforms. Such tax reductions could include proposals such as economic growth, a capital gains tax reduction package, State tax reform, economic growth, fuel excise taxes * * *.''

And on to the end of the quote.

So I have to believe that tax cuts for the wealthy are still very much in the mind of the Republicans. I cannot prove it, but I can point to the Republican budget resolution before us.

What am I to think as I see this?

Mr. BENNETT. Would the Senator yield on that point?

Mr. ROCKEFELLER. Of course.

Mr. BENNETT. I do not have the figures in front of me, but I would be happy to supply them to the Senator. If you take the total amount set aside for tax cuts, you would find that the vast bulk, I think in the neighborhood of something like 80 percent of the value of the tax cut, goes for the $500 tax credit for children. The taxes that the Senator is pointing out, in terms of the total impact, are relatively small and can honestly be described as minor in their financial impact.

By far, the greatest bulk of the tax money is going for the $500 rebate for children. That is the expensive item in the tax cut bill. I am sure the Budget Committee would be happy to give the Senator those details.

Mr. ROCKEFELLER. We will see on all of this, because there is a very strong predilection on the part of the majority party to make—when you are talking about inheritance taxes, you know, that is pretty heavy stuff. That would raise questions. The Senator who is speaking knows something about that.

The other thing I guess I want to say, if the Senator would further yield——

Mr. BENNETT. I am happy to yield.

Mr. ROCKEFELLER. This amendment is about restoring $50 billion that was cut by the Republicans from Medicare. That is what my amendment is about. That is kind of what I would like our discussion to be about.

Mr. BENNETT. Mr. President, I thank the Senator for his reasoned response. I remain unconvinced by it, but I appreciate the manner and the tenor in which it is offered. May I make several comments, and then I will return to the chair, and perhaps this will pass on for those who want to read about it in the RECORD.

The reference to wage and price controls and HMO's. Wage and price controls, by definition, are imposed by Government. Market conditions may set prices elsewhere. One of the main things wrong with our whole health care system—and the Senator and I can have this discussion at length at some other time—is the very fact that market forces do not operate here and cannot because of the Government's attempt to enforce wage and price controls.

We have a circumstance, I say to the Senator, where the user of the service is not the purchaser of the service, and market conditions therefore cannot operate.

If I, for example, am enrolled in an HMO I do not like, there is nothing I can do about it because the person who chooses that HMO is my employer. It is the employer who purchases the service, pays for it and makes the deal. It is I, the employee, who uses the service.

Mr. ROCKEFELLER. Would the Senator yield?

Mr. BENNETT. I will yield in a moment.

I have been the chief executive officer of a company and, therefore, in a position to choose what kind of health care the employees will get. It will come as no surprise to say that I chose a program that I liked.

During the debate over the Clinton health care plan, people would say to me, ''Why don't you give us as good a health care plan as you have as a Member of Congress?'' My response was, ''I wish I had as good a health care plan as I had before I came to Congress,'' because the only health care plan I have now, as a Member of Congress, is that which the Government has decided to make available to Government employees. If you want the same kind of health care plan I have, go get yourself a Government job. But if you want a different kind of health care plan, go petition your employer.

That does not make sense. In any other circumstance, you make the choices if you buy the service. But we have created a circumstance here in our country—frankly, we can debate the historical roots of it—where the employer makes the decision but the employee receives the service. So whom does the HMO have to please? It has to please the health and human resources person at the employer's desk. If the employee does not get what he wants, too bad. The employer has made the choice.

Mr. ROCKEFELLER. If the Senator will yield?

Mr. BENNETT. I am happy to.

Mr. ROCKEFELLER. The Senator—and I apologize to my colleagues because we are no longer debating this amendment, which is about restoring $50 billion in Republican cuts to Medicare. That is what will be, hopefully, voted up later.

But when the Senator said, ''I ran a company, and I decided what my employees were going to get. I made the decision''——

Mr. BENNETT. That is correct.

Mr. ROCKEFELLER. That is a very powerful statement. What that basically says is that the employees were denied any choice as to whether or not, for example, their doctor happened to be included in that program or not.

Mr. BENNETT. That is correct.

Mr. ROCKEFELLER. Whether certain services were offered in that program or not.

Mr. BENNETT. That is correct. The Senator is exactly right. He is describing the way health care works in this country.

Mr. ROCKEFELLER. If I might then just go back for a moment to the thoroughly savaged Clinton health care plan on the floor this evening, which, as I indicated is now a part of history. One of the things that the Senator is now able to do, if he in fact takes the trouble to do this, under the so-called Government health insurance program, which I would submit is hardly Government, because, for example, I have a Blue Cross-Blue Shield card, and the last I heard Blue Cross-Blue Shield was a private insurance company——

Mr. BENNETT. I say to the Senator, the Government——

Mr. ROCKEFELLER. If I could continue my point, I say to the Senator.

Mr. BENNETT. By all means.

Mr. ROCKEFELLER. That the Senator and this Senator and all those who work for the Federal Government have, in fact, between 25 and 29 different plans that they can choose from every single year. I have watched my daughter go through this process of spreading out the different programs, sitting on the floor cross-legged, and just looking at all of these 29 different programs spread out before her, 29 different options of health care which she gets to choose from. With Blue Cross-Blue Shield, through that arrangement, she pays them, she can pick her doctor, she can pick her service. She can reject one thing from one year to another. But the choice is hers.

The point I would like to loudly insert in this debate is that the Senator in mandating for his employees what they will have. And, indeed, it occurs to me that that is a mandate. That is an entirely different situation from Federal employees, or those in the alliances that were contemplated in the Clinton health care plan. Through their joint purchasing power, they could have in fact a great variety of programs that would be spread before them. In fact, the Federal intervention that came in was from something called a Federal Quality Board which was made up of medical experts who would certify that any health plans that were being offered to the public through alliances or otherwise would have to be certified as being qualified and of high quality.

One of the great complaints one hears across the land today in America from physicians, hospitals and persons conversant in health care public policy is that the word ''quality'' is rapidly disappearing from the discussion, if not the practice of medicine.

Mr. BENNETT. Mr. President, we perhaps should end this. I hope it is instructive. I am sure the Senator from West Virginia and I will continue this at another venue.

We clearly are not communicating here. He has outlined what I consider to be a prime example of what I was talking about. The Government has decided that his daughter's choices will be limited to Blue Cross-Blue Shield. The Government has decided that the plan I was under before coming to the Senate will not be available to me now that I am in the Senate. The Government has picked, yes, 29 different plans, and that is a lot, but that is not all that is available. I cannot take my money that is being spent for health care, deducted from my pay, go out in the open market and buy something else with it. I can only use it within the framework that this commission that he has described has made available to me.

Now, I will concede to him, absolutely, the commission he described did a good job and most employees will find that in the choices the Government offers they will find something that covers their needs. The point is that 29 choices is not the universe. If I want to make choice number 30, my employer—in this case the Government—has decreed that I cannot make choice number 30 with the money they are spending on my behalf for health care.

That is another debate for another time. We can have it. But I wanted to introduce it into this circumstance because I think it addresses the basic issue and goes back to the amendment that the Senator has offered.

Mr. ROCKEFELLER. Will the Senator yield for a closing thought?

Mr. BENNETT. Yes.

Mr. ROCKEFELLER. There were many more insurance plans than Blue Cross-Blue Shield involved at that time.

I just ask the Senator to contemplate the difference between the 25 to 29—and yes, there might be 30 on the one hand—as compared to the one that the Senator as president and chairman of the corporation which he ran picked out on behalf of his employees.

Mr. BENNETT. This is not the place to get into these details. I say the plan I chose had a number of choices within it so that the employees could make, frankly, almost as many choices as Government employees could make. Ultimately I had to make the decision as to what the framework would be for our employees. I made a decision to a plan that, in my opinion, was better than the one that is currently available to me.

My employees, I think, were better served with that decision that I was making than the Government employers and the decision you are talking about. Those are not appropriate questions here. We can have this discussion elsewhere. I think they go to the core of what has to be addressed when we talk about fixing the health care system in this country.

To summarize, and then I will return to my duties in the chair, I have always congratulated President Clinton on his leadership in addressing America's health care problems. I am one Republican who has been critical of my party's inability to exercise the proper leadership here. President Clinton did a courageous thing in taking this issue on. I had congratulated him at the time. I congratulated him all the way through, even while disagreeing with him on the details of his plan. I have congratulated him for his courage in being willing to face the fact that our health care system in this country is broken and badly needs fixing. I just do not think his solution fixed it. In my opinion, his solution made it worse.

I feel the same way about Medicare, that my party has had the courage to recognize that Medicare, to be handled as business as usual, is headed for disaster, and it is headed for disaster quickly. We have taken the political heat. We have taken the political rhetoric. We have been accused of slashing and burning. However, we have stood up to facing the problem.

As the Washington Post has said in its editorials, the Republicans deserve credit for telling the truth about Medicare and the Democrats have slipped into the posture of ''Mediscare.'' That, in fact, does not add and contribute to the debate.

I thank my friend from West Virginia for the opportunity to have this exchange. I thank the Senator from Michigan for allowing me to escape the enforced silence of the chair long enough to vent my feelings on this issue, which I am sure will continue to provide opportunity for lots of dialog for lots of months and perhaps years to come.

I yield the floor.

Ms. MIKULSKI. Mr. President, I rise to express my strong support for the Rockefeller amendment on Medicare. The amendment restores $50 billion to the Medicare Program. It keeps Medicare solvent. It honors our national commitment to seniors.

Haven't we been this way before? It's the same old story—big cuts in Medicare to pay for tax cuts for the wealthy. Yes, we must balance the budget and keep Medicare solvent. But we can do that with the President's budget.

I will fight to protect health care for all seniors. Medicare pays for medical care for almost 38 million seniors. Over 500,000 of these seniors live in my State of Maryland. In my travels to senior centers throughout the State, I hear the same thing over and over. Seniors tell me they're afraid of losing their Medicare coverage. They fear they won't be able to keep their own doctors. They are worried they will be forced into managed care plans.

Our seniors count on Medicare for their health care. I want to keep the CARE in Medicare. This amendment will do that. It protects seniors from excessive premium increases and out-of-pocket costs. It lets seniors keep their own doctors. It attacks fraud and abuse. Doctors and hospitals won't be able to charge patients above the cost of Medicare. And seniors will have access to care because it prevents the closing of rural and urban hospitals.

There has been a lot in the news lately about Medicare going bankrupt. I am concerned about the solvency of the Medicare trust fund. We owe it to what I like to call the GI Joe generation and future generations to keep Medicare solvent. The GI Joe generation is the generation that fought for freedom and democracy for the world during World War II. They didn't hesitate to serve. When the war was over, they came home, raised their families, and contributed to the greatest prosperity this Nation has ever known. We would not be a nation much less a world power today if it weren't for the GI Joe generation. They have worked hard all their lives and played by the rules. Now they need Medicare to be there for them. Promises made must be promises kept.

We can balance the budget with far fewer Medicare cuts. At the same time, we can keep Medicare solvent and protect seniors from new costs. The President's budget accomplishes these goals. Under his plan, the solvency of the trust fund is extended for 10 years.

Medicare is one of the best health care systems in the world. Before Medicare was enacted 30 years ago, less than 50 percent of seniors had health insurance. Now 99 percent do. Let's not dismantle this successful program.

I oppose increasing seniors' out-of-pocket costs. That's why I oppose balance billing. This lets doctors and hospitals charge patients above the cost of Medicare. It increases seniors out-of-pocket costs. Ninety-seven percent of Medicare funds are spent on recipients with incomes less than $50,000. Seniors

already spend 21 percent of their income on health care. They can't afford to spend more. Let's not hurt middle-income Americans. We need to renew our commitment to help those who help themselves.

The budget cuts Medicare part A by $98 billion. This part pays for hospitals and providers. We can't overlook the effect these drastic cuts will have on hospitals. What will happen to institutions like Johns Hopkins School of Medicine and the University of Maryland Medical School under these cuts? Cuts this large will put some hospitals out of business. It will cut down on the training of new doctors. And in the end, our seniors will be the ones hurt the most.

I say to my fellow Senators, do the right thing today. Don't balance the budget on the backs of our seniors. Preserve the Medicare Program. Let's keep our commitment to senior citizens.

Mr. KERRY. Mr. President, I rise today in support of Senator ROCKEFELLER's amendment to reduce the size of the Medicare cuts to the level of the President's budget and to preserve the basic health care protections this nation now provides for senior citizens.

Without Medicare, many and perhaps most of the 38 million Americans who are Medicare beneficiaries would have inadequate health care and treatment—or no treatment at all. This year's Republican budget would cut Medicare by $167 billion over 6 years, $50 billion more than the President's budget. This cut would reduce Medicare spending growth far below projected private sector growth rates, resulting in reduced quality and access to health care for millions of Americans.

This year's Republican Medicare cuts are all too similar to last year's Medicare cuts. In their fiscal year 1996 budget, the Republicans would have cut Medicare by $270 billion over a 7 year period to finance a $245 billion tax cut primarily for America's wealthiest people. These cuts would have resulted in a $9.5 billion loss to Massachusetts alone over the next 7 years. These cuts, if allocated evenly among all beneficiaries, would have cost each of the 900,000 seniors and disabled people who depend on Medicare an additional $1,240 a year.

But this year's Republican cuts in Medicare are still too large and will risk turning Medicare into a second-class system for seniors who cannot afford to opt out of the traditional Medicare Program through Medical Savings accounts. It is also amazing that Republicans still have not disavowed their intention to increase premiums to pay for a tax cut. Our Nation's senior citizens, with an average annual income of $17,000, spend more than 20 percent of their incomes on health care. Additional health care expenses would put an even greater burden on this population.

I believe that Medicare can be reformed without totally dismantling the fundamental security that the system provides. The President's budget shows that premium increases, deep cuts, and damaging structural changes are not necessary to balance the budget and guarantee the solvency of the Medicare trust fund. By failing to identify and eliminate corporate subsidies, and adamantly insisting on tax cuts for the rich, the Republicans are forced to cut programs for middle-class Americans far deeper than the President's plan, and the Medicare Program is bearing the brunt of this attack.

Medicare is a part of Social Security, a contract between the Government and the people. People pay into the trust fund during their working years and then receive good health care in their retirement years. The Republicans would break this fundamental contract with the American people.

I urge my colleagues to support the amendment offered by Senator ROCKEFELLER which I am proud to cosponsor. We must stop the Republicans from using the Medicare trust fund as a slush fund to pay for tax cuts. We must carefully and responsibly reform Medicare for the sake of preserving and strengthening Medicare and those who depend on it. The Republican budget really fails this test once again. In colloquial terms, Mr. President, ''They just don't get it.''

The PRESIDING OFFICER (Mr. BENNETT). The Senator from West Virginia.

Mr. ROCKEFELLER. Mr. President, might I ask a question of the distinguished Senator from Michigan? If this amendment which is about trying to restore $50 billion to Medicare, is it the intention of the majority that we will discuss but not vote or that we will vote tonight?

Mr. ABRAHAM. It is my understanding, I say to Senator from West Virginia, we at least will not vote on anything before 8 o'clock. There is an agreement to not have any votes prior to that. At whatever point debate on the amendment of the Senator from West Virginia ends, if there is no further debate, I plan to speak briefly about it.

I am prepared to offer another amendment which, I think, would be in order, which will address Medicare and probably open up further discussion about the topic we have been discussing for the last half hour or so. Whatever point we decide there is no further debate on this, I am prepared to bring another amendment for discussion. I do not believe there is an agreement on specifically when we would vote. My understanding is we would not vote on anything prior to 8 o'clock.

Mr. ROCKEFELLER. I say to my friend that is approximately 22 minutes from now. Medicare is a pretty important subject. There may be people who want to speak. On the other hand, part of the deal around here is that if you want to say something you have to be here.

Can I assume that maybe by 8:30 or 9 o'clock we could vote?

Mr. ABRAHAM. I say to the Senator, I do not know of any other people right now on our side who are prepared to speak. I have been told several Members were coming to the floor earlier, but I have not seen them. I am not certain we will not have speakers. I have a few brief comments to make on the amendment before us, and I am prepared to bring up another amendment discussing the topic of Medicare that I presume we will debate for some period of time. I have received no further word from anyone on our side with an interest in speaking. I do not know whether on your side there are others who plan to come down.

It is my understanding there are approximately 30 minutes left on each side.

The PRESIDING OFFICER. The Senator is correct.

Mr. ABRAHAM. And I can offer my amendment when we either exhaust the time or it has been yielded back.

Mr. President, I will speak to the amendment for such time as I may need at this point. I want to make a couple of points, following up on my earlier statement. As you know, Mr. President, I expressed the concern that we have on our side over the way the President has attempted to address the Medicare issue. Specifically, the provisions in his budgets which would transfer the home health care expenditures from the part A to the part B fund.

The Senator from West Virginia has indicated that the rationale from a policy standpoint for doing this is the fact that some 16 years ago, or just prior to the year 1980, there was a limit on the duration of part A's coverage for home health care and a prerequisite of a previous hospitalization was necessary to trigger that part A coverage.

I only say this. If we are going to use as a standard for changes in Medicare the fact that at one time we did it differently, there would certainly be plenty of other Medicare-related issues then that would fall under that policy justification. For example, last year, there was a pretty significant debate here before the Senate over the question of the percentage of part B premium that would be paid by the recipients, by the people in the Medicare Program, a debate on whether or not the percentage would be dropped from 31 to 25 percent. It was argued at that time that we should not maintain a 31 percent, we should reduce it. That is a debate that has passed, but the fact is, there was a time in the program where the percentage of co-pay of the part B recipients was much higher than 31 percent.

So I do not think it is at least a reasonable justification to say that, because 17 years ago, the Medicare Program was structured a certain way, that that alone, or in any sense, is a justification to return to that approach. The same, presumably, is true for a variety of other ratios, formulas, reimbursements, and so on, whether it is for direct medical, education, or

other components. Clearly, they have changed over the years. It just seems to me that to say we can move home health care out of part A because at one time it was structured differently does not reach the most important element here, which is, by doing this, we are changing dramatically the expectations of part A Medicare recipients.

Those people believe that home health care is, in fact, part of that trust program. It is, in fact, not subject to the availability of funds or the need to either increase taxes or find other spending cuts to justify payments for it. And that is why we feel the President's budget does not really meet the challenge for us.

I would like to say a couple of other things with respect to the specifics of the amendment before us. According to the Congressional Budget Office, the President's Medicare proposal would not maintain solvency of the part A Medicare trust fund for the full 10 years that we want. In fact, the projection is that it would be insolvent by the year 2005. Now, I would like to bring to the attention of the Senate the fact that, in the President's budget, the reductions in the growth—I will give the President the benefit of the doubt and not call it a cut. By reducing the growth by $116 billion, the President's budget maintains solvency not for 10 years but for 9 years. If, in fact, the $50 billion that is proposed in this amendment were used to increase the rate of growth of the Medicare Program, as proposed in our budget, then the actual total net change under our budget would only be $108 billion over the period of time our budget covers, through 2002. In other words, it would be less savings than in the President's budget. So, in other words, if this amendment were to pass, Mr. President, then we would be, in fact, not ensuring the solvency of part A of the trust fund as long as the President even does, and we believe on this side that the President's proposal to maintain solvency through 2005 is not adequate.

So I think it is important for our colleagues to understand that, in supporting this, they are in fact supporting an amendment that would bring about the insolvency even earlier than that which would be the case under the President's budget, and certainly which would be the case under our budget.

I also wanted to clear up one other point, Mr. President. In the tax cut provisions in the budget we are offering, the total amount of $122 billion, I believe, is targeted—it does not, in fact, even cover fully the $500-per-child tax credit. So there, in fact, would not be enough money to fund the other tax cuts beyond the $500 tax credit in the budget which we have.

To summarize, we have several facts that I think need to be revisited. First, the Medicare trust fund is going broke. At the current rate of growth in spending, at the current rate of projection from the Congressional Budget Office, it will go broke in 2001. We cannot let that happen, Mr. President.

Second, I think we want to make sure that its solvency is not maintained for a short duration of time—3, 4, 5, 6 years—but we want it to be solvent for 10 years. The President's budget would not accomplish that. If this amendment passes, our budget would not accomplish that either.

Finally, we on the majority side do not want to eliminate the home health care protections under the part A trust fund. The President's budget would do that and, obviously, there is a sharp difference there.

So, in short, Mr. President, we are prepared and desire to fix and repair the trust fund and maintain solvency for a decade. We think that is the least we can do to address this problem at this time. In our judgment, at least, anything short of that does not meet the mark, does not provide our seniors with the protections they need, does not provide the trust fund with the protection it needs.

We want to give families a chance to keep more of what they earn. That is why we have the money in this budget for a tax cut. But it is not connected to the Medicare issue at all. Once again, to portray it that way is simply inaccurate. We have the Medicare part A trust fund headed toward bankruptcy. For the first time, in 1995, it was actually spending more than it was taking in. The time has come to repair it for a sufficient period of time, and to allow us to focus on a broader and even longer term fix, which is clearly needed.

I yield the floor.

Mr. EXON addressed the Chair.

The PRESIDING OFFICER (Mr. BENNETT). The Senator from Nebraska is recognized.

Mr. EXON. Mr. President, in keeping with what we have done several times today, I ask unanimous consent at this time that the Senator from Georgia be recognized for appropriate remarks on the tragedy that faced all of us today, especially the U.S. Navy.

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

The Senator from Georgia [Mr. NUNN], is recognized.

TRIBUTE TO ADMIRAL BOORDA

Mr. NUNN. I thank my friend from Nebraska. I join my colleagues in being both shocked and deeply saddened by the sudden death of Adm. Mike Boorda, Chief of Naval Operations. Admiral Boorda had a truly remarkable career in the Navy. Many people do not recognize it and do not realize it, but Mike Boorda rose from the lowest enlisted rank to become the most senior officer in the Navy. He never forgot where he came from. The welfare of the men and women of the Navy were always foremost in his thoughts and in his actions. He never let us forget that when he testified before the committee. The men and women of the Navy were first for him. He was always looking for additional ways to help the Navy families and, particularly, the people who served in the Navy and those who are directly affected by that service.

Admiral Boorda was well-known to Members of the Senate, and to the Armed Services Committee, for his devotion to the Navy and the ideals of military service. He was always available and helpful. Never have I asked a single question when he was not responsive immediately, if the information were available. I had the opportunity to work closely with Mike Boorda over the years on a wide variety of projects and programs, particularly during his service as Chief of Naval Personnel, as commander of Joint Task Force Provide Promise, which was responsible for the mission throughout the Balkans, and as Chief of Naval Operations. Many of us have been briefed by Admiral Boorda when he was head of that task force in a very tough period during the Balkans problems. I visited him overseas when he was planning the Bosnia operations, and I relied on his wise counsel many times.

Mr. President, I could go on and on about Mike Boorda. I will summarize it by saying that he was a superb military commander and a true friend. Admiral Boorda was an inspiring leader and a man of vision. I extend my deepest sympathies to his wife, Bettie, to his children, David, Edward, Anna and Robert, and to his many friends and admirers in the Navy and throughout this great country.

I thank the Chair and my colleagues.

CONCURRENT RESOLUTION ON THE BUDGET

The Senate continued with the consideration of the concurrent resolution.

Mr. EXON. Mr. President, we have had a good debate. I believe that both the Senator from Michigan and the Senator from West Virginia are prepared to yield back the remainder of the time, and that would allow us to continue to go back to the Republican side for the next amendment. I believe that amendment will be offered by the Senator from Michigan.

As I understand it, it is on the same subject that we have discussed quite thoroughly. Maybe we can cut back on the use of some of this time. I would simply like to emphasize that while it may generally not be understood in the Senate, it is not a disgrace to not use the whole hour on each side on all of these amendments. It is perfectly acceptable and it is certainly respectable to yield back time so that we can move ahead on amendments.

Depending on what happens, as you know, we temporarily set aside, in agreement with the chairman of the committee, so that we could move ahead. We are not going to have any votes before 8 o'clock. I would simply suggest that if the two managers of the

measure before us are ready to yield back this time and set the amendment offered by the Senator from West Virginia up for a vote when agreed to by the managers of the bill, then we could move to the amendment of the Senator from Michigan and start debating that.

Mr. ABRAHAM addressed the Chair.

The PRESIDING OFFICER. Does the Senator yield back time?

Mr. ABRAHAM. Mr. President, the majority is prepared to yield the remainder of its time on the amendment of the Senator from West Virginia.

Mr. ROCKEFELLER. Mr. President, I want to say one sentence and then yield the remainder of my time.

The Senate GOP resolution and the Clinton budget both achieve the same short-term solvency. Dr. June O'Neill has certified that the Hospital trust fund will be solvent until the year 2005 under the President's plan.

I yield back the balance of my time.

Mr. EXON. Mr. President, now that all time has been yielded, I ask unanimous consent to lay aside temporarily the ROCKEFELLER amendment and proceed with the next amendment that I understand under the agreement would be the one to be offered by the Senator from Michigan.

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

AMENDMENT NO. 3980

Mr. ABRAHAM. Mr. President, at this time I would like to offer an amendment for myself and Senator DOMENICI.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Michigan (Mr. ABRAHAM), for himself and Mr. DOMENICI, proposes an amendment numbered 3980.

Mr. ABRAHAM. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the Appropriate Place in the Bill insert the following:

SEC. SENSE OF THE CONGRESS REGARDING CHANGES IN THE MEDICARE PROGRAM.

(a) FINDINGS.—Congress finds that, in achieving the spending levels specified in this resolution—

(1) the public Trustees of medicare have concluded that ''the medicare program is clearly unsustainable in its present form'';

(2) the President has said his goal is to keep the medicare hospital insurance trust fund solvent for more than a decade, but his budget transfers $55 billion of home health spending from medicare part A to medicare part B;

(3) the transfer of home health spending threatens the delivery of home health services to 3.5 million Medicare beneficiaries;

(4) such a transfer increases the burden on general revenues, including income taxes paid by working Americans, by $55 billion;

(5) such a transfer artificially inflates the solvency of the medicare hospital insurance trust fund, misleading the Congress, medicare beneficiaries, and working taxpayers;

(6) the Director of the Congressional Budget Office has certified that, without such a transfer, the President's budget extends the solvency of the hospital insurance trust fund for only one additional year; and

(7) without misleading transfers, the President's budget therefore fails to achieve his own stated goal for the medicare hospital insurance trust fund.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that, in achieving the spending levels specified in this resolution, the Congress assumes that the Congress would—

(1) keep the medicare hospital insurance trust fund solvent for more than a decade, as recommended by the President; and

(2) accept the President's proposed level of medicare part B savings of $44.1 billion over the period 1997 through 2002; but would

(3) reject the President's proposal to transfer home health spending from one part of medicare to another, which threatens the delivery of home health care services to 3.5 million Medicare beneficiaries, artificially inflates the solvency of the medicare hospital insurance trust fund, and increases the burden on general revenues, including income taxes paid by working Americans, by $55 billion.

Mr. ABRAHAM. Mr. President, the amendment that I have sent to the desk is a sense-of-the-Senate amendment regarding changes in the Medicare Program. It is certainly in keeping with the sentiments which have been expressed by both the Senator from Michigan as well as the current Presiding Officer when he was here on the floor a few minutes ago.

Just to go through the salient points of the amendment, the amendment, in achieving the spending levels specified in this resolution, says that the public trustees of Medicare have concluded that the Medicare Program is currently unsustainable in its present form;

Two, the President said that it is his goal to keep the Medicare hospital trust fund solvent for more than a decade, but his budget transfers $55 billion of home health care spending from part A to part B Medicare;

Three, that the transfer of home health spending threatens the delivery of home health care services to some 3.5 million Medicare beneficiaries;

Four, that such a transfer increases the burden on general revenues and income taxes paid by working Americans by $55 billion;

Five, that such a transfer artificially inflates the solvency of the Medicare hospital insurance trust fund, misleading the Congress, Medicare beneficiaries, and working taxpayers;

Six, that the Director of the Congressional Budget Office has certified that without such a transfer, the President's budget extends the solvency of the hospital insurance trust fund for only 1 additional year;

And, seven, that without transfers, the President's budget, therefore, fails to achieve his own stated goal for the Medicare hospital insurance trust fund.

Therefore, it is our amendment's sense of the Congress that in achieving the spending levels specified in this resolution, the Congress assumes that the Congress would keep the Medicare hospital trust fund solvent for more than a decade as recommended by the President and accept the President's proposed level of Medicare part B savings of $44.1 billion over the period 1997 through 2002 but would reject the President's proposal to transfer home health spending from one part of Medicare to the another, a transfer which would threaten the delivery of home health care services to 3.5 million Medicare beneficiaries.

Mr. President, this sense-of-the-Senate amendment incorporates much of what I have been talking about here tonight and much of what we discussed during our deliberations in the Budget Committee. It is our goal on the majority side to try to achieve the two objectives that have been set forth by the President, at least his stated objectives: One, to make sure with the part A transfer of funds that Medicare remains solvent for a decade; and, two, achieve savings of approximately $44 billion in the part B portion of Medicare.

We just do not think that is the way to do this or that it is an appropriate way to accomplish this objective by transferring vital services that have been covered by the trust fund into the part B portion of Medicare, the area that is not covered by the trust fund. We believe it is essential that the Congress be on record clearly as stating that.

So, for those reasons, we offer this sense-of-the-Congress amendment here tonight. We hope that our colleagues will support it. We feel, as I have been talking for the last hour, and others, the Presiding Officer as well, that we are headed, with respect to the part A trust fund, in a direction of insolvency far sooner than anticipated, that, in fact, with the trust fund now operating at a deficit for the first time in history, we are waiting for the new projections, but the day of reckoning is much closer at hand.

We do not think it is appropriate to stand by while the trust fund moves quickly toward insolvency. We recognize the need to act now, and act decisively. It is not inappropriate to act decisively by restraining the growth in the ways we are recommending. We are doing what is necessary to protect the fund from going bankrupt and making sure that protection extends for a decade.

Similarly, we accept the President's proposal to try to reduce the part B expenses in the growth of Medicare by $44 billion under this budget. We think that is the most appropriate way to address the Medicare problems at this time. We would strongly urge our colleagues to reject the previous amendment at the proper time, when we come to vote, and to instead support our sense-of-the-Congress resolution which embodies much of what is in our budget as presented to the Senate here this evening.

I yield the floor.

Mr. ROCKEFELLER addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. ROCKEFELLER. Mr. President, in responding, first of all, I say to my friend from Michigan, this is a resolution of the Congress as opposed to hard law. This is, I think, something by which the Senator is trying to express his views.

Just a few moments ago I went through the policy aspects of why this had all happened. As the Senator from Michigan indicated, before 1980 it was divided between part A and part B, and then I described the conditions at that time. I described what the Congress did after that to improve Medicare's home health care benefit—remove the 100-day limit and the 3-day hospitalization requirement, and, as a result, financing of all home health care services were shipped into part A. Then I said, even though part A was never intended to pay for long-term home health care benefits, and then I went on to say that the President's proposal restores the financing of the home health care benefit back to the Congress' original intent.

So much for the policy. I think, frankly, that it is all right to talk about the politics of this issue.

Mr. President, we did not hear anything about this issue last year. I guess that is because back then the Republicans were proposing it. In fact, every single House Republican who voted for last year's Republican budget voted in favor of a very similar transfer of funding for home health care. I am talking about the politics because I am trying to question the underlying meaning of this resolution.

So the Republicans now say that the home health care financing shift is a shell game. But they have played the game themselves. I have been talking about the House. The Senate Republicans also voted in favor of shifting money between part B and part A to improve the solvency of the hospital trust fund.

In fact, during markup in the Finance Committee, Senator NICKLES offered an amendment which the Republicans adopted that deposited part B money into part A trust funds to improve the solvency of the part A trust fund. The only policy behind Senator NICKLES' proposal was to provide political cover, if I may say so, in that they were trying to hide that they were using Medicare money to pay for tax cuts for the wealthy, but the public, as I indicated, saw through that aspect of it.

Mr. President, last year, the Republicans said that they wanted the President to submit a budget that was certified by the CBO as being in balance after 7 years. The President has done that. In addition, Dr. June O'Neill, as I said a moment ago, has certified that the President's plan extends solvency of the trust fund to the year 2005. So there is no difference. It achieves the same level of solvency but without the drastic hospital cuts that the Republicans are proposing.

I believe the President's policy has merit. So did the Republicans last year. I urge my colleagues to vote against this resolution.

I thank the Chair and yield the floor.

The PRESIDING OFFICER (Mr. GRAMS). Who yields time?

Mr. EXON addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. EXON. Mr. President, I yield myself such time as may be necessary. I wish to make a few comments about the situation here at hand.

I want to take people to Nebraska, which is a very typical State in the Midwest part of our great country. It is very typical from the standpoint of being a substantial rural State with lots of rural, small communities and is also typical of the Great Plains States and some of the other States of the Union.

Mr. President, I rise in support of the amendment of my colleague from West Virginia. I am a cosponsor of that amendment. The Medicare reductions in this budget are too large and are not required to balance the budget and extend the life of the Medicare hospital insurance trust fund through at least the year 2005. I am particularly concerned about the deep and disproportionate cuts that will be borne by hospitals, particularly rural hospitals. The Senate Budget Committee said its $170 billion in reductions and spending growth would include a $123 billion reduction in Medicare part A. This will threaten the quality and the financial viability of hospitals, particularly the rural and inner-city hospitals. Previous Republican budgets slowed the rate of growth in hospital payments, but under this year's plan the Congress may need to adopt policies that would actually reduce payments, not simply reduce the rate of increase in these payments. Under any definition, that represents a true cut in spending. So we will not have to get into all that argument that we continually get into about what is a cut.

What I am talking about is it appears to me from some of the other information that I will furnish the Senate during these remarks that what we are threatened with is a real cut. That means less dollars, less dollars and cents than last year, and by any definition that is a cut.

I recently received a letter from Harlan Heald that I will read. Harlan Heald is an acquaintance of many, many years way back to the time when I was Governor of Nebraska, and if there is a Mr. Rural Hospital in Nebraska, it is Mr. Heald. Mr. Heald is President of the Nebraska Association of Hospital and Health Systems. They are not a political organization. They are an organization that devotes time, talent and effort to represent the people who provide hospital services in rural Nebraska primarily.

According to Mr. Heald's analysis, a reduction of $50 billion would have a devastating impact on Nebraska hospitals. Mr. Heald writes, and I quote:

Sixty-five rural hospitals would lose $69.1 million over 7 years and 12 large rural hospitals would lose $100 million. Thirty out of Nebraska's 65 small rural hospitals would lose money in providing care.

Mr. President, I will ask unanimous consent that the full text of Mr. Heald's letter be placed in the RECORD at the conclusion of my remarks, after I read that letter, because there are so many interesting factual and true statements in it, not from a political standpoint but from what the Republican effort and the Republican bill will do to rural Nebraska. If it is going to do something to rural Nebraska, it is going to do it to rural North Dakota and rural South Dakota and rural Kansas, and rural Oklahoma, and every rural State in the United States of America.

These are the consequences of the $50 billion reduction over 7 years. What would be the impact then of a $123 billion reduction over 6 years that we are now faced with? A loss of this magnitude in a State where Medicare patients account for 60 to 70 percent of hospital admissions clearly threatens the health care system on which all of us depend. Several hospitals in my State are teetering on the brink of insolvency while we are here talking about the bankruptcy of Medicare.

This latest Republican proposal will very likely drive them over the edge.

Mr. President, I wish to read from the letter that I have just referenced. This letter is dated May 14, 1996, addressed to me.

DEAR SENATOR EXON: I have reviewed a summary of the current fiscal year 1997 House and Senate Budget Committee proposal with respect to the Medicare Program. On behalf of the 94 acute care hospitals in Nebraska, I wish to call your attention to a very serious potential problem.

While it appears that the overall Medicare budget reductions of $158 billion are roughly the same as those in the last Republican proposal in January, the budget committees have significantly altered the allocation of reductions within the program, reducing part A spending by $123 billion versus the $77.5 billion proposed in January.

We have been told on numerous occasions that the reductions are not cuts—

This is not in the letter. I just want to add here, how many times have we heard that here? Back to the letter.

but are reductions in the rate of spending over a 6-year period. The current budget resolution includes lower budget reductions in part B of Medicare, while the reductions in part A have been significantly increased since the January proposal. The larger Medicare Part A reductions in the current proposal means hospitals will experience actual reductions in payments—not merely a reduction in the rate of payment increase.

We are talking about real cuts here. I am away from the letter. We are talking about real cuts here, when every time we talk about cuts, people stand up and say, Oh, only in Washington, DC, is an increase a cut. I have always said we must legislate to real needs, what the costs are going to be.

Another editorial comment before I go on with reading this letter from an expert on the subject in Nebraska, and that, Mr. President, is simply this: I

am convinced that the reductions in the amount for real needs that the Republicans have been espousing are below the projected costs and rises in health care over the next 6 years.

Putting that another way, what I am saying is that the Republicans have been saying, ''Oh, well, this is not a cut, this is just a slowing down of the growth.'' Time and time again that has been used on the floor of the U.S. Senate. Mr. Heald brings us back to reality by saying what I indicated when I first started talking on this subject, that these cuts are not simply a reduction in the growth. They are cuts, dollars and cents, below what hospitals have received before. Back to the letter:

Although I have not received enough detail to permit me to make an analysis of the impact of the proposed reduction in Medicaid Part A spending, I do have information from an earlier proposal last fall that looked at Part A reductions of about $50 billion out of the total reductions over a seven-year period. Although it is a ''crude'' approximation, the impact on Nebraska hospitals looks like this:

Sixty-five small rural hospitals would lose an aggregate of $69.1 million during the seven-year period of 1996 to 2002. Twelve large rural hospitals would lose a total of $100.4 million, and 11 metropolitan (Lincoln and Omaha) hospitals would lose $337.4 million, during the seven-year period. Note—In 1994, 30 hospitals out of Nebraska's 65 small rural hospitals lost money providing care.

Let me repeat that:

In 1994, 30 hospitals out of Nebraska's 65 small rural hospitals lost money providing care.

Again, this is based on a Part A reduction of about $50 billion over a 7-year period. I hate to think what these numbers might resemble under the current proposal with Medicare Part A targeted for a $123 billion hit.

Reimbursement reductions of this magnitude in a state with a disproportionate share of the elderly population, a state in which Medicare patients account for 60 to 70 percent of hospital admissions, clearly threatens the health care system upon which all of us depend.

Medicare needs to be fixed. There is an opportunity for Congress to change Medicare, but the change must be driven by sound health care policy, not budgetary or political imperatives. The proposed Medicare reductions would crush Nebraska hospitals.

As always, Nebraska hospitals look to your leadership.

Mr. President, I also would like to read a letter from the following groups: The American Association of Eye and Ear Hospitals, the American Hospital Association, the American Osteopathic Healthcare Association, the Association of American Medical Colleges, Catholic Health Association, Federation of American Health Systems, InterHealth, National Association of Children's Hospitals, National Association of Public Hospitals and Health Systems, and Premier. This letter is dated May 10, and it is addressed by those organizations I just read, to the Honorable WILLIAM ROTH, chairman, Committee on Finance.

DEAR CHAIRMAN ROTH: The undersigned organizations representing hospitals and health care systems have reviewed the Fiscal Year 1997 House and Senate Budget Committee proposal, particularly with respect to Medicare and Medicaid programs.

While it appears that the overall Medicare budget reductions of $167 billion are roughly the same as those in the Republican offer in January, the Budget Committees have significantly changed the allocation of reductions within the program.

The letter goes on and essentially makes the same exact points made by the letter that I read, by Harlan Heald.

So the professionals know what is going on. We know what is going on here. I must continue to make the point that Nebraska is not unique in this. But if you have a hospital, because of the aging population in rural areas of America in toto, where 60 to 70 percent, and some places higher, have their beds dedicated to people who are eligible and receive Medicare, and for many of them that is the only health care system available to them, and you compare that with a hospital, for example in Lincoln or Omaha or other more metropolitan areas that have their patients coming in only about 20 to 25 percent seniors, you quickly understand that what we are doing here is socking it right between the eyes of the rural hospitals in the United States of America.

Mr. President, I ask unanimous consent both of the letters I have referenced be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

NEBRASKA ASSOCIATION OF HOSPITALS AND HEALTH SYSTEMS,
May 14, 1996.

Hon. J. JAMES EXON,
U.S. Senate,
Washington, DC.

DEAR SENATOR EXON: I have reviewed a summary of the current Fiscal Year 1997 (FY '97) House and Senate Budget Committee proposal with respect to the Medicare program. On behalf of the 94 acute care hospitals in Nebraska, I wish to call your attention to a serious potential problem.

While it appears that the overall Medicare budget reductions of $158 billion are roughly the same as those in the last Republican proposal in January, the Budget Committees have significantly altered the allocation of reductions within the program, reducing Medicare Part A spending by $123 billion vs. $77.5 billion proposed in January.

We have been told on numerous occasions that the reductions are not cuts, but are reductions in the rate of spending over the six-year period. The current budget resolution includes lower budget reductions in Part B of Medicare, while the reductions in Part A have been significantly increased since the January proposal. The larger Medicare Part A reductions in the current proposal mean hospitals will experience actual reductions in payments—not merely a reduction in the rate of payment increase.

Although I have not received enough detail to permit me to make an analysis of the impact of the proposed reduction in Medicare Part A spending, I do have information from an earlier proposal last fall that looked at Part A reductions of about $50 billion out of total reductions over a seven-year period. Although it is a ''crude'' approximation, the impact on Nebraska hospitals looked like this:

''Sixty-five small rural hospitals would lose an aggregate of $69.1 million during the seven-year period of 1996 to 2002. Twelve large rural hospitals would lose a total of $100.4 million, and 11 metropolitan (Lincoln and Omaha) hospitals would lose $337.4 million during the seven-year period. Note—In 1994, 30 hospitals out of Nebraska's 65 small rural hospitals lost money providing care.''

Again, this is based upon a Part A reduction of about $50 billion over a seven-year period. I hate to think what these numbers might resemble under the current proposal with Medicare Part A targeted for a $123 billion hit.

Reimbursement reductions of this magnitude in a state with a disproportionate share of the elderly population, a state in which Medicare patients account for 60 to 70 percent of hospital admissions, clearly threatens the health care system upon which all of us depend.

Medicare needs to be fixed. There is an opportunity for Congress to change Medicare, but the change must be driven by sound health care policy, not budgetary or political imperatives. The proposed Medicare reductions would crush Nebraska hospitals.

As always, Nebraska's hospitals look to your leadership.

Sincerely,

HARLAN M. HEALD,
President.

MAY 10, 1996.

Hon. WILLIAM ROTH, Jr.,
Chairman, Committee on Finance,
Washington, DC.

DEAR CHAIRMAN ROTH: The undersigned organizations representing hospitals and health systems have reviewed the Fiscal Year 1997 (FY 97) House and Senate Budget Committee proposal, particularly with respect to the Medicare and Medicaid programs.

While it appears that the overall Medicare budget reductions of $167 billion are roughly the same as those in the last Republican offer in January, the Budget Committees have significantly changed the allocation of reductions within the program. While it is difficult to assess the overall impact of the budget resolution in the absence of greater detail, now larger Medicare Part A reductions mean hospitals are likely to experience actual reductions in payment rates under the committees' proposal.

The budget resolution now includes lower budget reductions in Part B of Medicare, while the reductions in Part A have increased by approximately $25 billion since the January offer. While the FY 97 budget resolution offers a milder overall approach to deficit reduction compared to last year's resolution, its impact on hospitals appears worse. To achieve reductions of this magnitude, Congress may need to adopt policies resulting in payment rates per beneficiary that would be frozen or actually reduced.

We also have serious concerns about the Budget Committees' Medicaid reductions. We would like to take this opportunity to reiterate our support for maintaining the entitlement nature of the Medicaid program to ensure that those who have coverage today will continue to have coverage tomorrow. Furthermore, we support maintaining current law provider assessment restrictions and Boren amendment payment safeguards. While the overall reductions are somewhat lower than the January offer, if combined with corresponding state reductions through lower state matching requirements or new provider assessments, these reductions could be quite significant for providers.

Hospitals and health systems support the need to adopt a reasonable deficit reduction package, and believe that changes in Medicare are needed to keep the Part A trust fund solvent. Many of us have supported various proposals that achieve a balanced budget with reductions in Medicare and Medicaid.

However, we are gravely concerned about the level of reductions proposed by the Budget Committees in these programs.

We strongly urge you to reconsider both the overall level of Medicare and Medicaid reductions included in the budget resolution and, in your capacity as chairman of the authorizing committee, adjust the allocation between Parts A and B proposed by the Budget Committees.

American Association of Eye and Ear Hospitals, American Hospital Association, American Osteopathic Healthcare Association, Association of American Medical Colleges, Catholic Health Association, Federation of American Health Systems, InterHealth, National Association of Children's Hospitals, National Association of Public Hospitals and Health Systems, Premier.

Mr. EXON. Mr. President, I understand at this time we are trying to reach a unanimous consent agreement to have a vote at 8:30. Is that the Senator's understanding?

Mr. ABRAHAM. Yes.

Mr. EXON. Go ahead.

Mr. ABRAHAM. Mr. President, I ask unanimous consent that a vote occur on or in relation to the Rockefeller amendment, to be followed by a vote on or in relation to the Abraham amendment, beginning at 8:30 p.m. this evening, with the first vote being the standard 15-minute vote, the following vote being limited to 10 minutes in length.

Mrs. BOXER. Reserving the right to object, I do not want to object because the Senator knows I have been waiting for quite a while. I would like to ask if we could have debate on the Boxer Medicaid amendment immediately following the vote, so we can get that done. There are Senators who wish to speak to it. I will be glad to agree to a reasonable time agreement.

But it is very important to this Senator because this is the time I can debate. I want to make sure I can get it done tonight.

Mr. EXON. Let me respond to the Senator from my perspective, and I cannot speak for the majority. We are now considering the Abraham amendment. We will vote on that. If this unanimous consent request is agreed to—and if I agree to it, I must say—immediately following that, we would be up for consideration of an amendment from the Democratic side. I have indicated to my friend from California that she would be first up with her amendment.

So I will simply say, after the vote, you would, as far as I am concerned, be recognized to offer your amendment. If it is possible—obviously it is not between now and the scheduled vote at 8:30—I would certainly recommend to Chairman DOMENICI that we proceed with the order which would allow you to follow the vote.

Mrs. BOXER. I am sure that then there would be a Democratic amendment; is that part of the agreement, immediately following the vote on the Abraham amendment?

Mr. ABRAHAM. We have not agreed to that at this point. Let me just state for the benefit of all our colleagues, it is also my understanding there is an interest on both sides to proceed at some point to a vote on the President's budget tonight. I think, as I understand, the Senator from California would like to have debate on her amendment tonight, not necessarily a final vote tonight.

So I think we can work out something else: A vote on the President's budget can take place in a way that would allow those Members who have other obligations to fulfill them this evening and still accommodate your desire to have the debate, for the next amendment to be yours. But I do not think we have worked those two parts out. I think on your side there is an interest in making both of those things happen. I guess we just have not proceeded to the point of having that agreement worked out. This is as far as we were able to, basically, negotiate.

Mrs. BOXER. If my friend will yield, I am reassured by the conversation of the two managers. I feel comfortable that sometime this evening—and I am willing to stay here as late as necessary—I will have an opportunity to do that. With that verbal assurance, I withdraw my objection.

Mr. EXON. I say to my friend from California, there has been one or two attempts previously to include what would follow in a unanimous consent agreement. We have shied away from that and not made that kind of commitment at all. I suspect we will not be able to at this time.

I simply say that I think there is every likelihood that we may, if we can break the logjam, get a vote on the President's budget that this Senator has been trying to accomplish since 11 o'clock this morning. That may happen before the debate on your amendment, but I think there is every likelihood that you will have an opportunity to offer your amendment and engage in a debate, whether that is at 10 o'clock or 1 a.m. tomorrow morning, sometime in that general timeframe.

Mrs. BOXER. I am gratefully reassured. I thank the Senator.

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

Mr. ABRAHAM. Thank you, Mr. President. I would like to get an indication of how much time has been used on each side.

The PRESIDING OFFICER. The Senator from Nebraska has used about 39½ minutes. That is how much time is remaining in the debate.

Mr. ABRAHAM. Approximately 20 minutes.

The PRESIDING OFFICER. He has used approximately 20 minutes, and the Senator from Michigan has used approximately 10 minutes.

Mr. ABRAHAM. I am wondering in light of that—we have Senator FRIST who has been hoping to have a chance to speak to this. There are only about 5 minutes left. Can we agree to let him finish the debate to the point that the vote has been agreed to? With that, I yield to the Senator from Tennessee until the vote is at hand.

The PRESIDING OFFICER. The Senator from Tennessee is recognized for approximately 6 minutes.

Mr. FRIST. Thank you, Mr. President.

Mr. President, I rise in support of the sense-of-the-Congress amendment of the distinguished Senator from Michigan. Just to bring it back, because we have been traveling a great deal over the last hour, that particular amendment says that the Congress assumes that Congress would keep the Medicare hospital insurance trust fund solvent for more than a decade, as recommended by the President; No. 2, accepts the President's proposed level of Medicare part B savings; and No. 3 and most important, what I would like to speak to is reject the President's proposal to transfer home health spending from one part of Medicare to another which threatens the delivery of home health care services to 3.5 million Medicare beneficiaries.

Mr. President, it was exactly 13, almost 14, months ago that we all received the status of the Social Security and Medicare Programs which was compiled and written by six trustees, three of whom were from President Clinton's Cabinet. In that, they use very simple words. And, again, this is 14 months ago. We are waiting for the April edition—it is a month, a month and a half late now—of this so-called Medicare trustees' report.

The very first page says:

The Federal Hospital Insurance Trust Fund, which pays inpatient hospital expenses—

Which I should add is part A—

will be able to pay benefits for only about 7 years and is severely out of financial balance in the long range.

Mr. President, it continues to say that:

The trustees believe prompt, effective and decisive action is necessary.

Last year, we took that action. We passed in this body a proposal that would save and preserve Medicare. It was sent to the President of the United States and it was vetoed.

The Medicare trustees' report basically said this. This is 1995 and the year 2000. This is bankruptcy on this line. This is the Medicare part A trust fund. Last year, the report said we would be going bankrupt in 7 years, the blue line.

What we have found happen over the last 14 months is that things are much worse than we had even anticipated at the time. Without doing anything over the last year and a half, in large part because of scare tactics put on television to scare our senior citizens away from change which will preserve this program, we now find that Medicare is going to be going bankrupt almost a year and a half earlier unless we act. It is 1996. We have about 5 years before Medicare goes bankrupt.

That is part A. Medicare part A is hospitals, part B physicians. Part A is

going bankrupt much quicker than we ever anticipated. The President's answer to that is,

Let's take the fastest growing part, the home health care out of part A and transfer it elsewhere and then we can say part A is solvent long term and we'll feel good about that.

That is more gimmickry. That is more smoke and mirrors. It is really deceptive to the American people. We need to make part A truly solvent. To make it truly solvent, we need to address the real problem. This is the amount of deficit spending. We began deficit spending last year. The trustee report said it would be next year. It actually began last year.

A report from the monthly Treasury statement, the highlight of fiscal year 1996 through March 31, tells that for the first 6 months of this year, we are running a $4 billion deficit. We are on our way to bankruptcy.

Mr. President, the problem that we have today in this transfer of home health care is this: If we transfer this $55 billion of assets out of the part A trust fund and put it elsewhere, yes, we can say part A is solvent for 10 years, but the overall Medicare Program is not, and unless the overall Medicare Program is solvent, we cannot deliver care to those 37 million Americans out there. More smoke and mirrors. Let us say we do not transfer that $55 billion of home health care out, then what happens to the solvency of the trust fund? You can see that it is going to go bankrupt between the year 2000 and the year 2001. Therefore, we must act and we must act decisively.

How do we respond? In the balanced budget resolution proposal which is before us, we can see that we have solvency out to the year 2006. This is 1996, 2006, this line is solvency. Current law, if we do nothing, we are bankrupt in the year 2001.

Under the President's proposal, we extend that 1 year—only 1 year. That will scare seniors once they know that. We need to look at that balanced budget proposal, look what we do by opening it up, allowing some competition, slowing the growth from 10 percent down to 6 percent, and that is not a cut. We are slowing the growth from 10 to 6.1 percent. We are going to increase spending from $4,800 in 1995 to $7,000 a year in the year 2002. That is not a cut.

Mr. President, by supporting this sense-of-the-Senate amendment, we do reject the President's proposal to transfer home health spending. Why? Because it is more gimmickry, it does not assure long-term solvency of the Medicare trust funds. I urge all my colleagues to vote to support this amendment.

Mr. ABRAHAM addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 3979

Mr. ABRAHAM. Mr. President, in accordance with the earlier unanimous consent agreement, at this time I move to table the Rockefeller amendment, and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question now occurs on the motion to lay on the table the Rockefeller amendment. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Kansas [Mrs. KASSEBAUM] is necessarily absent.

Mr. FORD I announce that the Senator from Arkansas [Mr. PRYOR] is necessarily absent.

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

The result was announced—yeas 55, nays 43, as follows:

[Rollcall Vote No. 117 Leg.]

YEAS—55

Abraham	Coverdell	Grassley
Ashcroft	Craig	Gregg
Bennett	D'Amato	Hatch
Bond	DeWine	Hatfield
Brown	Dole	Heflin
Burns	Domenici	Helms
Campbell	Faircloth	Hutchison
Chafee	Frist	Inhofe
Coats	Gorton	Jeffords
Cochran	Gramm	Kempthorne
Cohen	Grams	Kerrey
Kyl	Nunn	Specter
Lott	Pressler	Stevens
Lugar	Roth	Thomas
Mack	Santorum	Thompson
McCain	Shelby	Thurmond
McConnell	Simpson	Warner
Murkowski	Smith	
Nickles	Snowe	

NAYS—43

Akaka	Feingold	Lieberman
Baucus	Feinstein	Mikulski
Biden	Ford	Moseley-Braun
Bingaman	Glenn	Moynihan
Boxer	Graham	Murray
Bradley	Harkin	Pell
Breaux	Hollings	Reid
Bryan	Inouye	Robb
Bumpers	Johnston	Rockefeller
Byrd	Kennedy	Sarbanes
Conrad	Kerry	Simon
Daschle	Kohl	Wellstone
Dodd	Lautenberg	Wyden
Dorgan	Leahy	
Exon	Levin	

NOT VOTING—2

Kassebaum	Pryor

The motion to lay on the table the amendment (No. 3979) was agreed to.

Mr. ABRAHAM. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

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

The motion to lay on the table was agreed to.

Mr. SPECTER. Mr. President, in the vote to table the Rockefeller amendment, I supported the budget resolution, which is moderate and maintains the solvency of Medicare.

Contrary to the argument that there are Medicare cuts, the fact is that Medicare expenditures increase by an average of 6.1 percent annually with the following total expenditures each year: 1996, $196 billion; 1997, $209 billion; 1998, $224 billion; 1999, $236 billion; 2000, $249 billion; 2001, $263 billion; 2002, $279 billion.

On the 1996 budget resolution, I voted to increase Medicare expenditures when the rate of increase was reduced by $268 billion and there was a tax cut of $245 billion. In this budget resolution, the tax cut is limited to $122 billion to cover a child tax credit.

I ask unanimous consent that the table on the ''Chairman's Mark Budget Aggregates'' be printed in the RECORD together with the ''Medicare Fact Sheet.''

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

CHAIRMAN'S MARK BUDGET AGGREGATES

[Dollars in billions]

	1996	1997	1998	1999	2000	2001	2002	6-year total
Discretionary:								
Defense	265	265	263	266	269	268	268	1599
Nondefense	271	271	264	260	256	250	249	1551
Subtotal discretionary	536	536	527	526	526	518	516	3150
Mandatory:								
Social Security	348	365	383	402	422	444	467	2484
Medicare	196	209	224	236	249	263	279	1459
Medicaid	96	105	111	117	126	133	139	731
Welfare programs	85	89	89	102	100	98	106	583
EITC (outlays)	16	18	18	19	20	20	21	116
Other mandatory	57	62	82	71	83	84	82	464
Net interest	240	242	244	243	240	238	236	1444
Total outlays	1575	1626	1678	1717	1764	1798	1846	10430

CHAIRMAN'S MARK BUDGET AGGREGATES—Continued

[Dollars in billions]

	1996	1997	1998	1999	2000	2001	2002	6-year total
Revenues	1431	1471	1532	1600	1675	1755	1846	9879
Resulting deficit/surplus	−147	−155	−146	−117	−89	−43	0	

Note: Details may not add to totals due to rounding. All totals shown on a unified budget basis.
Prepared by SBC Majority Staff, 08–May–96

MEDICARE FACT SHEET

THE COMMITTEE-PASSED RESOLUTION

Total medicare spending, 1997–2002: $1.459 trillion.

This is $60 billion more government spending than was in the BBA, and $103 billion more than in last year's budget resolution.

Total savings, relative to new CBO baseline: $158 billion.

Part A: Meets the President's test of keeping the part A trust fund solvent for a decade without gimmicks, which requires $123 billion of savings (CBO).

Part B: Assumes part B savings equal to the President's part B savings ($44 billion).

Graduate Medical Education: Assumes $10 billion of spending.

Total spending growth from 1996 to 2002: 43 percent.

Average growth rate from 1996 to 2002: 6.1%, or more than two times inflation difference between Committee-passed and the President's plan: 58 per beneficiary per day per capita spending—1995: $4,800, 1996: $5,300, 2002: $7,000.

Keeps the Hospital Insurance Trust fund solvent through 2006, without gimmicks, meeting the President's stated goal.

Makes no assumption about the part B premium, but is consistent with a plan that matches the President's premium proposal.

THE PRESIDENT'S PLAN

Total medicare spending, 1997–2002: $1.526 trillion.

Total savings, as scored by CBO: $116.1 billion.

Total savings claimed by the President: $124 billion.

Average growth rate from 1996 to 2002: 7.2%.

Total growth from 1996 to 2002: 52%.

HI Trust Fund goes bankrupt in 2002, buying only one additional year of solvency.

Transfer $55 billion of home health spending from part A to part B, artificially inflating the life of the HI trust fund. Even with this gimmick, the HI trust fund goes bankrupt in 2005, and the President fails to meet his stated goal of solvency for a decade.

BASIC FACTS

Number of beneficiaries, 1996: 37.5 million.

1995 total medicare spending: $180 billion.

1996 medicare spending: $199 billion increase in spending, net of premiums, from 1995 to 1996: +$19.2 billion (+12%).

This increase in spending from 1995 to 1996 is more than is spent in 1996 on: elementary, secondary, and vocational education ($15.5 billion); all justice / crime / law enforcement spending ($17.5 billion); all spending for science, space, and technology ($16.5 billion); and comparable to all spending for natural resources and the environment ($21.5 billion).

Mr. DOMENICI. Mr. President, I understand the next vote is going to be on the Abraham-Domenici amendment. Have the yeas and nays been ordered on that?

The PRESIDING OFFICER. No.

Mr. DOMENICI. I ask for the yeas and nays on that amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the third vote in this voting sequence be on or in relation to the Exon amendment No. 3965, the so-called President's amendment.

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

Mr. DOMENICI. So that will follow the Abraham-Domenici. I think that will be the last vote tonight.

Has this been ordered for 10 minutes?

The PRESIDING OFFICER. It has been ordered for 10 minutes.

Mr. DOMENICI. I ask unanimous consent that there be 10 minutes on the Exon amendment.

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

Mr. DOMENICI. I ask for the yeas and nays on the Exon amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. DOMENICI. Mr. President, I think I should announce that while we are going to try to stay on after this vote to see what we can do to negotiate and get some consent——

Mr. MURKOWSKI. We cannot hear you.

Mr. DOMENICI. Perhaps if some of you would not talk so much you could hear me.

The PRESIDING OFFICER. There will be order in the Chamber, please.

Mr. DOMENICI. I am not running for anything around here. That is why you do not pay attention.

Could we have order, Mr. President?

The PRESIDING OFFICER. Could we have order in the Chamber, please?

Mr. DOMENICI. Mr. President, we are going to convene tomorrow morning at 9:30. We cannot tell you yet whether there are going to be votes. We think there will be. Certainly tomorrow we are going to work a long time trying to get amendments up. If Senators have amendments and can be here tomorrow, they ought to be here. We are going to use a lot of time on this budget resolution tomorrow. If we can get an orderly sequencing of amendments, we might not have to stay here and vote. If we can just get started in the morning to let us see where we are, but for now you ought to be here because we may have votes early in the morning.

Is that a fair statement, Mr. Minority Leader?

Ms. MIKULSKI. Are there additional votes tonight?

Mr. DOMENICI. There are no additional votes tonight—I have already announced that—after the two remaining ones.

Mr. EXON. Mr. President, could I add one thing that I think should be driven home? If we are going to expedite this process, we are going to have to have people who are on the list to come and offer their amendments on Friday, or on Monday and not leave here tonight and assume that they are home free until sometime on Tuesday because, if we all do that, then Tuesday is going to be a much worse day than it is destined to be in any event. So I hope people listened to what Senator DOMENICI said and be here tomorrow to offer amendments, and not just assume, and then everybody flock in here as they usually do at 2:30 on Tuesday afternoon and say, ''Why can't I have 2 hours on my amendment?'' It will not be.

Mr. DOMENICI. Mr. President, fellow Senators, I want to repeat what I said. I have been asked by the majority leader to indicate to all of you that we are trying to finish this budget resolution Tuesday night. If that means at 12 o'clock on Wednesday morning at 1 or 2, that is included in the definition of Tuesday. It may be Wednesday, or Tuesday morning at 4 a.m. But we are going to try. If you can start offering amendments tomorrow, we may have an agreement that on Monday there will not be any votes. If we get a sequencing of amendments where you offer 10 or 15 amendments and offer them on Monday, then we may, indeed, be able to give some of you the opportunity to not have to be here on Friday and Monday. But we need cooperation before we do that.

Mr. EXON. Mr. President, may I add one other thing? I ask the Democrats before they leave here tonight and the Republicans before they leave here tonight to come to our desks and tell us when you will be here tomorrow, or want to be here tomorrow, or Monday with regard to offering your amendments. If you will do that, and we will be working back and forth as best we can on amendments as we have been, then we might be able to reach some kind of a agreement that, yes. You want to be here at 10, maybe not 10, or 10:30, we might be able to get an orderly process going because otherwise Tuesday is going to be unbelievably bad.

So please drop by if you can be here on Friday like you are supposed to be, and tell us when you will be here, and we will be glad to accommodate you as best we can on timing.

Mr. DOMENICI. Mr. President, I yield the floor.

VOTE ON AMENDMENT NO. 3980

The PRESIDING OFFICER. The question now occurs on the amendment offered by the Senator from Michigan.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. LOTT. I announce that the Senator from Kansas [Mrs. KASSEBAUM] is necessary absent.

Mr. FORD. I announce that the Senator from Arkansas [Mr. PRYOR] is necessarily absent.

The PRESIDENT OFFICER (Mr. BURNS). Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 53, nays 45, as follows:

[Rollcall Vote No. 118 Leg.]

YEAS—53

Abraham	Frist	McCain
Ashcroft	Gorton	McConnell
Bennett	Gramm	Murkowski
Bond	Grams	Nickles
Brown	Grassley	Pressler
Burns	Gregg	Roth
Campbell	Hatch	Santorum
Chafee	Hatfield	Shelby
Coats	Heflin	Simpson
Cochran	Helms	Smith
Cohen	Hutchison	Snowe
Coverdell	Inhofe	Specter
Craig	Jeffords	Stevens
D'Amato	Kempthorne	Thomas
DeWine	Kyl	Thompson
Dole	Lott	Thurmond
Domenici	Lugar	Warner
Faircloth	Mack	

NAYS—45

Akaka	Feingold	Levin
Baucus	Feinstein	Lieberman
Biden	Ford	Mikulski
Bingaman	Glenn	Moseley-Braun
Boxer	Graham	Moynihan
Bradley	Harkin	Murray
Breaux	Hollings	Nunn
Bryan	Inouye	Pell
Bumpers	Johnston	Reid
Byrd	Kennedy	Robb
Conrad	Kerrey	Rockefeller
Daschle	Kerry	Sarbanes
Dodd	Kohl	Simon
Dorgan	Lautenberg	Wellstone
Exon	Leahy	Wyden

NOT VOTING—2

Kassebaum	Pryor

The amendment (No. 3980) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 3965

Mr. DASCHLE. Mr. President, the President's fiscal year 1997 budget builds on the immense economic success of his 1993 budget.

Since the enactment of that historic deficit reduction package, the Federal deficit has been cut in half—from $290 billion to a projected $144 billion in 1996, according to the Congressional Budget Office. The deficit as a share of the economy is down from 4.7 percent in 1992 to 2.3 percent today. Last week CBO projected the 1996 deficit may be even lower—down to $130 billion.

These favorable reports serve as testament both to the effectiveness of the 1993 deficit reduction package and a strong Clinton economy. Actual total deficit reduction achieved by the 1993 budget package is now estimated by CBO to be approximately $800 billion over 5 years. All this progress has come from a deficit reduction package that was enacted without a single Republican vote.

Although most of my colleagues on the other side of the aisle predicted the 1993 package would bring about job loss and recession, economic indicators have improved vastly since the Bush recession. Unemployment is down from 7.3 percent in January 1993 to 5.4 percent in April 1996. Inflation has been remarkably low during these times of sustained economic growth, with the consumer price index increasing less than 3 percent in each of the last 3 years. Since January 1993, 8.5 million jobs have been created, and more than 90 percent of those were private sector jobs.

Interest rates—responding to sound fiscal policies—have fallen well below the levels of 3 years ago, with the 30-year average rate dropping from 7.67 percent in 1992 to about 7 percent today. Business investment in equipment is up 11 percent per year in real dollars since the fourth quarter of 1992. And corporate profits are up to a 13-percent annual rate since fourth quarter of 1992.

The economy is strong. But the new Clinton budget is sensitive to the underlying anxiety and apprehension of America's working families. This budget secures the integrity of the Medicare trust fund through 2005, and it does so without ravaging Medicare. In contrast, the Republican budget cuts $50 billion more.

The President's budget maintains guaranteed health care for nursing home seniors and poor children under Medicaid. In contrast, the Republican budget could cut as much as $250 billion in Medicaid.

The President's budget maintains America's investment in education and job training—Head Start, Basic Education Assistance (title 1), and Job Training for Dislocated Workers. In contrast, the Republican budget cuts $60 billion from these priorities.

The President's budget does not raise taxes on working Americans. In contrast, the Republican budget cuts $20 billion from the earned income tax Credit, raising taxes on 6 to 10 million hard-pressed working families.

The President's budget protects the environment. In contrast, the Republican budget cuts EPA operating programs by 11 percent in 1997 and by 23 percent in 2002.

The President's budget does not offer tax breaks for the rich at the expense of Medicare and education. In contrast, and contrary to the representations made by some of my colleagues, the Republican budget provides $180 billion in tax breaks for the wealthiest Americans over the next 6 years.

Mr. President, the President's budget would balance the budget by 2002 using CBO economic assumptions. But, unlike the Republican budget, it would balance the budget without abandoning America's priorities. It would preserve paycheck security, health security, and retirement security for America's working people.

The spending cuts in the President's budget are significant, yet they are made in the right places. The President's budget would achieve more than $600 billion in spending cuts by 2002. It would reduce the size of the Federal Government work force by 200,000, making it the smallest it has been in 30 years.

Finally, the President's budget would provide targeted tax relief for working families and for families trying to send their children to college.

The bottom line, Mr. President, is that the President's budget is a budget that reflects the priorities of the American people. In contrast, the Republican budget is the same extreme proposal the American people rejected last year.

The PRESIDING OFFICER. The question now occurs on amendment No. 3965, as amended, offered by the Senator from Nebraska [Mr. EXON]. The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Kansas [Mrs. KASSEBAUM] is necessarily absent.

Mr. FORD. I announce that the Senator from Arkansas [Mr. PRYOR] is necessarily absent.

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

The result was announced—yeas 45, nays 53, as follows:

[Rollcall Vote No. 119 Leg.]

YEAS—45

Akaka	Feinstein	Levin
Baucus	Ford	Lieberman
Biden	Glenn	Mikulski
Bingaman	Graham	Moseley-Braun
Boxer	Harkin	Moynihan
Bradley	Heflin	Murray
Breaux	Hollings	Nunn
Bryan	Inouye	Pell
Bumpers	Johnston	Reid
Conrad	Kennedy	Robb
Daschle	Kerrey	Rockefeller
Dodd	Kerry	Sarbanes
Dorgan	Kohl	Simon
Exon	Lautenberg	Wellstone
Feingold	Leahy	Wyden

NAYS—53

Abraham	Faircloth	McCain
Ashcroft	Frist	McConnell
Bennett	Gorton	Murkowski
Bond	Gramm	Nickles
Brown	Grams	Pressler
Burns	Grassley	Roth
Byrd	Gregg	Santorum
Campbell	Hatch	Shelby
Chafee	Hatfield	Simpson
Coats	Helms	Smith
Cochran	Hutchison	Snowe
Cohen	Inhofe	Specter
Coverdell	Jeffords	Stevens
Craig	Kempthorne	Thomas
D'Amato	Kyl	Thompson
DeWine	Lott	Thurmond
Dole	Lugar	Warner
Domenici	Mack	

NOT VOTING—2

Kassebaum	Pryor

The amendment (No. 3965), as amended, was rejected.

Mr. EXON. Mr. President, I move to reconsider the vote by which the

amendment was rejected, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

CLARIFICATION OF OPPOSITION TO GRASSLEY AMENDMENT NO. 3963

Mr. McCAIN. Mr. President, yesterday, during debate on an amendment to cut defense levels in the budget resolution, the senior Senator from Iowa cited certain statements contained in my recent paper on military readiness. I have great respect and friendship for my colleague. However, I must point out that those quotations were taken out of context and were used to give the impression that I supported the Senator's amendment to reduce the defense spending level in the pending resolution.

I want to take this opportunity once again to state very clearly my strong opposition to the Grassley amendment.

First, I strongly oppose any amendments to reduce the level of defense spending in the pending resolution. Last year, I was at the forefront of efforts in the Senate to add funding to the President's defense budget. Ultimately, the Congress added $7 billion, most of which was allocated to modernization programs.

And I strongly supported the Senate Armed Services Committee's bipartisan letter to the Senate Budget Committee requesting a significant increase in the Defense budget. The pending resolution includes the increase we requested.

Second, President Clinton's defense budget request for the coming fiscal year seriously neglects future readiness, putting at risk the ability of our military forces to prevail in future conflicts. Our highest ranking military officers, including the Chairman of the Joint Chiefs of Staff, cited the need for increased procurement funding to ensure a modern, ready force in the future. The Senate Armed Services Committee recently reported to the Senate a Defense authorization bill for the coming fiscal year that includes significant increases in the procurement and research and development accounts for future modernization.

Third, the statements cited yesterday by the Senator from Iowa were taken completely out of the full context of my paper. The Senator should re-read the paper in its entirety, in which it is clearly stated that funding for our Nation's military is far too little to fully meet our vital national security needs.

I do believe, as the Senator quoted, that we must look for ways to do more with less. That statement is based both on an acknowledgment of fiscal reality as well as a sense of responsibility to the taxpayers. Regardless of whether we increase the top line of the Defense budget, we have a responsibility to the American people to spend their tax dollars wisely. Every dollar of defense spending should be spent carefully and for programs which enhance the ability of our service men and women to do their jobs, whether they are assigned to combat units, support units, or the Reserve components.

I also believe, as the Senator quoted, that eliminating excess infrastructure is necessary and would free up funds for military modernization. The Department of Defense, with the help of Congress, must continue its ongoing efforts to streamline operations and improve efficiency by eliminating wasteful spending and practices. The Senator from Iowa has been active in promoting financial and other reform efforts in the Department of Defense, and I commend him for his efforts.

However, the Senator seems to have missed the larger point of my paper.

On page 19 of the paper, I clearly stated, as follows:

> There are many approaches to streamlining defense operations and activities that could result in cost savings and which should be done to ensure the best value to the American taxpayer. However, the magnitude of savings from these efficiencies is negligible in comparison to the funding required to modernize and maintain a ready military force.

Finally, let me note this clear concluding statement:

> In all of the decisions we face about our future defense requirements, we must not allow fiscal considerations to be the single, dominant factor. Instead, we must focus on the most cost-effective means of maintaining the military capabilities necessary to ensure our future security. We must pay what it costs for a military force capable of deterring aggression and achieving success in any future conflict. In short, we must be prepared to accept the cost of being a world power.

These statements clearly represent the full context of my paper, which focused principally on a proposal to reform the military readiness system, but also repeatedly cited the need for additional funding for military modernization. I am sorry the Senator from Iowa seems to have missed the point of my paper.

Just like the quotations from my paper, the amendment of the Senator from Iowa missed the mark. His amendment would have done nothing to encourage the Department of Defense to operate more efficiently, if that was his intention. His amendment did not even address alleged Pentagon waste and mismanagement, which would be permitted to continue unabated even if his amendment had been adopted. Instead, his amendment would have cut needed funding for the military modernization programs added by the Senate Armed Services Committee in the recently reported Defense Authorization bill for Fiscal Year 1997.

I voted against the Grassley amendment, which failed by a vote of 57 to 42. I intend to vote against other such amendments to cut the defense function.

UNANIMOUS-CONSENT AGREEMENT

Mr. DOMENICI. Mr. President, I ask unanimous consent that the following amendments be the only remaining first-degree amendments that will be in order to Senate Concurrent Resolution 57, and that all other provisions of the Budget Act remain in effect, provided that the amendments may be offered by a designee.

The list is as follows:

REPUBLICAN LIST

Chafee/Breaux—alternative budget.
Simpson—SOS accurate inflation index.
Brown/Simpson—CPI.
Brown/Simpson—SOS eligibility ages.
Lott—U.N.
Campbell—at risk youth.
Thompson—delete Presidential check off.
Hutchison—SOS homemaker IRA.
Faircloth—SOS national debt.
Faircloth—welfare.
Kyl—LIHEP.
Kyl—SOS tax limitation.
Kyl—Americorp.
Murkowski—relevant.
Domenici/Gorton—Medicare Part A.
Domenici—Spectrum.
Snowe—SOS tax cut sunsets.
Ashcroft—payroll taxes.
Gramm—SOS Soc. Sec. taxes.
Thomas—biannual budgeting.
Grams—SOS bal. budget/taxes.
Snowe—SOS student loans.
Roth—Amtrack.
Specter—Labor-HHS
Domenici—tax reform.
Jeffords—relevant.
Nickles—unified budget.
Nickles—relevant.
McCain—SOS spectrum.
Helms—SOS education.
Dole—SOS drug crimes.
Dole—relevant.
Domenici—EITC spending.

DEMOCRATIC AMENDMENTS TO THE BUDGET RESOLUTION

Baucus—SOS essential air service.
Biden—(1) crime; (2) higher education.
Bingaman—(1) EDA; (2) relevant.
Boxer—(1) SOS taxes; (2) Medicaid and nursing homes.
Bradley—EITC restoration.
Bryan—CBO certification.
Bumpers—(1) asset sales; (2) fire walls; (3) mining reclamation.
Byrd—(1) restore infrastructure investment; (2) relevant; (3) relevant; (4) relevant; (5) relevant.
Conrad—relevant.
Daschle—relevant.
Dorgan—relevant.
Exon—relevant.
Feingold—tax cut.
Graham—Medicare solvency waste/fraud.
Harkin—(1) Medicaid changes; (2) relevant.
Hollings—gas tax to highway and aviation trust fund.
Kennedy—(1) spousal impoverishment; (2) seniors abuse; (3) prescription drugs; (4) premium surcharge; (5) Davis-Bacon; (6) worker safety.
Kerrey—(1) SOS reduction CPI; (2) SOS long term entitlement.
Kerry—(1) environment; (2) education, (3) crime; (4) preserve Presidential campaign checkoff; (5) LIHEAP; (6) relevant.
Kohl—SOS crime prevention funds.
Lautenberg—(1) relevant; (2) relevant.
Levin—(1) reduction defense number; (2) drug blocker research money.
Mosely-Braun—SOS budget priorities.
Murray—(1) SOS GSA priority transfer excess property re: education and technology.
Nunn—(1) Long-term entitlement reform; (2) SOS CPI.
Pryor—Glaxol/GATT.
Reid—environment.
Rockefeller—medicare.

Simon—shifting defense spending.

Wellstone—(1) COPS; (2) children's impact; (3) welfare and domestic violence; (4) LIHEAP; (5) SOS education tax language; (6) relevant.

Wyden—(1) SOS eliminating deductibility environmental damage; (2) DOD expenditures.

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

Mr. DOMENICI. The list has been submitted along with that unanimous-consent request. They are both Democrat and Republican amendments.

Mr. EXON. We have agreed to the list. The chairman has submitted that. We agree those will be the only amendments in the first degree.

Mr. DOMENICI. That does not mean, Mr. President, that every one there will be offered. It depends on the offerer or their designee. But we surmise some will not. But there will not be any other first degrees submitted that are not on that list. We have not waived the Budget Act, as we indicated, Mr. President.

Mr. President, I have another statement to discuss with the Senate.

ORDERS FOR FRIDAY, MAY 17, 1996, AND MONDAY, MAY 20, 1996

Mr. DOMENICI. Mr. President, I ask unanimous consent that when the Senate completes its business tonight, it stand in recess until 9:30 a.m., on Friday, May 17, and immediately resume the budget resolution at that time.

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

Mr. DOMENICI. Mr. President, I further ask unanimous consent that when the Senate completes its business on Friday, May 17, it stand in recess until 10:30 a.m., Monday, May 20, and immediately resume the budget resolution.

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

Mr. DOMENICI. I thank the Chair and I thank the Senate.

PROGRAM

Mr. DOMENICI. Mr. President, for the information of all Senators, the Senate will consider the budget resolution on Friday and Monday. Since a large number of Senators have indicated they will be available to offer their amendments, no votes will occur either Friday or Monday. Senators who have amendments must offer and debate their amendments either Friday or Monday. It will be the intention of the leadership to conclude the budget resolution by the close of business on Tuesday, if at all possible.

As an example of Senators that have already indicated they will work with their amendments, let me state on Friday—this is not binding in any order—but Senator WELLSTONE will be here at 9:30, Senator MOSELEY-BRAUN, somewhere around 10 o'clock, Senator BYRD somewhere around 11 o'clock, Senator SIMPSON around noon, Senator KERRY has two amendments, somewhere around 1:30, Senator LOTT in the afternoon, Senator Kyl in the afternoon, Senator GRAMM in the afternoon, Senator DORGAN, and Senator KENNEDY, sometime tomorrow afternoon.

Mr. FORD. Will the Senator yield?

Mr. DOMENICI. I am happy to yield to the Senator.

Mr. FORD. We had worked out on this side an opportunity for the Senator from Washington, Senator MURRAY, to be somewhere between noon and 2 o'clock.

Mr. DOMENICI. We will put that in between Senator KERRY and Senator LOTT, who would go later. Senator MURRAY could be somewhere after Senator KERRY.

Mr. FORD. We would like to reverse that, Senator, and put Senator MURRAY before Senator KERRY.

Mr. DOMENICI. We would have Senator MURRAY coming ahead of Senator KERRY, with his two amendments.

Mr. EXON. Mr. President, was putting Senator MURRAY ahead of Senator KERRY cleared with Senator KERRY?

Mr. FORD. Yes, and Senator MURRAY will be speaking in favor of the amendment of Senator KERRY. She has an amendment also. It would work out for her travel plans. We agreed the 12 to 2 o'clock period she could introduce her amendment.

Mr. EXON. This timing is getting rather complicated. Senator KERRY is making a special trip back from Boston and will be in Pittsburgh then he has to go back. He told me he would be here hopefully between 2 o'clock and 3 o'clock. He will be very strapped for time to meet the connection. I simply say as nearly as possible I hope we can accommodate Senator KERRY when he shows up, maybe put him before or after. I did not know about Senator MURRAY.

Mr. FORD. It is somewhere before 2 o'clock.

Mr. EXON. All right. We will do our best to accommodate everyone. I think we have that general understanding.

Mr. DOMENICI. Might I continue. On all the amendments that the Senator from New Mexico just listed, this is not a unanimous consent request, this is a bona fide effort to indicate that these Senators will offer their amendments tomorrow, in somewhat of the order I have described.

Now, Senators are going to be accommodated. We will stay until they are accommodated, and try to use a substantial amount of time. I will not be here after 3:30 but there will be someone here so we get this finished.

Now on Monday, I told the Senators we are doing well on Friday, and on Monday we are doing better. We do not have to have votes because we will have a lot of amendments and stack them in an orderly matter. Senator ASHCROFT, Senator KYL, Senator HARKIN, Senator BUMPERS, Senator FEINGOLD, Senator BAUCUS, Senator LEVIN, Senator SIMON, Senator SNOWE. Senator CHAFEE and Senator BREAUX, the full substitute, they will take 3 hours on Monday afternoon and then they will wrap it up with 1 hour on Tuesday when we sequence them into a voting pattern.

Mr. EXON. What is the time allowed for that amendment?

Mr. DOMENICI. A total of 4 hours equally divided, 3 hours on Monday, and wrap it up with 1 hour on Tuesday.

Then we have Senators BROWN and SIMPSON who will also be ready Monday, Senator ASHCROFT will be ready Monday. Feingold is for Monday.

The last list, starting with Senator HARKIN and ending with Senator ASHCROFT, are Monday amendments in some kind of sequencing related to what I have just described.

Again, nobody is bound to a time but I am really urging and my friend Senator EXON is, and the whip and the minority leader, that we appear and offer them, because that means we will be well on our way to a manageable schedule on Tuesday.

Mr. EXON. I agree. I think it can and will work.

Mr. FORD. May I ask one more question? I apologize for taking so long, but would Senator DOMENICI advise me about the amendment by Senator NUNN on long-term entitlement reform. It seems to me he and Senator BROWN may have a joint amendment. I wanted to be sure that Senator NUNN was accommodated.

Mr. DOMENICI. Mr. President, that is known as the Brown-Simpson-Nunn amendment.

Mr. FORD. That will be sometime late Monday?

Mr. DOMENICI. It looks like it is close to 5 o'clock.

Mr. FORD. That would be ideal, sometime around 5 o'clock or after.

CONCURRENT RESOLUTION ON THE BUDGET

The Senate continued the consideration of the concurrent resolution.

Mr. DOMENICI. I suggest the absence of a quorum and ask it be charged to both sides.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. DOMENICI. 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. Mr. President, we understand Senator BOXER from California is prepared with an amendment at this point.

The PRESIDING OFFICER. The Senator from California is recognized.

AMENDMENT NO. 3982

(Purpose: To preserve, protect, and strengthen the Medicaid program by controlling costs, providing state flexibility and restoring critical standards and protections, including coverage for all populations covered under current law. The amendment restores $18 billion in excessive cuts, offset by corporate and business tax reforms)

Mrs. BOXER. Thank you very much, Mr. President. I thank my chairman

and ranking member for allowing me to offer this amendment at this particular time. On my side, Senators KENNEDY and GRAHAM would like to speak to this amendment, and I send it to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from California [Mrs. BOXER], for herself, Mr. GRAHAM, Mr. DORGAN, and Mr. KENNEDY, proposes an amendment numbered 3982.

Mrs. BOXER. 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:

On page 3, line 5, increase the amount by $1,900,000,000.

On page 3, line 6, increase the amount by $2,500,000,000.

On page 3, line 7, increase the amount by $3,200,000,000.

On page 3, line 8, increase the amount by $2,700,000,000.

On page 3, line 9, increase the amount by $2,600,000,000.

On page 3, line 10, increase the amount by $5,400,000,000.

On page 3, line 14, increase the amount by $1,900,000,000.

On page 3, line 15, increase the amount by $2,500,000,000.

On page 3, line 16, increase the amount by $3,200,000,000.

On page 3, line 17, increase the amount by $2,700,000,000.

On page 3, line 18, increase the amount by $2,600,000,000.

On page 3, line 19, increase the amount by $5,400,000,000.

On page 4, line 8, increase the amount by $1,900,000,000.

On page 4, line 9, increase the amount by $2,500,000,000.

On page 4, line 10, increase the amount by $3,200,000,000.

On page 4, line 11, increase the amount by $2,700,000,000.

On page 4, line 12, increase the amount by $2,600,000,000.

On page 4, line 13, increase the amount by $5,400,000,000.

On page 4, line 17, increase the amount by $1,900,000,000.

On page 4, line 18, increase the amount by $2,500,000,000.

On page 4, line 19, increase the amount by $3,200,000,000.

On page 4, line 20, increase the amount by $2,700,000,000.

On page 4, line 21, increase the amount by $2,600,000,000.

On page 4, line 22, increase the amount by $5,400,000,000.

On page 27, line 16, increase the amount by $1,900,000,000.

On page 27, line 17, increase the amount by $1,900,000,000.

On page 27, line 23, increase the amount by $2,500,000,000.

On page 27, line 24, increase the amount by $2,500,000,000.

On page 28, line 5, increase the amount by $3,200,000,000.

On page 28, line 6, increase the amount by $3,200,000,000.

On page 28, line 12, increase the amount by $2,700,000,000.

On page 28, line 13, increase the amount by $2,700,000,000.

On page 28, line 19, increase the amount by $2,600,000,000.

On page 28, line 20, increase the amount by $2,600,000,000.

On page 29, line 2, increase the amount by $5,400,000,000.

On page 29, line 3, increase the amount by $5,400,000,000.

On page 46, line 12, decrease the amount by $18,300,000,000.

At the appropriate place insert the following:

SEC. . SENSE OF THE SENATE.

It is the sense of the Senate that the provisions contained in this budget resolution assume Medicaid reforms shall—

(1) maintain the guarantees in current law for Medicaid coverage of seniors, children, pregnant women, and persons with disabilities.

(2) preserve current laws protecting spouses and adult children from the risk of impoverishment to pay for long-term nursing home care;

(3) maintain the current Federal nursing home quality and enforcement standards;

(4) protect states from unanticipated program costs resulting from economic fluctuations in the business cycle, changing demographics, and natural disasters;

(5) maintain the successful Federal-State partnership and protect the Federal Treasury against practices that allow States to decrease their fair share of Medicaid funding; and,

(6) continue to provide coverage of Medicare premiums and cost-sharing payments for low-income Medicare beneficiaries, consistent with current law.

Mrs. BOXER. Mr. President, I am honored and pleased to be able to offer the Boxer-Graham-Dorgan-Kennedy amendment regarding Medicaid. The purpose of this amendment is really quite simple and straightforward.

First, my amendment restores the $18 billion in excess cuts made by the Republican budget, and it will be offset by closing corporate tax loopholes.

Second, my amendment contains a sense of the Senate that any reforms made to Medicaid maintain six particular principles, and I will outline those principles briefly.

But before I do, I think it is important to ask the question, Who does Medicaid really help in this everyday world? Who are the people out there who depend on Medicaid?

First of all, 2 million senior citizens who are in nursing homes are on Medicaid and depend on Medicaid. Two out of every three residents in nursing homes depend on Medicaid.

We also know there are 18 million children who depend on Medicaid—children. It is their lifeline. Half of these children live in working families where their families work very hard. They are the working poor, and their children rely on Medicaid.

The disabled—6 million of our citizens who are disabled rely on Medicaid and perhaps up to 1 million pregnant women rely on Medicaid. Of our children between the ages of 13 and 18, there are 2.5 million.

So millions and millions of Americans rely on Medicaid, and, therefore, this amendment, I think—and I am so pleased that it has broad support on this side of the aisle—is really key to real people.

So the first part of the amendment is that we restore $18 billion that has been cut, what we call excess cuts. Second, we have a sense of the Senate on six principles. They are as follows: First, maintain Medicaid coverage for low-income seniors, children up to 18 years of age, pregnant women, and the disabled; second, maintain current protection against the impoverishment of spouses and adult children whose family member is in a nursing home; third, maintain Federal nursing home standards; fourth, protect States from unanticipated increases in enrollment, which can occur as a result of economic fluctuations such as recessions, changing demographics or natural disasters; fifth, maintain the successful Federal-State partnership and protect our Federal Treasury against practices that may allow States to decrease their fair share of Medicaid funding; and sixth, continue to provide Medicare premiums and cost-sharing payments for low-income Medicare beneficiaries that are consistent with current law.

I would like to make this point, Mr. President. All of these six principles that are outlined in this amendment are contained in the President's budget, as well as in the Chafee-Breaux budget proposal; however, they are not maintained or referenced in the Republican budget.

So of the budgets that we will be looking at, namely, the President's budget, the Republican budget, and the Chafee-Breaux budget, we find the Republican budget does not address these six principles. Frankly, we feel it is very important that these principles be adhered to.

Why do I say that? I think the backbone of all the other principles is the guarantee of coverage that exists in current Medicaid law for seniors, children, pregnant women, and persons with disabilities. We know this is a real problem because in the reconciliation bill we saw that there was a walking away from this commitment.

We also believe that a person with certain disabilities in one State might not be considered disabled in another State under this budget. We want to make sure that does not happen. Some States could decide to define disability in such a way that it will not cover many serious disabilities.

So we think it is very important that the people who are now covered remain covered. We do not have that assurance at all in this budget. As a matter of fact, the plans that the Republicans have talked about would allow the States to decide these questions. I think it is very important that it be a national standard here as to who is disabled and who should definitely have coverage.

I want to talk about the guarantee to children. We have no certainty in this Republican budget that children from the ages of 13 to 18 would be covered. Let me tell you the problem. It would mean that a low-income teenage girl, the only way she could get health coverage, if the State decided to cut her

off, is to get pregnant. This is not a message that we want to send to our young people. We should cover children until they turn 18. I think we owe them that.

I want to talk a minute about the other principle, the spouses and adult children who are at risk of impoverishment if one of their family members winds up in a nursing home. Remember, there are 2 million senior citizens in nursing homes, and two out of three of them are on Medicaid. We passed a very important law, when I was over in the House of Representatives, that said we will not drive the adult children of nursing home residents and we will not drive the spouse of a nursing home resident into the poor house simply because their family member is in a nursing home.

I am very fearful that without saying something affirmative in this budget, we could repeal this very important spousal impoverishment provision. We should not be forcing spouses or adult children to be thrust into poverty.

Why do I say that? The average cost for nursing home care, Mr. President, is about $36,000 a year. Clearly, how many of our people could really pay that?

I think it is crucial that we protect spouses and the adult children of nursing home residents. I think if we do not pass this amendment, our amendment that we have worked on here, that could happen.

Nursing home quality standards. Very clearly we ought to say that we believe there ought to be national standards. Why do I say this? Because we know what can happen. We saw what happened in the 1980's. There were nursing home scandals. We know that our senior citizens were being mistreated, abused. Some of the stories are hair-raising. I will not go into them because time does not permit it. But they were drugged, they were put into baths that were scalding.

What happened? We decided we would have standards and enforcement. Now we have absolutely no assurance in this particular budget that is before us that this will happen. That is why we hope we can get bipartisan support for this particular amendment that I am offering. So it is key to save those nursing home national standards.

One senior citizen in Nebraska is as important as a senior citizen in New York or Ohio or Wyoming or Montana. We want to treat our grandmas and grandpas and our great grandmas and great grandpas with respect. We should have national standards and not back away from them.

We protect the States from unanticipated program costs in the sense of the Senate. We say that, in fact, when you have a natural disaster such as my State of California, or there is an unanticipated cost from a recession, that we will help the States meet their Medicaid burdens.

Finally, an issue that I know Senator GRAHAM is going to speak to because he was a Governor of the great State of Florida. We want to maintain the successful Federal-State partnership involving Medicaid. We also want to make sure there are no scams in the States, that, in fact, the States do not abuse the Medicaid program.

So, Mr. President, that concludes my remarks. I know that Senators KENNEDY and GRAHAM would like to speak.

I would like at this time to yield them some time, if that is agreeable.

Mr. President, I yield to the Senator from Massachusetts and then to the Senator from Florida. We have had a little bit of intervening debate and I just want to remind everyone what we are talking about here are the people in our country who need us to stand with them: The seniors in the nursing homes, the children with disabilities, the pregnant women, the working poor, the people who are working very hard to stay afloat and need us not to abandon them. I think this amendment we are presenting to you will give them that reassurance that they will not be abandoned.

It is my pleasure to yield 15 minutes to the Senator from Massachusetts.

Mr. KENNEDY. Mr. President, my friend and colleague from Florida will address the Senate on an extremely important aspect of this whole issue of the cutback in Medicaid. I will try to be to the point but also speak about the importance of this particular amendment.

First of all, I want to thank the Senator from California, Senator BOXER, for being the leader on this particular issue as she has been on so many of the issues involving working families, children, and their parents and the disabled. All of us are grateful to her for her leadership on this issue of restoring some $18 billion in the Medicaid Program over the next 6 years.

Now, I think Members can ask whether this $18 billion we see under the Republican program, the reduction of $72 billion, I think it is important as we commence this debate to understand where that serious cut will come from in the Republican budget and the benefits that this program reaches in terms of children, the disabled and the elderly. The importance of this amendment of the Senator from California is that with the acceptance of some cuts in the Medicaid, those cuts basically will be out of what we call the disproportionate share payments, which go not to the individual reduction in benefits, but are basically funds that go to the State generally. It is extremely important to understand that every dollar in the Senate's program is a dollar that will make a difference in the quality of life of children and seniors.

The second point which is an enormous part of the Senator's amendment which I know that the Senator from Florida will cover is the significance of the Republican budget cuts, which will mean $250 billion in reduced payments of benefits over the period of the next 6 years because of the changing of the formula in terms of what is required by the States.

This is a very, very dramatic reduction and cut in who will be affected by this. The people that will be affected by this, as the Senator has pointed out, will be the children, the elderly people, nursing homes, and the disabled in our country.

The further point I want to make this evening is that it is important that we had the earlier vote on the Medicare and now on the Medicaid because to a great extent we are talking about the same populations. We are seeing the reductions in the Medicare programs that will affect our seniors, and this is another significant reduction in services for our elderly people as well as the children.

So if you look at the reductions in the Medicare Program, and you look at the reductions in the Medicaid Program, you are finding those cuts, together, are going to be an extremely heavy burden on the most vulnerable in our society—the children, the frail elderly, and the disabled in our community.

Medicaid is the companion program to Medicare, and the Republican assault on Medicaid is just as misguided and unfair as their assault on Medicare. The Republican plan would cut Federal Medicaid payments by $72 billion over the next 6 years—but that is only the tip of the iceberg. Under the Republican plan, total Medicaid spending would be cut by a staggering $250 billion—and States will be allowed to spend Federal Medicaid dollars on roads, bridges, and political patronage rather than health care services.

In large measure, the Republican cuts in Medicaid will strike another heavy blow at the same groups hurt by the Republican cuts in Medicare—senior citizens and the disabled. Ten million elderly and disabled individuals are enrolled in Medicaid. Seventy percent of all spending under the program is for these two groups—much of it for long-term nursing home care.

Another group will also be injured by the Republican plan—America's children. Seventy percent of those who rely on Medicaid are children and their parents—a total of 18 million children. One in every five children in America depends on Medicaid. One in every three children born in this country depend on Medicaid to cover their prenatal care and delivery.

Every child deserves a healthy start in life. Under the Republican plan millions of children who have adequate medical care today will be forced to do without it tomorrow.

Medicaid provides good coverage to children today. They are guaranteed prenatal care, immunizations, regular checkups, developmental screenings, and both chronic and intensive physician and hospital care.

The great bulk of Medicaid-covered children are in families with working parents. Most of these parents work

full time—40 hours a week, 52 weeks a year—but all their hard work does not buy them health care for their children, because their employer does not provide it and they cannot afford it.

Even with Medicaid, over 10 million children are uninsured, and each day the number rises. Soon, less than half of all children will be covered by employer-based health insurance. We tried to address this problem in the last Congress—but the Republicans said no. Today, they are trying to undermine the only place that families can turn without employer-provided coverage.

Last year, the Republicans proposed to eliminate all guarantees of coverage for children. This year, it is ''only''—only—poor children 13 to 18 who will lose their coverage. In addition, children of all ages—even babies—will lose their current guarantee that all medically necessary treatments will be covered.

The 6 million disabled who depend on Medicaid are even less fortunate. The Republican plan repeals all Federal standards for coverage of the disabled.

States are also free to set any limits on scope and duration of services that they choose. If a State budget is tight this year, why not limit the sick to shorter hospital stays. If they need a week to recover from serious illness or surgery—too bad. That's somebody else's problem—if the Republican plan is adopted.

In a very real way, Medicaid is a lifeline for children and families who have nowhere else to turn. Without access to Medicaid, many healthy children will become sick and many sick children will die. It is wrong to put children at risk to pay for tax breaks and special favors for the wealthy and powerful. Greed is not a family value.

Under the Republican plan, senior citizens and the disabled suffer a one-two punch. Deep Medicare cuts, and even deeper cuts in Medicaid. Many will lose their Medicaid coverage or see their benefits cut back. But they will also be victimized by one of the harshest parts of the Republican plan—the elimination of Federal enforcement of quality standards for nursing homes.

Strong quality standards for nursing homes were enacted by Congress with solid bipartisan support in 1987, after a series of investigations revealed appalling conditions in such homes throughout the Nation and shocking abuse of senior citizens and the disabled.

Elderly patients were often allowed to go uncleaned for days, lying in their own excrement. They were tied to wheelchairs and beds under conditions that would not be tolerated in any prison in America. Deliberate abuse and violence were used against helpless senior citizens by callous or sadistic attendants. Painful, untreated, and completely avoidable bedsores were widespread. Patients were scalded to death in hot baths and showers. Others were sedated to the point of unconsciousness, or isolated from all aspects of normal life by fly-by-night nursing home operators bent on profiteering from the misery of their patients.

These conditions, once revealed, shocked the conscience of the Nation. The Federal standards enacted by Congress ended much of this unconscionable abuse and achieved substantial improvement in the quality of care for nursing home residents.

Last year, the Republican proposal eliminated these standards altogether. When the public outcry was too great, they weakened the standards instead. This year, they claim to leave them unchanged—but they are proposing to leave enforcement to the States, even though it was the States' failure to protect senior citizens that necessitated passing the 1987 law in the first place.

Whatever the formal rules and regulations say, the Republican cuts in Medicaid are so deep that even conscientious nursing home operators who want to maintain high quality care will be hard-pressed to afford the staff and equipment necessary to provide it.

It is difficult to believe that anyone, no matter how extreme their ideology, would take us back to the harsh conditions before 1987. But that is what the Republican plan will do.

Further, the Republican plan victimizes not only the elderly but their families as well. Last year, the Republicans proposed to repeal the spousal impoverishment protections that protected the husband or wife of a nursing home resident against the double loss of a loved one and the chance to maintain even a modest standard of living. They proposed to repeal protections that have been in place since the Medicaid program was enacted against adult children being required to impoverish themselves to pay for the care of an aged parent.

Again, the public outcry was so great that the Republicans were forced to modify their plan—but they left the fine print in place. Spousal impoverishment provisions were supposedly retained—but they were rendered meaningless by other parts of the Republican plan.

Without a guarantee of coverage, a protection against spousal impoverishment is useless for those who can no longer qualify for assistance in the first place. The plan allowed nursing homes to add extra charges that Medicaid did not cover, and require families to make large up-front deposits before a patient is admitted. Adult children were protected—but only if their income was below the median. Families whose total income is less than the cost of a year in a nursing home would still be liable for the cost of care for their elderly family member.

Republicans claim their new plan avoids this last set of abuses, but the American people should read the fine print.

The Republican plan for Medicaid is an outrage. It says that our society does not care about the most vulnerable groups in our country—people with disabilities, senior citizens, and children.

These Republican proposals are too harsh and too extreme. They are not what the American people voted for in the last election. They should be rejected out of hand by the Congress, and the American people should reject their sponsors in the next election.

I thank the Senator from California. I yield back whatever time remains.

Mrs. BOXER. Mr. President, I thank my friend from Massachusetts. Before he leaves, I think we have a chance to win this amendment, I say to my friend, because, actually, the Democratic budget addresses these issues. This amendment gives us a chance, those of us who supported that budget, to vote in favor of it. The Chafee-Breaux budget actually that will be presented to us does, in fact, make these commitments. So if everyone who voted for Chafee-Breaux, who voted for the Democratic budget, votes aye on this amendment, I say to my friend that maybe we will have some better luck in the outcome.

My friend talked about turning our backs on those who need us the most. I was present for a hearing that we held when we were doing the health care bill in which we had disabled children who were relying on Medicaid come into the Congress with their caregivers. Usually it was their mom or dad. Just looking at those kids with spina bifida, with kidney problems, with muscular dystrophy, or with multiple sclerosis, trying to live their life with some dignity, relying completely on these payments, it seems to me, I say to my colleagues at this late hour, even if it is late, this is a little sacrifice to make when we think of those children and the sacrifices that they make every day of their lives and the sacrifices that their families make every day of their lives. It is shameful that we would walk away from these children. It is shameful.

Nobody needs to hear a lecture from one Senator to another. I do not mean at all to sound that way, because I do not think that anyone who votes against this amendment wants to hurt those children. But I do think, in the end, that is what will happen.

I yield 15 minutes to my friend from Florida, Senator GRAHAM.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. GRAHAM. I thank my colleague from California.

Mr. President, this debate should commence with one fundamental truth: The Medicaid Program for the last 30 years has been a great American success. The Medicaid Program has been a great American success. Let me give you a few examples of that success.

In the early 1980's, in many parts of this country—I can speak specifically for the American South—the rate of infant mortality was a disgrace, rates of infant mortality that were close to those that would be found in some of the less-developed nations of the world.

In that period, leaders in the South decided that they wanted to have a different legacy for the future.

So under the leadership of Governors such as Lamar Alexander of Tennessee, Bill Clinton of Arkansas, Governor Dick Riley of South Carolina, who was designated to be the chair of a task force in the South on the children of the South, Governor Riley made a series of recommendations which were adopted by most of the Southern States. But the keystone recommendation was that the South should take steps to reduce its infant mortality by substantial increases in its commitment to appropriate prenatal care, care for pregnant women, care for infants, and care for children in those critical early days of life.

The effect of that program 10 years later has been a dramatic reduction in infant mortality in the South, and because of that, a significant reduction in infant mortality in the United States, approximately a 20-percent reduction in the number of children who were born without life or with a life that was less than it might have been.

Mr. President, Medicaid was an absolutely critical component of that effort to reduce infant mortality in our Nation, and because of it, there are literally hundreds of thousands of boys and girls who are alive today, living lives that have great promise and opportunity.

Medicare is an American success story. Medicaid has also allowed older Americans to live a life of dignity and respect when otherwise they would have been consigned to the same condition of their parents and grandparents. To get old in America and to be poor in America was to be without dignity and respect.

You say, ''Why is this true of Medicaid? I thought it was Medicare that provided services for older Americans.'' The fact is the two programs work in a very compatible manner. Medicaid, for those elderly who are unable to pay their premiums for Medicare, pays those premiums. It allows the indigent elderly to continue to have access to Medicare physician services. For those indigent elderly who cannot pay their prescription medication, Medicaid pays for their prescriptions so that they can have access to the modern miracles that make life possible and make a quality of life possible.

For many Americans, it is Medicaid which provides access to long-term care, whether that be in a community setting or in an institutional setting such as a nursing home. As the Senator from California has pointed out, most Americans who are in nursing homes today—over two out of three—receive their nursing home monthly payments through the Medicaid Program.

Medicaid is an American success story for older Americans. Medicaid is an American success story because it has served as the fundamental safety net under millions of poor children who without Medicaid would be without any financing for their health care.

In 1980, of all Americans who were employed, approximately 65 to 70 percent were employed in a workplace which provided health care coverage for themselves and for their families. That was part of what we thought was the American dream, that if you worked hard and you supported your family, you would have access to and the capacity to afford to acquire health care. We in Congress promoted that by providing very favorable tax treatment for employer-provided health care benefits. But since 1980, there has been a precipitous decline in the percentage of Americans who are covered at this point of employment with health care. Today that number is below 60 percent, and the estimate is that in the foreseeable future it will drop below 50 percent. Less than half of the Americans who are working will be securing their health care through their place of employment.

The result of this has been literally millions of low-income, not only the employees themselves but even more the dependents of those employees, their spouses and their children, without health care coverage.

What has happened is that as these people fell into medical indigency, it was Medicaid which came to their rescue, and it has provided them with access to health care coverage. If it had not been for Medicaid, we would not be a nation today with some almost 40 million Americans without access to health care financing; we would be a nation with 45 to 50 million Americans without access because persons who had lost their coverage are able, and particularly their dependents are able, to get it through the Medicaid Program.

So the Medicaid Program has been an American success story. Because of that we should not be talking, as is suggested in the Republican proposal of 1996, as it was in the Republican proposal of 1995, about an amputation of Medicaid. Rather, we should be talking about thoughtful reforms that will preserve the fundamental values of the system while making it stronger and better and more adapted to some of the current changes in health care delivery.

What are some of the fundamental issues in that reform of Medicaid? One is, should we maintain the basic national partnership between the Federal Government and the State governments in the financing and delivery of Medicaid services?

There are those who would suggest that that partnership is an anachronism, that it has had its day, but now we should amputate it, cut it off. Let us look for some new mutation to take its place, and that new mutation is going to be some form of block grants where the Federal Government's role is essentially consigned to that of being a check writer that on the October 1 will write 50 checks, send them off to the State capitals of America and with very little involvement wash its hands of the Medicaid Program.

The irony of this proposal, Mr. President, is that the very people who make it with such ardor frequently on other issues look, as one of their political North Stars, to former President Ronald Reagan and suggest that he is in many ways the father of modern conservative political thought.

Would Ronald Reagan have supported a program of block grants to the States for Medicaid? As my colleague from California, who no doubt had an opportunity to observe former Governor and then President Reagan over a number of years, will certainly know, the answer is no, because what President Reagan proposed was that rather than Balkanize Medicaid, Medicaid should be federalized.

He had a couple of compelling reasons why he thought that should be the case. The first was that as a Californian he recognized the fact that if you had differentials in standards, there was a tendency for a mobile population of poor people to seek out those communities that had the most generous standards. In the 1960's and 1970's California had among the most generous standards in the country and therefore served as a magnet for persons to come in the State in order to access those standards. So one rationale of President Reagan was that we needed to have greater uniformity in order to avoid this inducement to move.

A second rationale which I think is extremely relevant today is that President Reagan recognized that Medicaid, which had started as being primarily a program for poor children and their families, was increasingly becoming a program for the frail elderly. In my State today about 60 to 70 percent of the Medicaid funding is spent on people over 65, a very high percentage spent on people over 85. So President Reagan felt that we needed to relook at both Medicare, the health care financing program for the elderly, and Medicaid, the program for the indigent, and attempt to rationalize, harmonize, knit those two programs more effectively together, and that that knitting together would occur with more likelihood if Medicaid was a Federal program than if it were distributed to the States.

Mr. President, I think those two reasons of President Reagan were compelling in the 1980's and, if anything, they are even more compelling today. So it is somewhat of a shock now to see that the descendents of the philosophy of Ronald Reagan want to go exactly in the opposite direction from his advice, and that is to remove the Federal Government as a continuing partner in this national program of Medicaid.

Mr. FRIST. Mr. President, will the Senator from Florida yield for a question for a second?

Mr. GRAHAM. The Senator from Florida is close to being through, and at the conclusion of my remarks, I will be pleased to yield.

The second point is that the Medicaid Program requires a base of financing in

order to meet its current needs and to be able to assume the new responsibilities which clearly lie just over the horizon. As the Senator from Massachusetts pointed out, the proposal of the Republicans will reduce the total funds available for Medicaid over the next 7 years not just by the some $70 to $80 billion that will be eliminated at the Federal level but by a figure of close to $250 billion because the amount that will be asked of the States in their contribution to participate in the Medicaid Program will be so reduced.

Mr. President, I do not believe any serious analysis of the challenges facing Medicaid could come to the conclusion that we can meet the health care needs of Americans with a $250 billion reduction in funds available in the fundamental safety net program of our national health care system, Medicaid. In fact, there are a number of factors that are going to put Medicaid under greater pressure. One of those factors is the fact that we have a growing number of children and adolescents in our population.

To give just one statistic, last year America graduated approximately 2.5 million students from its high schools. Within less than 9 years, we will be graduating over 3 million children from our high schools, as an indication of this surge of youth that is coming through our society, who in addition to having education needs will also have health care needs which Medicaid would be the principal instrument for meeting.

I ask the Senator from California if she could yield an additional 5 minutes.

Mrs. BOXER. I will do that.

The PRESIDING OFFICER. The Senator from Florida is recognized for 5 minutes.

Mr. GRAHAM. Also, there will continue, unfortunately, to be a decline in the number of children covered by the health insurance of their parents at a point of employment. The population will continue to age. More people will be in the advanced ages, which is the greatest source of additional cost to the Medicaid Program. We are making some policy decisions such as those embedded in our recent vote on the immigration bill that are going to result in greater demands on the Medicaid system.

So there is no basis for the proposition that we can meet all of these challenges to the Nation's health care system and sustain a $250 billion cut in the Medicaid Program, most of it being a cut at the State level, not at the Federal level.

Finally, in the Medicaid system, one area of reform that cries out is to treat all States fairly. Today we have extreme disparities in terms of the funding that is provided for the poor child, the poor frail elderly, and the disabled from one State to the next. Those disparities are a function of history, the fact that we have built up a practice of inducing States to come into expanded Medicaid services by the Federal Government, matching or more than matching those State commitments. Those States that had a sufficient level of affluence to afford a more luxurious system have developed that, and, therefore, that has led to substantially higher amounts of Federal support for their Medicaid programs than for the less affluent States.

We also have the situation in which certain States severely abused a program that had a good purpose: to recognize the special cost of hospitals that served large numbers of indigent Americans. Those hospitals were to be recognized by getting a disproportionate share of Medicaid funds in order to pick up some of that cost that was otherwise uncompensated. Unfortunately, that program was severely abused by a handful of States and resulted in extreme distortions in where Federal Medicaid money went, State to State.

The proposal we have before us would largely freeze those past inequities into place and would make us live with them for the foreseeable future. The amendment offered by the Senator from California represents a clarion voice for reform and fair treatment in that all Americans should be assured that they will be treated equally by their National Government in terms of their access to quality health care.

Those are some of the fundamental issues we are dealing with. Are we going to maintain the Federal-State partnership which has served us so well in reducing infant mortality, providing dignity for older Americans, providing a safety net under an increasingly frayed system of employer-based health insurance? Are we going to maintain an adequate funding basis at both the Federal and the State level to meet increasing demands on our Medicaid Program? And are we going to treat all Americans, wherever they live, fairly?

The amendment that is offered by the Senator from California meets those tests of fundamental fairness and vision for the future of America. The underlying proposal fails on all of those tests.

I urge the adoption of the amendment of the Senator from California.

Mrs. BOXER addressed the Chair.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I thank my friend from Florida, the former Governor and distinguished U.S. Senator. He is on this floor with, I think, very important advice for Senators. It is fiscally responsible. He understands that when you help people who are trying to help themselves, when you help people who deserve help, people who have such problems, disabilities, infirmities, that in fact you are doing the right thing. I thank him very much for his leadership on this.

I say to my friend from Tennessee, that concludes our discussion of this amendment. I will be very happy to yield the floor at this time for him if he wishes to rebut. But I again urge my colleagues to look carefully at the Democratic budget, at the Breaux-Chafee budget—or Chafee-Breaux budget, as it is called—and the Republican budget. You will see that two out of three of these budgets believe in this amendment, believe strongly in this amendment. I hope those who support both the Democratic proposal and the Chafee-Breaux budget proposal will support this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. FRIST. Does the distinguished Senator from California yield back the remainder of her time?

Mrs. BOXER. If my friend is going to speak and wishes to debate this, I have no need to take any amount of time other than to rebut, perhaps, some of his comments if I feel I need to do so. It is not my intention to prolong this debate.

Mr. FRIST. Mr. President, I rise to oppose the amendment of the Senator from California for a number of reasons. Fundamentally, this particular amendment results in more taxation and more spending. The case I would like to lay out is that that increased taxation and increased spending is unnecessary. It is unnecessary.

Let me say at the outset, we have heard a lot from people who care very much about this Medicaid Program. The Medicaid Program is something that I, too, care very much about. I have worked with Members on both sides of the aisle to guarantee that we preserve what is a very good program that has served millions of people, both today and over time.

My role as a public servant, as a U.S. Senator, is one hat that I wear, but in addition to that perspective, I wear the hat of a physician who has taken care of the very people that we have heard talked about tonight. It hurts me when people use words like ''walk away from children.'' I have dedicated my entire adult life to helping children, one on one, as a physician, and to have words like that used on either side of the aisle hurts a great deal.

About 35 percent of the patients I have treated over the last 18 years of my life are Medicaid recipients. Night after night I have sat at the bedside of children, of mothers, of fathers, of people who have benefited from a program that served as a very important safety net for people who otherwise might not have access to care. It is to those people I say, to hear this accusation, it is not medagoguery, but it is close, when we have these accusations of walking away. Again, I am not sure it is intended that way, but the fact we are talking about the case of individuals, of children, with accusations elevated to that political—rhetorical, I think—level hurts.

When we heard here words about cut, and the distinguished Senator from Massachusetts used cut again and again and again, and that is associated

with the comments made about walking away from children and the amputation of programs—the growth rate in our proposal is 6.5 percent next year, the year after that, and the year after that—6.5 percent annual growth rate. That means an increase, not a cut, year after year over the next 6 years.

I think, finally, the public at large understands this is not a cut. It was President Clinton who, 3 years ago, in 1993, in an AARP meeting out on the west coast, said what we need to do for this program, Medicaid, is slow the growth from about 10 to 11 percent down to two times inflation. That is what we have done. A program that gives flexibility to States, that covers the people who need to be covered—and I will come to that shortly—we have slowed the growth to exactly what the President said 3 years ago, down to more than two times the rate of inflation. Anybody who has taken time to read what we proposed, it is 6.5 percent growth, year after year.

The President's plan is 7.1 percent. I guess we can debate whether it should be 7.1 or 6.5, but to say we are walking away from children and we are cutting or amputating programs, it is not true and the American people are going to see through that.

I do want to restate the ideas behind the Medicaid reforms and the question I was going to ask earlier of my colleague from Florida, because he kept saying this is a block grant to the States. It is not a block grant. It is not even close to a block grant.

No. 2, he talked about the dissolution, what is no longer a joint Federal-State partnership. It is just not true. It is not true. If you read what our assumptions are in the concurrent budget resolution, it is real simple. It basically says the committee's recommendation assumes implementation of a bipartisan—bipartisan—Medicaid reform plan approved by 48 Governors in early February. It was the unanimous consent of 48 Governors, who put together the plan, which is the basis, the foundation for the assumptions which resulted in our proposal.

It is important to say that, because the second half of the amendment proposed by the Senator from California lists six principles. Let me say at the outset that I agree with most all of those principles. I think that is important. I do not agree we have to increase spending by $18 billion to accomplish that, and I will come back to it.

But let me say what our plan—the assumptions in the 48 Governors' unanimous consent bipartisan plan which is the foundation, the verbatim foundation for our proposal—does. It is not a cut, it is an increase. I have said that. It is not a block grant, it is a Federal-State partnership.

It is not walking away from children. We cover the same populations, and I will come back to that. We guarantee coverage in this plan of low-income children who I have taken care of; and of pregnant women who I have taken care of in the past; and of the senior citizens who I have taken care of; and the individuals with disabilities for whom I am an advocate. We guarantee coverage. Period.

No. 2, we maintain the Medicaid Program as a matching program. Matching, that means Federal and that means State; a partnership; hand in hand; money comes from both. It is not a block grant to the States.

No. 3, we continue the Federal minimum standards for nursing homes, which were brought out in the principles of my colleague from California.

No. 4, we continue Federal rules that prevent wives or husbands from being required to impoverish themselves just to keep and obtain Medicaid benefits for their spouses, requiring nursing home care. We continue those Federal rules. Period.

No. 5, we provide coverage of Medicare premiums and cost sharing payments for low-income seniors consistent with the unanimous 48 Governors'—at the National Governors Association—Medicaid policy. That is what we do. Let us strip away the rhetoric.

The fundamental problem with Medicaid, because we do have a problem with the program that does serve over 30 million people—we do have a problem. Let us step away and look at the numbers, because we have the budget. We have the assumptions I just talked about, but let us go back to the numbers for one second.

The problem: Federal spending on Medicaid has doubled over the last 5 years; $90 billion in 1995. It is 20 percent of the State budget. That means if you are a Governor today, anywhere from 18 to as high as 23 percent of all the money in your budget is going to Medicaid. You can say, ''Should it be 20 percent? Should it be 15 percent? Should it be 25 percent?'' None of us can really answer that question. But what we do know, if you have 20 percent of your budget and the other 80 percent is being spent on crime and the environment and education and roads and police, that if you let that 20 percent grow to 25 percent or 30 percent or 35 percent, what suffers? Education, environment, crime, police, roads.

So at some point, the Governors have to sit back and say, ''We have to do something about a program that is one-fifth of our budget that is skyrocketing year after year at the Federal level,'' and by definition at the State level, is doubling at least every 5 years. If you do not, schools are going to get even worse, our environmental protection is going to get worse, there are going to be fewer police on the streets.

So we have a problem. We all know it is a problem. We are all trying to work together, in a bipartisan way—at least the Governors are, 48 of them—in addressing that problem.

This is why you do not have to raise taxes $18 billion in this amendment that has been put on the table. You do not have to. Excessive regulation results in waste.

What has happened over the last 30 years in this program is that with our good intentions in this body, Washington, DC, inside the beltway, we want to help people. How do we do that? We do that by coming to this floor and passing a layer of regulations, and the next year, another layer of regulations put on that, and then another layer of regulations, to where you get to 1996 and you have a program with 50,000 regulations telling you how to spend a health care dollar, which is the taxpayers' dollar, in taking care of that child who I had to do a transplant on or do a heart operation on back at Vanderbilt Medical Center where I was 3 years ago before I came here.

That taxpayer dollar gets eaten up, literally eaten up by the time it gets down to the doctor-patient relationship, and that is the problem we have. It is excessive regulation and waste.

Somebody else has realized that. It is not just us. Governor Bill Clinton, before the House Government Operations Committee, December 8, 1990, I think said it much better than I can. He has been at this a lot longer than I have. He knows how to say things, I think, pretty well. He used the right words:

> Medicaid used to be a program with a lot of options and few mandates.

We are the ones who do the mandates.

> Now it's just the opposite.

Let us face the facts. He had it right back in 1990, and in this proposal we have today, we have it right. It is not perfect, but it is a lot better than what we have today.

Why do we have to spend another $18 billion, increase spending $18 billion, increase taxes $18 billion, which is what this amendment implies we have to do? Our contention, and the contention of the Governors, is that if you strip away the regulations, if you strip away the requirements of dictating that doctor-patient relationship, what goes on, eligibility, out of Washington, DC, if you strip away those 50,000 regulations and you give much of that responsibility back to States and give them the flexibility to run their programs, you can save money.

You do not have to cut, you can still allow Medicaid to grow over 6 percent, over twice inflation, which is what we do, but you do not have to let it grow at 15 to 17 percent a year.

Let me turn to this one chart just to show you. Tennessee—and we have had discussions on both sides of the aisle of what are called 1115(a) waivers. It is hard to get these 1115(a) waivers. I can tell you, before I came to this Senate, I went through that process with Tennessee and it ain't easy.

The 1115(a) waiver says, in essence, we will let you, as a State, run a program how you see best; we will give you the flexibility, instead of mandating how you run it out of Washington, DC, and let us see what you do.

Tennessee applied for a waiver, received that waiver and let me just show you—it is not a perfect program, and I am not going to be here defending everything about the program—but let me show you just the dollars and cents of what can be done if you give those Governors the responsibility, let them design an appropriate program over time.

This is the Medicaid expenditure growth in the State of Tennessee. This starts in fiscal year 1986, 1987, continues to 1992, 1993, and 1994. The yellow bars are the percentage change in increased expenditures in a State, the overall program, joint State and Federal match.

You can see in fiscal year 1986, the Medicaid Program in Tennessee was growing at 21 percent, and it has happened in all of our States at varying levels. In 1987, it grew at 16 percent; in 1988, it grew at 21 percent; in 1989, a pretty good year, it grew at 14 percent; it grew at 20 percent; 20 percent; 1993, 13 percent; 1992, 34 percent.

Think, if you are a Governor and have a program growing on average about 20 percent, which is this red line, each and every year and you have your budget, 20 percent a year, that part of your budget is growing, all of a sudden, you have to start saying, I can't spend as much on education, I can't spend as much on fighting crime, on putting police on the streets, because we're growing at 20 percent per year.

In Tennessee, for the same amount of money being spent, both at the State and Federal level, by having these 50,000 regulations stripped away, growth in 1994 was right at 1 percent —1 percent. That overall budget about $2.5 billion did not grow over the course of 1 year. That shows what can be done. It can be done if you give States that flexibility.

That is why I oppose this amendment. You do not have to charge it; $18 billion more in increased taxes and increased spending.

Let me go back to one other chart just to demonstrate what that actually means. Again, we are talking dollars right now. I am coming back to the eligibility.

This is TennCare in yellow. This is Medicaid in red, which is what would have been projected if we had to still live under the Federal regulations in the State of Tennessee, which other States have to live under. This is in 1994 when the program started. If you look over time with TennCare, you can see that cost and expenditures are controlled, increasing, ironically, at a rate of about 6.5 percent a year in the State of Tennessee.

Look what it would have increased to if we had to live under those excessive, burdensome regulations. President Clinton said it best back in 1990.

Someone might say, Well, I bet you did it in Tennessee by not covering as many people. You are not doing as good a job. In some way you are cutting back on benefits and cutting back on services. The beauty is we do not have to let taxes grow, and at 20 percent of expenditures. In 1993, 89 percent of the population was covered. This is not very good. This is, of the entire population, 89 percent of all Tennesseans were covered.

By giving States the right to look at their own programs, strip away their regulations, for the same amount of money, for the same amount of money for controlled growth, we were able to cover 94 percent of the population. It is ironic; 89 percent was probably in the lower 10 or 15 of all States of people covered.

In 1994, Tennessee was the No. 1 State in the country in terms of numbers of people covered. Why? Because we were able to cover more people for the same amount of money by stripping away these excessive Government regulations. What? This proposal? We heard a lot of things. A lot of it has been rhetoric.

What is actually in our proposal? I have said, we are going to increase Medicaid spending more than two times inflation, at a rate of an average annual growth of 6.5 percent. Is that a cut? That is not a cut. We are going to spend, in fact, $54 billion more than in last year's budget resolution.

So we have moved from the resolution last year. The President's plan, as I said, is 7.1 percent growth. The big thing, I think, is that all of our assumptions, all of our savings, are based on the Governors' Medicaid proposal. I think this was missed in all of the earlier comments when we talked about block grants, we talked about no nursing home standards, we talked about lack of eligibility.

Let me just tell you what the Governors' Medicaid proposal says.

Restructuring Medicaid. These are our assumptions.

Eligibility. It is guaranteed for pregnant women up to 133 percent of poverty. It is guaranteed for children to age 6 to 133 percent of poverty; age 6 through 12 to 100 percent of poverty. It is guaranteed for the elderly who meet SSI income and resource standards. It is guaranteed for individuals with disabilities.

Benefits. The following benefits are spelled out by the National Governors' Association recommendation, which was accepted. We based all our assumptions on adopting this plan. The benefits remain guaranteed for in-patient and outpatient hospital services, physician services, prenatal care, nursing facility services, home health care, family planning services and supplies, laboratory and x-ray services, pediatric and family nurse practitioner services, nurse midwife services, and early and periodic screening and diagnosis treatment services.

Nursing home reforms. Again, let me say that in terms of the principles outlined in the amendment under discussion, I agree with many of those principles.

Nursing home reforms. What is in the Governors' plan which is our plan? States will abide by the OBRA '87 standards for nursing homes. States will have the flexibility to determine enforcement strategies for nursing home standards and will include them in their State plans.

Financing. We heard this statement that this was a block grant to the States. Each State will have a maximum Federal allocation that provides the State with the Federal capacity to cover Medicaid enrollees. The match will continue.

We also have in that plan an insurance umbrella. The insurance umbrella is designed to ensure that States will get access to additional funds for certain populations if, because of unanticipated consequences, the growth factor fails to accurately estimate the growth in the populations. Funds are guaranteed on a per beneficiary basis for those described below who are not included in the estimates of their base and their group.

In closing, Mr. President, I oppose this amendment. I have made the point that we do not need to spend and tax $18 billion or more to accomplish the goals that are laid out. I have shown, in fact, how one State required zero percent growth, not 10, 15, 20 percent growth, and was able to treat, was able to cover more individuals. We do not need to tax more and we do not need to spend more.

We heard of the amputation of programs. We heard of walking away from children. I do hope we can stay away from that rhetoric because I, as a physician—I am a Senator for awhile, but basically I am a physician. I have taken an oath, and I have lived my life in the service of individuals, again, with about a third of that population being Medicaid recipients.

I want it there. I understand the value of it to be there. I understand the importance of this program and feel that I, in a bipartisan way, with 48 Governors who put their proposal on the table, can achieve the goals that we all want, and that is to provide a safety net for this population, for all three populations who need Medicaid over time.

Mr. President, I yield the floor.

Mrs. BOXER addressed the Chair.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. I do not intend to take a great deal of time at all, but I just want to make certain points in response to my friend from Tennessee.

He said it hurt him to hear Senators on this side—and I guess he was quoting me—say their budget, the Republican budget, is walking away from children and poor seniors. When I made that remark, I said specifically, I know no one intends that to be the case. I just happen to believe it is the case. I do not think anyone intends to hurt a child. To hurt a child with spina bifida, to hurt a child in a wheelchair, to hurt a senior citizen who depends on others in nursing homes—no one would ever want to hurt those people.

I just happen to believe that is the outcome. I am not alone in this. I am not alone in this. I am going to talk a little bit about who on the Republican side of the aisle would like to add even more back than Senators GRAHAM, KENNEDY, DORGAN, and I are adding back.

So when I say I think this Republican budget, in terms of its Medicare cuts—I call them excessive cuts—walks away from kids, I do not mean it to hurt any Senators. I am saying it because I think in pragmatic terms it is going to hurt kids and people who are quite vulnerable.

I heard the Senator say that he is proud of the Governors and that they decided they would cover children and they would cover the seniors who are disabled and they would cover pregnant women. I am very glad that they want to. But I would have to take it another step. If the Senator believes it so important to cover pregnant women, if the Senator believes it is so important to cover the disabled and the seniors in nursing homes, then why do we not do it as Americans, as a national Government, and not leave it up to 50 States? Because, let me say this, States can say one thing today. They could be hit with a natural disaster tomorrow, and simply not have the wherewithal to do the job.

You know, when States want to get block grant funding, they may say one thing, and a few years later, change their mind. Why does the Senator think we have Federal nursing home standards? It is simply because the States set the standard, and there was scandal after scandal after scandal. And there were hearings.

I do not know what condition the Senator's State was in, but I can tell you in my home State, there were scandals. Seniors were scalded in bath tubs and were drugged. I know the Senator from Oregon, who has been a champion for senior citizens, knows about those stories. We saw spouses becoming impoverished. We saw adult children of those nursing home residents becoming impoverished. We worked hard over in the House, he and I, with HENRY WAXMAN—and I remember it well—and BARBARA MIKULSKI over here on this side. We said never again will that happen.

Now the Senator from Tennessee says, is it not great that Governors care. I believe that Governors care. But so do I. I happen to be a U.S. Senator. He happens to be a U.S. Senator. We have a chance in the U.S. Senate to say it is important to have Federal nursing home standards and enforcement.

I also would like to say this. My friend says this is a very expensive proposal, $18 billion. Does he know that Breaux-Chafee, a bipartisan proposal in this U.S. Senate, adds $31 billion more to the Republican budget? Does he think those people are spendthrifts? Does he think Senator BENNETT, Senator BOND, Senator BROWN, Senator CHAFEE, Senator COHEN, Senator GORTON, Senator JEFFORDS, Senator SPECTER, Senator SIMPSON, Senator SNOWE, his colleagues on the Republican side of the aisle are spendthrifts and do not care about fiscal responsibility? I am sure that he agrees with me that they do care. Yet they are going to be $31 billion over the Republican budget.

In conclusion, I say this: This is not about rhetoric. This is about adding back $18 billion, when Breaux-Chafee with all these Republican Senators want to spend $31 billion more in that same time period.

My friend talks about bipartisanship. My goodness, our amendment is less than their budget in terms of Medicaid. Clearly, there are three proposals out here dealing with Medicaid: The Republican proposal, the Democratic proposal, and Breaux-Chafee. The one, in my opinion, that hurts children, and I do not mean to hurt the Senator when I say this, I just think it is a result of his priority, that hurts seniors, that hurts the disabled, happens to be the Republican budget. That is why I hope we can join hands together, all of us, and support this amendment.

I know the hour is late and I thank my colleague from Florida, my colleague from Massachusetts, my colleague from Oregon for his patience.

I yield the floor.

Mr. FRIST. Mr. President, I oppose the amendment. I disagree on the closing that this proposal hurts children. It is a statement, but there is no data, evidence, or suggestion given that it hurts children. I said eligibility covered children to age 6 through 12 to 100 percent of poverty. This is a National Governors' assumption, proposals.

I guess we could say it hurts children, but there is no evidence and no data that it hurts children. I see nothing, having taken care of children with my hands in a Medicaid Program, I see nothing, nothing, in this proposal that hurts children. Walk away from kids, hurting children—I guess we will just disagree on that.

The Senator from California did strike—I think, again, this is a difference we will not agree upon, but when she has argued that it takes a national program, a National Government, to be able to protect children——

Mrs. BOXER. Will the Senator yield?

I said national standards, not a national program. I said national standards.

Mr. FRIST. If the statement was national standards, let me just say that the standards in the Governors' proposal are basically standards that will be carried out by every State. That is part of the assumption. If it is just national standards, we are OK.

My feeling was at a national level it took us to best decide how to take care of people in Tennessee or in Washington State or in Alabama or Mississippi. That is a fundamental difference, I believe. I think the more we can do at the State level and at the local level, the better. That is where accountability will rest.

I argue strongly that this body, Washington Government, Washington, DC, is not the body that can best cover children or protect children or prevent people from hurting children. I argue it is the people closest to home, that it is the Governors, it is the local governments that can best watch after our children. That is a fundamental difference.

Third, on the Chafee-Breaux, Breaux-Chafee proposal, we have not had that presented yet. I do not know what the dollar figures will be. There are some assumptions that it might be that reform is delayed a year. I have heard that mentioned in these particular proposals. I cannot comment. I do not know the fact that they spend more makes it a better program. I argue that increasing at 6 percent a year based on what we have seen in at least one State, in Tennessee, we can accomplish all of our goals without this radical increase in taxation, more taxation and more spending.

Last, we will come back to the word ''bipartisan.'' I have already mentioned from where we were in the budget resolution last year, we have shifted $54 billion already. I will say what we have endorsed is a bipartisan plan that Governors together came and endorsed. That is 100 percent of the assumptions we put in our budget. That is bipartisan. We have endorsed that. That is the basis of our assumptions.

With that, I hope when we do vote on this amendment, again, agreeing with many of those principles laid out, but arguing that many, if not most of those proposals are spelled out in this very document which we have endorsed, that we do not need that increased spending. It is unnecessary.

Mr. President, could I ask my colleague from California if she is willing to yield back her time?

Mrs. BOXER. I am happy to yield back all my time on this. I assume, I say to my friend, that we will be voting on this amendment on Tuesday. Is that correct?

Mr. FRIST. I understand it will be stacked on Tuesday.

Mrs. BOXER. I also ask unanimous consent that each side be allowed 1 minute before the vote to explain the amendment.

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

Mrs. BOXER. Mr. President, I ask unanimous consent that the amendment be laid aside so the Senator from Oregon can offer an amendment.

Mr. FRIST. I yield back all my time.

AMENDMENT NO. 3984

Mr. WYDEN. Mr. President, I send an amendment to the desk for immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Oregon [Mr. WYDEN], for himself and Mr. KERRY, proposes an amendment numbered 3984.

Mr. WYDEN. Mr. President, I ask unanimous consent reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place, insert the following new section:

SEC. . SENSE OF THE SENATE REGARDING REVENUE ASSUMPTIONS.

(a) FINDINGS.—The Congress finds the following:

(1) Corporations and individuals have clear responsibility to adhere to environmental laws. When they do not, and environmental damage results, the federal and state governments may impose fines and penalties, and assess polluters for the cost of remediation.

(2) Assessment of these costs is important in the enforcement process. They appropriately penalize wrongdoing. They discourage future environmental damage. They ensure that taxpayers do not bear the financial brunt of cleaning up after damages done by polluters.

(3) In the case of the Exxon Valdez oil spill disaster in Prince William Sound, Alaska, for example, the corporate settlement with the federal government totaled $900 million.

(4) The tax code, however, currently allows polluters to fully deduct all expenses, including penalties and fines associated with these settlements. In the case of the Exxon Valdez disaster, deductibility on that settlement at the current corporate tax rate will result in $300 million in losses to federal tax collections . . . losses which will have to be made up through increased collections from taxation of average American families.

(5) Additionally, these losses also will make it more difficult to move aggressively and successfully toward a balanced federal budget.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—assumptions in this resolution assume that revenues will be increased by a minimum of $100 million per year through legislation that will not allow deductions for fines, penalties and damages arising from a failure to comply with federal or state environmental or health protection laws.

Mr. WYDEN. Mr. President, this amendment which I offer tonight with Senator KERRY of Massachusetts would put the U.S. Senate on record as saying that it is time to end tax writeoffs under our Tax Code for polluters.

We know our country wants the Senate to get serious about balancing the budget. I know this has been a slow moving exercise in the past. They want a serious sprint to balancing the budget. I believe it is possible to make real progress in balancing the budget. I said in my campaign that I believe you can balance the budget, just the way Oregon families have to balance their budget.

Under the proposal that I offer tonight, if it had been law over the last 6 years, about $500 million would have gone to reducing the deficit simply by ending tax writeoffs for those who pollute in our country.

What happens today, even though we want a polluter-pay philosophy with respect to environmental protection, what we do is under the tax law provide a Macy's basement discount for those who actually have to pay penalties.

So what I am proposing tonight with Senator KERRY of Massachusetts, is basic tax fairness. Under our amendment, no longer would average working families pay more on their taxes just because the polluter has received a writeoff on their tax return. What we propose is to put the Senate on record that all revenues collected, when you have the kind of current tax treatment for these penalties, would go back to the Treasury. It would not go into the pockets of the polluter.

Let me talk, for a moment, about the way it works today under our tax laws. If you have a polluter who violates the Safe Drinking Water Act, a statute that assures that the water our kids drink is safe, they then have to pay a penalty. But under the Federal tax laws, they get a tax break for that penalty that they would be paying.

The Clean Air Act assures that the air our families breathe is pure. But if a polluter violates it and pays a penalty, they get another tax break when they violate that important environmental law.

The Resource Conservation and Recovery Act protects our communities against hazardous waste. When a polluter violates that statute, they have to pay a penalty under the law, but they get a tax break under the Tax Code when they do so.

The CERCLA Act is the one designed to clean up our Nation's Superfund sites, some of the most hazardous and dangerous waste in our country. When a polluter violates those laws, they pay penalties, and, again, get tax writeoffs.

The Oil Pollution Act is a particularly important example of why this change Senator KERRY and I propose tonight is needed. The Oil Pollution Act seeks to guard against devastating oil spills like the *Exxon Valdez*. In the case of the *Exxon Valdez* disaster in Prince William Sound, the polluter agreed to a settlement of approximately $900 million. The defendant in that case took an immediate $150 million tax deduction. Over the course of that 10-year payout on that particular settlement, you have a polluter that is going to be able to write off nearly $300 million of the total cost.

Now, some are going to argue that it makes sense to provide a tax deduction as an incentive for polluters to somehow settle these damage suits. I argue that the knowledge that these polluters are going to pay the full freight of their damage is a lot more than incentive for them to comply with the environmental laws and get serious about cleanup. I do not think it provides any real incentive if you allow people to write off on their taxes when they violate the environmental laws and have to pay penalties. I think it erodes the fairness of the Tax Code when you provide almost unlimited deductibility arrangements for the polluters, where they get a discount of everything they pay up to 34 percent.

Now, the fact is, Mr. President, that all of the major environmental organizations are in support of this particular amendment. They have said this is one of their priorities with respect to the environment and this budget resolution.

Every Member of this body who cares about tax fairness ought to support this amendment. I do not see how a Member can go and stand up at a community meeting, a town hall meeting in their own home State, and justify, at a time when we are seeing pressure for deficit reduction and many valuable programs cut, allowing a tax writeoff of up to 34 percent when you have somebody violating environmental laws and paying a penalty as a result.

So, Mr. President, if the manager for the majority is prepared to yield back time on the amendment, I am prepared to yield back time, as well. Let me see what the desire of the majority is.

Mr. FRIST. Mr. President, I will yield back my time, as well.

Mr. WYDEN. I yield back my time, Mr. President.

The PRESIDING OFFICER. All time is yielded back.

MORNING BUSINESS

Mr. FRIST. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business, with Senators permitted to speak therein for up to 5 minutes each.

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

THE DEATH OF ADM. JEREMY BOORDA

Mr. COVERDELL. Mr. President, I was deeply saddened to learn today that our Nation has lost one of its finest Naval officers. Throughout his entire career Adm. Jeremy Boorda showed an incredible dedication to serving his country. After joining the Navy at the age of 17, Jeremy Boorda became the first enlisted man to rise through the enlisted ranks to become the Navy's top uniformed officer. His outstanding record of service and achievement should be remembered by all of those who are called on to defend their nation and will stand as an outstanding example of how a man through dedication and sacrifice can achieve great things. My wife and I had the pleasure of knowing the admiral and I send my condolences to his wife Bettie and their four children in this difficult time.

ADM. MIKE BOORDA

Ms. MIKULSKI. Mr. President, I rise to pay tribute to the life of Admiral Mike Boorda. He was one of our Nation's finest military officers. He was also a friend, whose counsel and advice I often sought—and always respected. I send my deepest sympathy to his wife Bettie and their children. They are in my prayers.

One of my strongest memories of Admiral Boorda is from my visit to Bosnia. The admiral was called away from dinner because of the terrible bombing of the market place in Sarajevo. I went with him to the operations

center where he monitored intelligence reports and oversaw the American response. I was so impressed with his courage and professionalism. I saw first hand that our Navy was in good hands.

Admiral Boorda was the first sailor to rise through the ranks from enlisted sailor to four star admiral. Going from seaman to Chief of Naval Operations was an extraordinary accomplishment that served as an inspiration for young sailors in the fleet.

He learned a lot along the way. He cared about the welfare of every man and woman in our Armed Forces and he cared deeply about the United States Navy.

We have all heard stories about how he cut through redtape to help improve the lives of individual sailors. I remember one story in particular. A young sailor said he needed to be reassigned so that his child could receive proper medical care. Admiral Boorda saw that it was done immediately.

He also cared deeply about the honor and integrity of the United States Navy. Perhaps more than anyone else, he helped the Navy to change—to provide real opportunity and dignity for women and minorities. I worked closely with him after the Tailhook scandal shook the Navy. He made sure that there wasn't a whitewash or a witch hunt. He displayed the kind of honor that is a model for all of us.

Admiral Boorda's death is a tragedy. But his life was a triumph. His contributions to our Nation will live on forever.

BUDDY ZAIS

Mr. LEAHY. Mr. President, we all know the adage, that one is never too old to learn. I would like to call attention to a very special Vermonter, Buddy Zais, who embodies this truism.

Last Saturday, May 11, Buddy was one of the 203 students to graduate from Trinity College of Vermont. What makes Buddy stand out in this crowd is that he is receiving his bachelor of arts degree in philosophy 63 years after attending his first year of college at Boston University.

At the age of 80 years old, Buddy is the oldest person ever to graduate from Trinity College. In true form, Buddy graduated with magna cum laude honors. Now that he has his bachelors degree behind him, he is looking ahead to the next challenge he will undertake. I wish Buddy much luck in his next endeavor. I've been his friend for over 30 years and I'm so proud of him.

I ask unanimous consent that an article from The Burlington Free Press celebrating Buddy's graduation be printed in the RECORD.

On a final note, I must add that it comes as no surprise to me that Sister Janice Ryan, the president of Trinity College of Vermont, was one of the forces behind getting Buddy started back on his degree. Sister Janice has been a good friend for many years. Buddy and I know only too well that once she sets her sights on something she makes sure it happens.

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

[From the Burlington Free Press, May 12, 1996]

ONE TRINITY GRAD MAGNA CUM LATELY

(By Tamara Lush)

It took starting a business, raising a family and the death of his wife before Bernard ''Buddy'' Zais decided to return to college.

Now, after 63 years, Zais has finally gotten his college degree.

The 80-year-old Zais was one of 203 Trinity College graduates Saturday at the school's 71st commencement ceremony. Zais received his bachelor of arts degree in philosophy, and after the ceremony, had a few wise words of his own.

''I figured before I check out, I ought to have a college degree,'' said Zais, pausing to hug other graduates old enough to be his great-grandchildren.

As Zais—the oldest person to graduate from Trinity—was handed his diploma, he received a standing ovation from the hundreds of people who attended the ceremony at the Patrick Gymnasium.

Zais said he was prodded into going back to school by Trinity College President Sister Janice Ryan, who marked her final commencement speech Saturday, following 17 years as the college's top administrator. Ryan is stepping down from her post this summer.

Shortly after his wife Mary died in 1992, Ryan asked Zais how he and his family were doing. Zais reported his two grandchildren had just gotten their college degrees. ''That means that all three of my grandchildren, and my two children, and Mary, had a degree, and I was the only one in the family without one,'' he said.

So Ryan asked Zais to apply to the school, and even had an admissions counselor contact him.

Zais, who formed a company called Health Insurance of Vermont and had been an insurance agent his entire working life, decided to study philosophy with a concentration on the Greek philosophers.

He received credit for the one year he had gone to college—in 1933, he went to Boston University and studied journalism.

Going back to school and spending time with young people was one of Zais' best life experiences. ''It was the most satisfying, gratifying experience of my life, other than raising my family,'' he said. ''It was much important than my business life, much more important than selling insurance.''

And Zais, who graduate magna cum laude, isn't going to stop at one degree.

He is considering attending school for his master's and possibly his doctorate in philosophy. To do that, he said, he might have to go out of state because no Vermont school offers those degrees in philosophy. ''I'll have to go to Albany, Boston or McGill University,'' he said. ''Will I do it? Probably.''

THE FDR MEMORIAL

Mr. LEAHY. Mr. President, thousands of people come to Washington, DC, each year to learn about the history of our country and the legacy left to us by the great men and women that have built the strongest, most powerful nation the world has ever known—the United States of America.

Our country's finest hours have been ones where prejudice and discrimination have been acknowledged and addressed. The key to our overcoming and addressing discrimination has been education and understanding.

The most recent debate over the FDR Memorial is an opportunity for our country to once again beat back discrimination. Discrimination is not always blatant. Discrimination also includes exclusion.

I strongly believe that portraying FDR in a wheelchair in one of the three statues that are being built as part of the memorial would be an incredibly powerful statement to all who visit this tribute to a great, vibrant, forceful leader. The fact that FDR had polio and spent most of his waking hours as President working in his wheelchair does not change any of these truths. In fact, FDR's disability was a great source of his strength.

A main tenet of the Americans with Disabilities Act of 1990 was to ensure that the Federal Government plays a central role in enforcing the standards established in the act on behalf of individuals with disabilities.

In this effort, I hope that the FDR Memorial Commission will depict President Roosevelt as he was—a great, courageous man who had polio and still led our Nation.

I ask unanimous consent that an editorial from the New York Times and a letter from eight of FDR's grandchildren to Michael Deland and Alan Reich of the National Organization on Disability be printed in the RECORD.

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

[From the New York Times, May 12, 1996]

THE AIRBRUSH OF POWER

Most Americans are aware, if sometimes vaguely, that Franklin Roosevelt was stricken by polio in 1921 and was unable thereafter to stand unassisted. Yet there will be no visual reminder of this fact in the F.D.R. memorial due to be dedicated in Washington next spring. On the contrary, he is to be shown standing tall in one of three sculptures planned for the seven-acre site on the banks of the Potomac.

This fiction, however benign, is being protested by the National Organization on Disability, whose chairman, Michael Deland, urges that at least one bronze image depict F.D.R. as he often was, in a wheelchair. Logic and sentiment support Mr. Deland. But alas, the leaden weight of tradition stands all too squarely behind the memorial commission's penchant for make-believe.

Through the ages, rulers of every stripe, male and female, have sought to improve upon or alter nature. The Egyptians led the way. Ramses II was not content to show himself mowing down adversaries in scores of battle friezes. His artists had to depict him twice as big as everyone else. Going further, Queen Hatshepsut, the first great female ruler known to history, had herself replicated in stone with a false beard, thus visually changing her sex.

Roman emperors and their wives were tidied up in marble and bronze, their faces deftly nipped and tucked on imperial coins. European rulers in the Middle Ages invoked theology to justify the lies of art. Every monarch, it was said, is at once mortal and incorporeal, so that in a higher realm all were immune to the blemishes of the flesh.

On their death, an image was carved delineating their idealized features.

We learn through written records, not portraits, of Richard III's crookback and Henry VIII's terminal corpulence. In art, Elizabeth I is always the same iconic virgin queen; in life, she banish mirrors from her palaces as her hair thinned and her cheeks hollowed. In the same spirit, Elizabeth II, who has turned 70, has firmly resisted suggestions that she permit an updating on coins of her youthful profile, as Queen. Victoria did after her Jubilee in 1887.

By contrast, the Puritan regicide Oliver Cromwell is said to have told the artist Lely: ''Flatter me not at all. But remark all these roughnesses, pimples, warts, and everything as you see me. Otherwise I will not pay a farthing for it.'' Yet this splendid story was printed long after Cromwell's death and may be apocryphal, according to his biographer, Anotonia Fraser. More characteristic was Winston Churchill's response to an unflattering portrait by Graham Sutherland. he hid it away, Dorian Gray fashion. Some years later his widow, Clementine, apparently burned it.

Presidential portraits in the White House are a study in illusionist brushwork. Richard Nixon resembles a scoutmaster, Lyndon Johnson everybody's kindly uncle, and John Kennedy a saintly matinee idol. Interestingly, a dark and gloomy portrait of Lincoln is tucked from sight in the Lincoln bedroom. It was painted in 1930 by Douglas Volk, whose father, Leonard, once sculpted Lincoln from life. The son's haunting portrait, or a copy of it, turns up in Oliver Stone's film about Nixon, who at one point talks to the painting.

Official art, in real life, rarely speaks truth to power. It would indeed be refreshing, even liberating, for the memorial to show F.D.R. as he was. According to Mr. Deland, who uses a wheelchair himself, only two photographs are known to survive showing Roosevelt in the same device. This is the result of an unwritten protective rule among White House photographers. Like the kings of old, and most sitting politicians today, F.D.R. wanted his incorporeal self to linger in posterity's memory.

ANNE ROOSEVELT,
April 29, 1996.

DEAR MESSRS. DELAND AND REICH, Franklin Delano Roosevelt looms large in the hearts and minds of many, including his grandchildren who now survive. Some of us knew him personally, but most of us did not. We hold him in memory, as families will, as a whole person whose life touched a nation and whose affection still reaches us. We want him to be remembered as he was, in all his strength, courage and humanity.

It is quite clear that FDR developed his strength of character, determination and discipline most distinctly as a result of his having polio. He also became a more sympathetic and modest person. He made a political decision to downplay his disability because of his understanding of the role of public perception and the norms of the day. At times he did not.

But when it came to inspiring and encouraging others who were disabled—such as at his beloved Warm Springs, Georgia, or with amputees and wounded soldiers in wartime hospitals—he freely showed himself in wheelchairs or on crutches, with braces. He was in no way embarrassed by his disability. Life was bigger than that.

Were he alive today we are convinced that he would wish to have the people of this country and the world understand his disability. He would be comfortable, possibly eager, in light of current increased understanding of disability issues, to share awareness of his and other types of disabilities and others. We firmly believe that more factual knowledge, particularly about and from public leaders, encourages and inspires those without disability to accept and support all people, including people with disabilities to live full, productive and joyful lives.

FDR's commitment to leadership, to excellence and to life, with a disability not well understood by many, nor accepted by some, sustained him and the Nation through one of the most challenging periods in American history. There is no better memorial than a complete picture of who he was.

While we wish no delay in the construction of the proposed memorial we urge an adequate inclusion of all facets of the man as he was, not as some think he ought to have been.

Sincerely,

Anne Roosevelt, on behalf of Chandler Roosevelt Lindsley, Christopher D. Roosevelt, Eleanor Roosevelt Seagraves, Franklin Roosevelt III, Kate Roosevelt Whitney, Nina Roosevelt Gibson, James Roosevelt, Esquire.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, 4 years ago when I commenced these daily reports to the Senate it was my purpose to make a matter of daily record the exact Federal debt as of the close of business the previous day.

In that first report (February 27, 1992) the Federal debt as of the close of business the previous day stood at $3,825,891,293,066.80, as of the close of business. The point is, the Federal debt has since shot further into the stratosphere.

As of yesterday at the close of business, a total of $1,289,803,057,697.20 has been added to the Federal debt since February 26, 1992, meaning that as of the close of business yesterday, Wednesday, May 15, 1996, the exact Federal debt stood at $5,115,694,350,764.00. (On a per capita basis, every man, woman and child in America owes $19,315.06 as his or her share of the Federal debt.)

HONORING THE RICHARDSONS CELEBRATING THEIR 50TH WEDDING ANNIVERSARY

Mr. ASHCROFT. Mr. President, families are the cornerstone of America. It is both instructive and important to honor those who have taken the commitment of ''til death us do part'' seriously, demonstrating successfully the timeless principles of love, honor, and fidelity. These characteristics make our country strong.

I rise today to honor Mr. Kenneth and Mrs. Barbara Richardson who on June 9, 1996, will celebrate their 50th wedding anniversary. My wife, Janet, and I look forward to the day we can celebrate a similar milestone. The Richardsons' commitment to the principles and values of their marriage deserves to be saluted and recognized. I wish them and their family all the best as they celebrate this substantial marker on their journey together.

NATIONAL NURSING HOME WEEK

Mr. KERRY. Mr. President, during National Nursing Home Week, May 12–18, we celebrate the more than 100,000 people in Massachusetts who live and work in our State's 590 nursing facilities.

Nursing facilities have become an integral part of our health care delivery system, providing rehabilitative care for individuals who expect to return home as well as long-term care for the chronically ill. Currently, about a quarter of all Massachusetts residents 85 years of age and older need nursing facility care. Approximately half of these individuals suffer from Alzheimer's disease. In addition, nursing facilities also care for many younger people, including severely disabled children, individuals who have suffered traumatic head injuries, and those who depend on ventilators to live.

Nursing facilities also make an important contribution to the Massachusetts economy by providing jobs for more than 55,000 people and adding more than $2 billion to the local economy through wages and the purchase of goods and services.

As our population ages and nursing facilities assume an even more important role, it is critical that we maintain the quality of care provided by these facilities. Recent proposals to dramatically reduce Federal Medicare and Medicaid spending would have a devastating impact on elderly and disabled people in nursing facilities, 80 percent of whom rely on these two programs to pay for their care. In addition, we must maintain the protections contained in the 1987 nursing home reform law, which have helped nursing facilities to improve the quality of services they provide to the Nation's 1.5 million nursing facility residents.

National Nursing Home Week should mark a renewal of our commitment not only to the 55,000 elders and disabled people who live in our State's nursing facilities, but also to the 55,000 nursing facility employees who have dedicated their lives to caring for our most vulnerable citizens. In honor of this week, I salute all these employees whose contributions are so important to the well-being of so many in Massachusetts.

REQUEST FOR REFERRAL OF S. 1718

Mr. STEVENS. Mr. President, pursuant to section 3(b) of S. Res. 400, I ask that bill S. 1718, the Intelligence Authorization Act for Fiscal Year 1997, be referred to the Committee on Governmental Affairs so that the committee can consider, among other things, provisions of the bill relating to the establishment of the Intelligence Community Senior Executive Service and the establishment of a Commission to Assess the Organization of the Federal Government to Combat the Proliferation of Weapons of Mass Destruction. These specific provisions pertain to

matters within the jurisdiction of the Committee on Governmental Affairs.

Mr. President, I ask unanimous consent to have printed with this statement the text of a letter from both Mr. GLENN, the ranking member of the Committee on Governmental Affairs, and myself advising the Select Committee on Intelligence of this action.

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

U.S. SENATE,
COMMITTEE ON GOVERNMENTAL AFFAIRS,
Washington, DC, May 13, 1996.

Hon. ARLEN SPECTER,
Chairman, Select Committee on Intelligence, U.S. Senate, Washington, DC.

Hon. BOB KERREY,
Vice Chairman, Select Committee on Intelligence, U.S. Senate, Washington, DC.

DEAR ARLEN AND BOB: This is to advise that we have requested sequential referral of S. 1718, the intelligence reauthorization bill, which was marked up by the Select Committee on Intelligence on April 30, 1996. Under Rule XXV of the Standing Rules of the Senate, the Committee on Governmental Affairs (the Committee) has jurisdiction over, among things, the organization and reorganization of the executive branch; Federal Civil Service, including employee classification, compensation, and benefits; and the organization and management of United States nuclear export policy.

To this end, and pursuant to the authority in section 3(b) of S. Res. 400, we have requested that S. 1718 be referred to the Committee so that we may review provisions of the bill pertaining to issues within the jurisdiction of this Committee. Further, we requested that S. 1718 be referred to the Committee following its consideration by the Senate Armed Services Committee, to which the bill was referred on May 2, 1996.

With best wishes,

Cordially,

JOHN GLENN,
Ranking Minority Member.

TED STEVENS,
Chairman.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Thomas, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting one nomination which was referred to the Committee on the Judiciary.

REPORT RELATIVE TO THE NATIONAL EMERGENCY WITH RESPECT TO IRAN—MESSAGE FROM THE PRESIDENT—PM 146

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

I hereby report to the Congress on developments since the last Presidential report of November 28, 1995, concerning the national emergency with respect to Iran that was declared in Executive Order No. 12170 of November 14, 1979. This report is submitted pursuant to section 204 of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c). This report covers events through March 1, 1996. My last report, dated November 28, 1995, covered events through September 29, 1995.

1. Effective March 1, 1996, the Department of the Treasury's Office of Foreign Assets Control (''FAC'') amended the Iranian Assets Control Regulations, 31 CFR Part 535 (''IACR''), to reflect changes in the status of litigation brought by Iran against close relatives of the former Shah of Iran seeking the return of property alleged to belong to Iran (61 *Fed. Reg.* 8216, March 4, 1996). In 1991, Shams Pahlavi, sister of the former Shah of Iran, was identified in section 535.217(b) of the IACR as a person whose assets were blocked based on proof of service upon her in litigation of the type described in section 535.217(a). Pursuant to that provision, all property and assets located in the United States within the possession or control of Shams Pahlavi were blocked until all pertinent litigation against her was finally terminated. Because the litigation has been finally terminated, reference to Shams Pahlavi has been deleted from section 535.217(b). A copy of the amendment is attached to this report.

2. The Iran-U.S. Claims Tribunal, established at The Hague pursuant to the Algiers Accords, continues to make progress in arbitrating the claims before it. Since my last report, the Tribunal has rendered one award, bringing the total number to 567. The majority of those awards have been in favor of U.S. claimants. As of March 1996, the value of awards to successful U.S. claimants from the Security Account held by the NV Settlement Bank was $2,376,010,041.91.

In February 1996, Iran deposited funds into the Security Account, established by the Algiers Accords to ensure payment of awards to successful U.S. claimants for the first time since October 8, 1992. The Account was credited $15 million on February 22, 1996. However, the Account has remained continuously below the $500 million balance required by the Algiers Accords since November 5, 1992. As of March 1, 1996, the total amount in the Security Account was $195,370,127.71, and the total amount in the Interest Account was $37,055,050.92.

Therefore, the United States continues to pursue Case A/28, filed in September 1993, to require Iran to meet its obligations under the Algiers Accords to replenish the Security Account. Iran filed its Statement of Defense in that case on August 30, 1995. The United States filed a Reply on December 4, 1995. Iran is scheduled to file its Rejoinder on June 4, 1996.

3. The Department of State continues to present other United States Government claims against Iran and to respond to claims brought against the United States by Iran, in coordination with concerned government agencies.

In November 1995, Iran filed its latest Response concerning the United States Request to Dismiss Certain Claims from Case B/61. The United States had filed its Request to Dismiss in August 1995 as part of its consolidated submission on the merits. Iran had previously filed its initial response in July 1995, and the United States filed a reply in August 1995. Case B/61 involves a claim by Iran for compensation with respect to primarily military equipment that Iran alleges it did not receive. Iran had sought to purchase or repair the equipment pursuant to commercial contracts with more than 50 private American companies. Iran alleges that it suffered direct losses and consequential damages in excess of $2 billion in total because of the United States Government refusal to allow the export of the equipment after January 19, 1981, in alleged contravention of the Algiers Accords. Iran's November 1995 filing failed to show why the Tribunal should not dismiss immediately certain duplicative or otherwise improperly pleaded claims from Case B/61.

In December 1995, the Department of State represented the United States in hearings before the Tribunal on two government-to-government claims. In the first, Chamber Two heard oral arguments in Case B/36, the U.S. claim against Iran for its failure to honor debt obligations created by the sale of military surplus property to Iran shortly after the Second World War. In the second, also before Chamber Two, the Department of State presented the U.S. defense in Case B/58, Iran's claim that the United States is liable for damage caused to the Iranian State Railways during the Second World War.

In January 1996, in Case B/1 (Claims 2 & 3), Iran filed its Rebuttal Memorial Concerning Responsibility for Termination Costs, along with 20 volumes of exhibits and affidavits. In this briefing stream, the Tribunal is asked to decide whether Iran or the United States is liable for the costs arising from the termination of the U.S.-Iran Foreign Military Sales program after Iran's default and its subsequent seizure of the U.S. embassy in Tehran in 1979. The United States is currently preparing a comprehensive response to Iran's brief.

In February 1996, the Departments of State and Justice represented the United States in a hearing before the full Tribunal in a government-to-government claim filed by Iran. Case A/27 is an interpretive dispute in which Iran claims that the United States is liable under the Algiers Accords for Tribunal awards issued in favor of Iran against U.S. nationals. The United States maintains that its obligation under the Algiers Accords is satisfied by the availability of domestic judicial procedures through which Iran can enforce awards in its favor.

Also in February 1996, Iran and the United States settled Iran's claims against the United States filed before the International Court of Justice concerning the July 3, 1988, downing of Iran Air 655 and certain of Iran's claims against the United States filed before the Iran-United States Tribunal concerning certain banking matters. The cases in question were dismissed from the International Court of Justice and the Iran-United States Tribunal on February 22, 1996. The settlement, inter alia, fulfills President Reagan's 1988 offer to make ex gratia payments to the survivors of the victims of the Iran Air shootdown. The survivors of each victim of the Iran Air shootdown will be paid $300,000 (for wage-earning victims) or $150,000 (for non-wage-earning victims). For this purpose, $61 million was deposited with the Union Bank of Switzerland in Zurich in an account jointly held by the New York Federal Reserve Rank, acting as fiscal agent of the United States, and Bank Markazi, the central bank of Iran. Of an additional $70 million in the settlement package, $15 million was deposited in the Security Account established as part of the Algiers Accords. The remaining $55 million was deposited in an account at the New York Federal Reserve Bank, from which funds can be drawn only (1) for deposits into the Security Account used to pay Tribunal awards to American claimants or for the payment of Iran's share of the operating expenses of the Tribunal, or (2) to pay debts incurred before the date of settlement and owed by Iranian banks to U.S. nationals. Under the terms of the settlement, no money will be paid to the Government of Iran.

4. Since my last report, the Tribunal has issued one important award in favor of a U.S. national considered a dual U.S.-Iranian national by the Tribunal. On November 7, 1995, Chamber Three issued a significant decision in Claim No. 213, *Dadras Int'l and Per-Am Construction Corp.* v. *The Islamic Republic of Iran*, awarding a dual national claimant $3.1 million plus interest for architectural work performed for an Iranian government agency developing a housing complex outside Tehran, Iran.

The Tribunal held hearings in four large private claims. On October 23–27, 1995, Chamber One held a hearing in Claim No. 432, *Brown & Root, Inc.* v. *The Iranian Navy*, involving contract amounts owed in connection with the construction of the Iranian Navy Chahbahar and Bandar Projects in Iran. On January 18–19, 1996, Chamber One held a second hearing in claim Nos. 842, 843, and 844, *Vera Aryeh, et al.* v. *The Islamic Republic of Iran*, in which allegations of fraud and forgery were considered. Finally, the United States Government filed a Memorial on the Application of the Treaty of Amity to Dual United States-Iranian Nationals in three private claims before the Tribunal: Claim No. 485, *Riahi* v. *The Islamic Republic of Iran*, in Chamber One on January 29, 1996; Claim No. 953, *Hakim* v. *The Islamic Republic of Iran*, in Chamber Two on February 27, 1996; and Claim No. 266, *Aryeh, et al.* v. *The Islamic Republic of Iran*, in Chamber Three on February 29, 1996. The Memorial argues that a good faith interpretation of the ordinary meaning of the 1955 Treaty of Amity leads to the conclusion that it protects all persons deemed to be U.S. nationals under U.S. laws when they undertake activities in Iran, regardless of whether they also possess another nationality.

5. The situation reviewed above continues to implicate important diplomatic, financial, and legal interests of the United States and its nationals and presents an unusual challenge to the national security and foreign policy of the United States. The Iranian Assets Control Regulations issued pursuant to Executive Order No. 12170 continue to play an important role in structuring our relationship with Iran and in enabling the United States to implement properly the Algiers Accords. I shall continue to exercise the powers at my disposal to deal with these problems and will continue to report periodically to the Congress on significant developments.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *May 16, 1996.*

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–2636. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, the report of the texts of international agreements, other than treaties, and background statements; to the Committee on Foreign Relations.

EC–2637. A communication from the Acting Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, the report of a Presidential Determination relative to the former Yugoslavia; to the Committee on Foreign Relations.

EC–2638. A communication from the Acting Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, a report relative to the International Traffic in Arms Regulations; to the Committee on Foreign Relations.

EC–2639. A communication from the Acting Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, the report of U.S. government assistance to and cooperative activities with the New Independent States of the Former Soviet Union for fiscal year 1995; to the Committee on Foreign Relations.

EC–2640. A communication from the General Counsel of the Department of the Treasury, transmitting, a draft of proposed legislation entitled ''The Bank for Economic Cooperation and Development in the Middle East and North Africa Act''; to the Committee on Foreign Relations.

EC–2641. A communication from the General Counsel of the Department of the Treasury, transmitting, a draft of proposed legislation to authorize consent to and authorize appropriations for a United States contribution to the Interest Subsidy Account of the successor (ESAF II) to the Enhanced Structural Adjustment Facility of the International Monetary Fund; to the Committee on Foreign Relations.

EC–2642. A communication from the General Counsel of the Department of the Treasury, transmitting, a draft of proposed legislation to authorize consent to and authorize appropriations for the United States contribution to the fifth replenishment of the resources of the African Development Bank; to the Committee on Foreign Relations.

EC–2643. A communication from the General Counsel of the Department of the Treasury, transmitting, a draft of proposed legislation to authorize appropriations for the United States contribution to the tenth replenishment of the resources of the International Development Association; to the Committee on Foreign Relations.

EC–2644. A communication from the Director of the Office of Regulations Management, transmitting, pursuant to law, the report of a final rule (RIN 2900–AH95) received on May 13, 1996; to the Comittee on Veterans' Affairs.

EC–2645. A communication from the Director of the Office of Regulations Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a final rule (RIN 2900–AH79) received on May 13, 1996; to the Committee on Veterans Affairs.

EC–2646. A communication from the Secretary of Health and Human Services, transmitting, a draft of proposed legislation to consolidate toxic substance health programs with related preventive health programs; to the Committee on Labor and Human Resources.

EC–2647. A communication from the Director of the Regulations Policy, Department of Health and Human Services, transmitting, pursuant to law, the report of a final rule (received on May 9, 1996) relative to warning statements for products containing or manufactured with chlorofluorocarbons and other ozone-depleting substances; to the Committee on Labor and Human Resources.

EC–2648. A communication from the Deputy Executive Director of the Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a final rule (received on May 9, 1996) amending regulations of Valuation of Plan Benefits in Single-Employer Plans and Valuation of Plan Benefits and Plan Assets Following Mass Withdrawal; to the Committee on Labor and Human Resources.

EC–2649. A communication from the Assistant Secretary for Employment Standards, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Affirmative Action and Nondiscrimination Obligations of Contractors and Subcontractors Regarding Individuals with Disabilities'' (RIN 1215–AA76) received on May 13, 1996; to the Committee on Labor and Human Resources.

EC–2650. A communication from the Assistant Secretary for Employment Standards, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Affirmative Action Obligations of Contractors and Subcontractors For Disabled Veterans and Veterans of the Vietnam Era; Invitation to Self-Identify'' (RIN 1215–AA62) received May 13, 1996; to the Committee on Labor and Human Resources.

EC–2651. A communication from the Director of the Central Intelligence Agency, transmitting, a draft of proposed legislation entitled ''The Intelligence Authorization Act for Fiscal Year 1997''; to the Select Committee on Intelligence.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. STEVENS, from the Committee on Governmental Affairs, with an amendment in the nature of a substitute and an amendment to the title:

S. 1080. A bill to amend chapter 84 of title 5, United States Code, to provide additional investment funds for the Thrift Savings Plan (Rept. No. 104–274).

By Mr. THURMOND, from the Committee on Armed Services, without amendment:

S. 1635. A bill to establish a United States policy for the deployment of a national missile defense system, and for other purposes.

S. 1762. An original bill to authorize appropriations for fiscal year 1997 for military activities of the Department of Defense, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

S. 1763. An original bill to authorize appropriations for fiscal year 1997 for defense activities of the Department of Energy, and for other purposes.

S. 1764. An original bill to authorize appropriations for fiscal year 1997 for military construction, and for other purposes.

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. THURMOND:

S. 1762. An original bill to authorize appropriations for fiscal year 1997 for military activities of the Department of Defense, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; from the Committee on Armed Services; placed on the calendar.

S. 1763. An original bill to authorize appropriations for fiscal year 1997 for defense activities of the Department of Energy, and for other purposes; from the Committee on Armed Services; placed on the calendar.

S. 1764. An original bill to authorize appropriations for fiscal year 1997 for military construction, and for other purposes; from the Committee on Armed Services; placed on the calendar.

By Mr. COVERDELL:

S. 1765. A bill to authorize substitution for drawback purposes of certain types of fibers and yarns for use in the manufacture of carpets and rugs; to the Committee on Finance.

By Mr. BENNETT:

S. 1766. A bill to amend the Utah School and Lands Improvement Act of 1993 to provide for lands for the Goshute Indian Reservation, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HATCH:

S. 1767. A bill to harmonize the application of the antitrust laws to professional sports, and for other purposes; to the Committee on the Judiciary.

By Mr. GLENN:

S. 1768. A bill to suspend temporarily the duty on certain fatty acid esters; to the Committee on Finance.

By Mr. ROCKEFELLER:

S. 1769. A bill to amend the Harmonized Tariff Schedule of the United States to provide for duty-free treatment for certain inorganic products used as luminophores; to the Committee on Finance.

By Mr. SANTORUM (for himself, Mr. SPECTER, Mr. DOLE, Mr. CRAIG, Mr. HELMS, and Mr. THURMOND):

S. 1770. A bill for the relief of Wayne T. Alderson; to the Committee on Armed Services.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SANTORUM (for himself, Mr. SPECTER, Mr. DOLE, Mr. CRAIG, Mr. HELMS, and Mr. THURMOND):

S. Con. Res. 59. A concurrent resolution expressing the sense of the Congress that the President should award a medal of honor to Wayne T. Alderson in recognition of acts performed at the risk of his life and beyond the call of duty while serving in the United States Army during World War II; to the Committee on Armed Services.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BENNETT:

S. 1766. A bill to amend the Utah School and Lands Improvement Act of 1993 to provide for lands for the Goshute Indian Reservation, and for other purposes; to the Committee on Energy and Natural Resources.

THE GOSHUTE INDIAN RESERVATION BOUNDARY ADJUSTMENT ACT OF 1996

Mr. BENNETT. Mr. President, I am introducing a bill to amend the 1993 Utah School and Lands Improvement Act, Public Law 103–93. The purpose of this legislation is to correct boundary problems on the Goshute Indian Reservation in Utah.

The Goshute Tribe is a federally recognized tribe whose reservation is located on the western border of Utah. Approximately one-half of the Goshute Reservation is in Utah, the other half is in Nevada. This legislation would transfer about 8,000 acres of state land to the Tribe along with about 400 acres of public land administered by the BLM.

The public law to be amended by this bill was enacted without opposition in 1993. This law transferred approximately 200,000 acres of Utah state lands to the federal government with the understanding that the federal government would compensate the state in an amount equal to the appraised value of the transferred land. When the law was passed, it was done so with the understanding that state lands located within the reservation boundaries of both the Navajo and Goshute Tribes would be transferred to the United States to be held in trust for the respective tribes.

At that time, the Goshute tribe requested that the Utah delegation address a boundary issue on the reservation. After some initial negotiation, the Tribe agreed to withdraw their request to address the boundary issue, contingent upon a commitment that we would resolve the issue at a later date. Mr. President, I want to follow through on that commitment now.

The ''southern boundary issue'' refers to a block of land which consists of 8,000 acres in a very irregular shape. Because of the remoteness and the configuration of the tract of land, it is almost impossible to properly manage and as a result, there have been several instances of poaching and trespassing. This legislation seeks to create a much clearer and more definitive boundary. The lands would be held in trust by the Federal Government for the benefit of the Goshute Tribe, which with the help of the BIA will be able to regulate grazing and other uses in the area. The Tribe has agreed to be responsible for the cost of appraisal of the additional lands in the bill. This is quite a commitment, given the limited resources of the Tribe. I appreciate their willingness to assume such a commitment.

The legislation is supported by the State of Utah, Juab County, and the Board of Trustees of the School and Institutional Trust Lands Administration. From what I understand, the Department of Interior does not oppose the bill. Perhaps most surprisingly, the Utah Wilderness Coalition does not oppose it either. The Goshute Tribe has met at length with representatives from this very vocal group and have obtained their support.

Mr. President, I hope my colleagues will support me in this effort to assist the Goshute Tribe in creating a more manageable border to their reservation.

By Mr. HATCH:

S. 1767. A bill to harmonize the application of the antitrust laws to professional sports, and for other purposes.

THE PROFESSIONAL SPORTS PROTECTION ACT

Mr. HATCH. Mr. President, I like almost all Americans, am a fan of professional sports. We all enjoy following the competition on the field and on the hardwood and watching the performances of our favorite players. Even as I make this statement today, my fingers are crossed for the Utah Jazz in this evening's playoff game.

But professional sports is not just a game, it is a business, and it is the future of professional sports as a business that my bill, the Professional Sports Protection Act, seeks to address. I am afraid that the current rash of franchise relocations is only the symptom of larger economic trends in professional sports. If these trends are allowed to continue, we will see the same fan disaffection that has occurred in Major League baseball, with the result that professional sports—one of our growing national industries—will suffer.

My bill will protect professional sports by permitting the leagues—the National Football League, the National Basketball Association, and the National Hockey League—to review and, if necessary block, franchise relocation decisions. Under some interpretations of the antitrust laws, the professional sports leagues may be liable for treble damages for blocking franchise relocations. This prevents leagues from preventing moves that are not in the best long-term economic interests of the sport because they have the threat of billions of dollars in damages hanging over them.

As chairman of the Judiciary Committee, I am concerned about sports not just because I am a sports fan, but because I want to make sure that the antitrust laws are properly applied to professional sports—just as they should be to any other business—to ensure healthy competition and economic growth. I am concerned that the current ambiguous application of the antitrust laws to franchise relocation decisions actually may suppress the healthy competition and economic growth that has characterized professional sports in our nation. My bill will permit leagues to make these franchise relocation decisions—which seem to me to be, in this case, the decisions of a single joint venture rather than of economic competitors—without fear of antitrust liability.

I understand that some fear that the leagues might use their antitrust immunity in franchise relocation as leverage in other, unrelated areas. Some think that the leagues might block a franchise move unless the franchise favors certain policies and decisions in, say, revenue sharing. I have addressed this concern by providing for specific standards that leagues are to consider when reviewing a franchise move. If a league considers a factor that is unrelated to the franchise move, then it will be in violation of the law, and it will not receive antitrust protection. My bill also provides for judicial review of these decisions, with proper deference given to the league's business decisions, to ensure that the league has not used the antitrust immunity to abuse its authority.

Let me be clear that this is a narrow bill. It does not contain several provisions that were included in a House bill reported out of the House Judiciary Committee a few weeks ago. In particular, I am opposed to any provisions that would force the sports league to create new expansion franchises to replace teams that relocate. I do not believe that the Federal Government should nationalize professional sports, and I do not believe that it is in the national interest to take such intrusive steps into the internal operations of an industry such as professional sports. My bill intends only to codify what I believe is the proper interpretation of existing antitrust law: that franchise relocation decisions are not violations of the antitrust laws, but instead are the decisions of team owners who are collaborating in the joint venture of a sports league.

Some might question why Congress needs to turn to this subject. Shouldn't we concern ourselves in Congress with more important matters? Professional sports is important to our nation. According to some estimates, the professional sports leagues, in the form of Major League Baseball, the National Football League, the National Hockey League, and the National Basketball Association, generate more than $5 billion in annual revenues in the United States. There are literally tens of thousands of people whose jobs depend on professional sports. Professional sports is one of America's fastest growing industries, with numerous teams being established in new cities, both in the United States and overseas. Professional sports also generates billions of dollars in revenue for other industries, such as advertising, telecommunications, construction, and sports equipment. And let us not forget the fun and pleasure healthy professional sports leagues bring to millions of fans both in America and abroad.

But the improper application of Federal antitrust law to franchise relocation may end the rapid economic growth in professional sports. I have held hearings on this issue, as has my good friend and colleague, Senator THURMOND of South Carolina. According to the league officials, sports agents and businessmen, economists and law professors who testified, a potentially destructive economic dynamic is behind the recent spate of team moves. In order to win games, teams must hire the best players. Because of the salary cap structure in football, for example, the only way to attract the top players is to offer large bonuses and financial incentives. The only way some teams feel they can pay these salaries is to move to new cities, in return for generous stadium revenues and tax packages. This financial imperative is fed by the desire of new, up and coming cities that want the prestige and the financial benefits of having a major sports franchise located in their area. This is ironic because some economic studies indicate that major league teams do not bring a significant economic benefit to their new cities.

Congress must address this dynamic because it will injure interests of the industry and of the fans. I was convinced during my hearings that shortsighted franchise relocations eventually will hurt professional sports. Professional sports, after all, is a product that is consumed by all of us, the sports fans. If teams move around too often, the fans will lose their enthusiasm and support for their teams. If the fans lose interest, eventually the overall economic pie created by the sports will begin to decrease. Fewer fans will attend the games or watch them on television; fewer fans will purchase merchandise; fewer children will want to play the sport.

We have already seen a similar phenomenon occur in major league baseball. After the strike, which canceled the World Series and shortened the following season, fans began to lose interest in baseball. Much of this was the result of the owners, whose actions against the players during collective bargaining have shown an utter disregard for the best interests of the game and of the fans. The owners were able to engage in their practices in part because they benefit from a judicially created immunity from the antitrust laws that has no basis in the law. Accordingly, I have introduced legislation, which has passed the Judiciary Committee, to remove baseball's antitrust exemption, except in regard to franchise relocation.

I intend that this bill will not move forward until the problems in baseball are addressed. Since it appears that the same economic trends are affecting all of the professional sports, then it makes sense to provide the same antitrust standard to all of the leagues. It also makes no sense for the other leagues to operate under the rules of the antitrust laws, while baseball can operate in an anticompetitive fashion free from the rule of law. The antitrust exemption for baseball has been an embarrassing anomaly in antitrust law—one that has led to profound distortions in the sport. In the near future, I will take action to ensure that baseball and the other professional sports leagues receive the same treatment. Either this bill must be merged with my baseball legislation, or baseball legislation must be added to this bill. Either way, the professional sports soon will operate under a uniform antitrust standard.

I believe that the time for Congress to act is now. We have already seen several teams move in recent years, and even more moves—the Cleveland NFL franchise to Baltimore being the most noteworthy example—are planned. Professional sports should not be a game of musical chairs, and fans deserve better than to have their loyalties treated with disrespect. As importantly, the sports industry deserves the right to have a say in its destiny. Congress has the chance now to address this problem in its early stages, before even greater dislocation, fan unhappiness, and industry losses, occur. For this reason, Congress should pass the Professional Sports Protection Act in 1996, not years from now when it may be too late.

By Mr. GLENN:

S. 1768. A bill to suspend temporarily the duty on certain fatty acid esters.

LEGISLATION TO SUSPEND THE DUTY ON IMPORTS OF CERTAIN METHYL ESTERS

Mr. GLENN. Mr. President, I rise today to introduce a bill to temporarily suspend the duty on imports of certain methyl esters. These methyl esters are used by Procter & Gamble in the production of shampoo and other personal care products. Formerly, these products were eligible for the Generalized System of Preferences [GSP] program. However, as of January 1, 1997 Malaysia will no longer be eligible for GSP.

My legislation is drafted very narrowly to cover only those very specific methyl ester mixtures which P & G imports from Malaysia. P & G's methyl ester imports are produced by a relatively recent joint venture. The first full year of the joint venture's production was 1994. The fact that there was duty free treatment under GSP was an important part of the decision to undertake the joint venture. The joint

venture located production at the source of the raw material (palm kernel oil) and results in a cost efficient production process.

While there are several companies in the U.S. that manufacture relatively small amounts of similar methyl esters, this production is almost entirely consumed in the manufacture of their own personal care products. Hence no opposition to the proposed duty suspension is anticipated.

By Mr. SANTORUM (for himself, Mr. SPECTER, Mr. DOLE, Mr. CRAIG, Mr. HELMS and Mr. THURMOND):

S. 1770. A bill for the relief of Wayne T. Alderson; to the Committee on Armed Services.

PRIVATE RELIEF LEGISLATION

Mr. SANTORUM. Mr. President, today I am introducing a bill and submitting a concurrent resolution, Senate Concurrent Resolution 59, that are identical to legislation I introduced in the House of Representatives in both the 102d and 103d Congresses. As this particular issue remains unresolved, I again urge my colleagues' consideration and support.

The legislation I introduce today is an effort to secure the Congressional Medal of Honor for a Pennsylvania resident, Mr. Wayne T. Alderson. The legislation itself speaks to the background and experiences of Wayne Alderson and equally to the need and merit in extending the Congressional Medal of Honor.

As you can see from a review of the bill, Mr. Alderson acted meritoriously in the line of duty as a private in Germany during World War II and was recommended by his commander for a Medal of Honor. Unfortunately, his papers were destroyed in a fire. The Department of Defense has said that since the statute of limitations expired in 1952, and that without a statement from one of Mr. Alderson's commanders, they cannot award him the medal. An affidavit by Pfc. Daniel Parisi, which verifies that Mr. Alderson's commanders did indeed recommend him for the medal, was not considered by the Department as sufficient for them to act.

Therefore, I am introducing legislation today that Mr. Alderson should receive a Medal of Honor. I am joined by several of my colleagues in calling for the extension of congressional recognition to Wayne for his service, valor, and commitment to defending our country in time of war and acting meritoriously in the line of duty. I appreciate Senators SPECTER, DOLE, CRAIG, HELMS, and THURMOND joining with me as sponsors of this legislation.

I thank my colleagues for their attention and consideration of this legislation.

ADDITIONAL COSPONSORS

S. 288

At the request of Mr. WELLSTONE, his name was added as a cosponsor of S. 288, a bill to abolish the Board of Review of the Metropolitan Washington Airports Authority, and for other purposes.

S. 309

At the request of Mr. BENNETT, the name of the Senator from Missouri [Mr. BOND] was added as a cosponsor of S. 309, a bill to reform the concession policies of the National Park Service, and for other purposes.

S. 948

At the request of Mr. DORGAN, the name of the Senator from Alabama [Mr. SHELBY] was added as a cosponsor of S. 948, a bill to encourage organ donation through the inclusion of an organ donation card with individual income refund payments, and for other purposes.

S. 984

At the request of Mr. GRASSLEY, the name of the Senator from Indiana [Mr. COATS] was added as a cosponsor of S. 984, a bill to protect the fundamental right of a parent to direct the upbringing of a child, and for other purposes.

S. 1233

At the request of Ms. MIKULSKI, the name of the Senator from Rhode Island [Mr. PELL] was added as a cosponsor of S. 1233, a bill to assure equitable coverage and treatment of emergency services under health plans.

S. 1401

At the request of Mr. BENNETT, the name of the Senator from Alaska [Mr. STEVENS] was added as a cosponsor of S. 1401, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to minimize duplication in regulatory programs and to give States exclusive responsibility under approved States program for permitting and enforcement of the provisions of that Act with respect to surface coal mining and reclamation operations, and for other purposes.

S. 1578

At the request of Mr. FRIST, the names of the Senator from Wisconsin [Mr. FEINGOLD], and the Senator from Idaho [Mr. CRAIG] were added as cosponsors of S. 1578, a bill to amend the Individuals with Disabilities Education Act to authorize appropriations for fiscal years 1997 through 2002, and for other purposes.

S. 1660

At the request of Mr. GLENN, the name of the Senator from Wisconsin [Mr. KOHL] was added as a cosponsor of S. 1660, a bill to provide for ballast water management to prevent the introduction and spread of nonindigenous species into the waters of the United States, and for other purposes.

S. 1661

At the request of Mr. CONRAD, his name was added as a cosponsor of S. 1661, a bill to specify that States may waive certain requirements relating to commercial motor vehicle operators under chapter 313 of title 49, United States Code, with respect to the operators of certain farm vehicles, and for other purposes.

S. 1688

At the request of Mr. BUMPERS, the name of the Senator from Arkansas [Mr. PRYOR] was added as a cosponsor of S. 1688, a bill to establish a National Center for Rural Law Enforcement, and for other purposes.

S. 1714

At the request of Mr. BURNS, the names of the Senator from Mississippi [Mr. LOTT], the Senator from Mississippi [Mr. COCHRAN], the Senator from Oklahoma [Mr. NICKLES], the Senator from Georgia [Mr. COVERDELL], the Senator from Indiana [Mr. COATS], the Senator from Wyoming [Mr. SIMPSON], and the Senator from Montana [Mr. BAUCUS] were added as cosponsors of S. 1714, a bill to amend title 49, United States Code, to ensure the ability of utility providers to establish, improve, operate and maintain utility structures, facilities, and equipment for the benefit, safety, and well-being of consumers, by removing limitations on maximum driving and on-duty time pertaining to utility vehicle operators and drivers, and for other purposes.

S. 1715

At the request of Mr. SPECTER, the names of the Senator from Wyoming [Mr. SIMPSON], and the Senator from Illinois [Mr. SIMON] were added as cosponsors of S. 1715, a bill to amend the Internal Revenue Code of 1986 to provide a credit for adoption expenses, to allow penalty-free IRA withdrawals for adoption expenses, and to allow tax-free treatment for employer provided adoption assistance.

S. 1735

At the request of Mr. PRESSLER, the names of the Senator from Maine [Ms. SNOWE], the Senator from Wyoming [Mr. SIMPSON], and the Senator from Florida [Mr. GRAHAM] were added as cosponsors of S. 1735, a bill to establish the United States Tourism Organization as a nongovernmental entity for the purpose of promoting tourism in the United States.

SENATE CONCURRENT RESOLUTION 59—RELATIVE TO A MEDAL OF HONOR

Mr. SANTORUM (for himself, Mr. SPECTER, Mr. DOLE, Mr. CRAIG, Mr. HELMS, and Mr. THURMOND) submitted the following concurrent resolution; which was referred to the Committee on Armed Services:

S. CON. RES. 59

Resolved by the Senate (the House of Representatives concurring),

Whereas Wayne T. Alderson served as a private first class in the United States Army in Germany during World War II;

Whereas, during the Rhineland Campaign of such war, which was 4 days of close, fierce combat from March 15 to March 18, 1945, Private First Class Alderson singlehandedly killed 43 enemy soldiers;

Whereas, according to The History of the Third Infantry Division, Private First Class Alderson was the 1st soldier from the United States to cross into Germany on March 15, 1945;

Whereas, on March 15, 1945, Company B of the 7th Infantry Regiment, led by Private First Class Alderson, crossed into Germany 1 mile south of Utweiler to surprise the enemy troops and advanced through heavy, armed resistance, machine gun crossfire, and a German mine field;

Whereas, during such advancement, Private First Class Alderson spotted and bypassed a German bunker and machine gun nest and entered into a close fire fight, killing 6 enemy soldiers;

Whereas, when a 2d enemy machine gun impeded such advancement, Private First Class Alderson volunteered to advance alone, forged a stream, and waged a singlehanded assault on the German machine gun crew, killing all 5 of the crew as Second Lieutenant Barbour and Private First Class Preston, along with the other soldiers of Company B, arrived to force the German enemy soldiers to withdraw;

Whereas, Company B continued to advance toward the town of Erching, where Private First Class Alderson killed 2 enemy snipers who were impeding the advance, and the town was captured as the enemy troops retreated;

Whereas, Second Lieutenant Barbour and Lieutenant Colonel Wallace stated that they intended to recommend Private First Class Alderson for high military decoration;

Whereas, on March 16 and 17, 1945, as Company B continued to attack and advance toward the Siegfried Line, Private First Class Alderson killed 4 enemy soldiers in close house-to-house fighting, captured 3 German prisoners, and led the prisoners, at great risk to himself, past enemy positions to the headquarters of Company B, where vital information concerning the defenses of the Siegfried Line was obtained from the prisoners;

Whereas, on March 18, 1945, Private First Class Alderson led Company B into its 4th consecutive day of battle at the Siegfried Line but then was cut off from the company;

Whereas, after Private First Class Alderson was cut off from Company B, he was unable to find safe cover and charged forward, killing 6 enemy soldiers in a close fire fight, then attacked the main entrance of a German trench, killing 4 enemy defenders before capturing the front end of the trench;

Whereas, when the remnant of Company B, which was in the front portion of the trench under the command of Captain James Rich and without radio contact, was about to be overrun by a German counterattack, Private First Class Alderson again volunteered to be first scout;

Whereas Private First Class Alderson immediately killed 4 advancing enemy soldiers in bitter combat as he moved down the trench and engaged a large German force that was advancing in an adjoining and interlocking trench;

Whereas Private First Class Alderson, who was fully exposed and vastly outnumbered, charged the enemy forces and entered into a fierce fire fight with them at close range, killing 12 enemy soldiers as the German counterattack was repelled and the enemy forces withdrew;

Whereas, in such action, Private First Class Alderson received a serious head wound from shrapnel when a Germany grenade landed at his feet and exploded in his face;

Whereas the life of Private First Class Alderson was saved by the valorous action of Private First Class Preston, who covered the body of Private First Class Alderson with his own body and was fatally wounded in the head by the bullet of a sniper;

Whereas Private First Class Alderson, while he fought to remain conscious, crawled back along the trench to brief Captain Rich on the events that had occurred in the other end of the trench;

Whereas Captain Rich stated his intention to recommend to Colonel Heintges, the commander of the 7th Infantry Regiment, that Private First Class Alderson receive a medal of honor;

Whereas such recommendation has been verified by independent affidavit; and

Whereas Private First Class Alderson has been waiting for more than 47 years to receive the medal of honor for which he was recommended and which he so richly deserves: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the President should award a medal of honor to Wayne T. Alderson in recognition of acts performed at the risk of his life and beyond the call of duty while serving as a private first class in the United States Army in Germany during World War II.

AMENDMENTS SUBMITTED

THE CONGRESSIONAL BUDGET CONCURRENT RESOLUTION

EXON (AND OTHERS) AMENDMENT NO. 3965

Mr. EXON (for himself, Mr. DASCHLE, Mr. DODD, and Mr. KERRY) proposed an amendment to the concurrent resolution (S. Con. Res. 57) setting forth the congressional budget for the U.S. Government for fiscal years 1997, 1998, 1999, 2000, 2001, and 2002; as follows:

Stike all after the first word and insert the following:

1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 1997.

(a) DECLARATION.—The Congress determines and declares that this resolution is the concurrent resolution on the budget for fiscal year 1997, including the appropriate budgetary levels for fiscal years 1998, 1999, 2000, and 2001, as required by section 301 of the Congressional Budget Act of 1974, and including the appropriate levels for fiscal year 2002.

(b) TABLE OF CONTENTS.—The table of contents for this concurrent resolution is as follows:

Sec. 1. Concurrent resolution on the budget for fiscal year 1997.

TITLE I—LEVELS AND AMOUNTS

Sec. 101. Recommended levels and amounts.
Sec. 102. Debt increase.
Sec. 103. Social Security.
Sec. 104. Major functional categories.
Sec. 105. Reconciliation.

TITLE II—BUDGETARY RESTRAINTS AND RULEMAKING

Sec. 201. Discretionary spending limits.
Sec. 202. Extension of pay-as-you-go point of order.
Sec. 203. Extension of Budget Act 60-vote enforcement through 2002.
Sec. 204. Exercise of rulemaking powers.

TITLE I—LEVELS AND AMOUNTS

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for the fiscal years 1997, 1998, 1999, 2000, 2001, and 2002:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution—

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 1997: $1,092,422,000,000.
Fiscal year 1998: $1,146,393,000,000.
Fiscal year 1999: $1,195,607,000,000.
Fiscal year 2000: $1,244,566,000,000.
Fiscal year 2001: $1,309,365,000,000.
Fiscal year 2002: $1,389,907,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 1997: −$7,929,000,000.
Fiscal year 1998: −$2,150,000,000.
Fiscal year 1999: −$2,743,000,000.
Fiscal year 2000: −$7,224,000,000.
Fiscal year 2001: −$1,720,000,000.
Fiscal year 2002: $16,024,000,000.

(C) The amounts for Federal Insurance Contributions Act revenues for hospital insurance within the recommended levels of Federal revenues are as follows:

Fiscal year 1997: $108,053,000,000.
Fiscal year 1998: $113,226,000,000.
Fiscal year 1999: $119,361,000,000.
Fiscal year 2000: $123,737,000,000.
Fiscal year 2001: $131,641,000,000.
Fiscal year 2002: $138,131,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 1997: $1,324,976,000,000.
Fiscal year 1998: $1,374,596,000,000.
Fiscal year 1999: $1,413,101,000,000.
Fiscal year 2000: $1,454,719,000,000.
Fiscal year 2001: $1,496,341,000,000.
Fiscal year 2002: $1,528,343,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 1997: $1,320,969,000,000.
Fiscal year 1998: $1,375,663,000,000.
Fiscal year 1999: $1,408,058,000,000.
Fiscal year 2000: $1,447,184,000,000.
Fiscal year 2001: $1,466,082,000,000.
Fiscal year 2002: $1,498,409,000,000.

(4) DEFICITS.—For purposes of the enforcement of this resolution, the amounts of the deficits are as follows:

Fiscal year 1997: $228,597,000,000.
Fiscal year 1998: $229,270,000,000.
Fiscal year 1999: $212,451,000,000.
Fiscal year 2000: $202,618,000,000.
Fiscal year 2001: $156,717,000,000.
Fiscal year 2002: $108,502,000,000.

(5) PUBLIC DEBT.—The appropriate levels of the public debt are as follows:

Fiscal year 1997: $5,441,500,000,000.
Fiscal year 1998: $5,713,700,000,000.
Fiscal year 1999: $5,964,900,000,000.
Fiscal year 2000: $6,204,600,000,000.
Fiscal year 2001: $6,495,300,000,000.
Fiscal year 2002: $6,542,900,000,000

(6) DIRECT LOAN OBLIGATIONS.—The appropriate levels of total new direct loan obligations are as follows:

Fiscal year 1997: $41,900,000,000.
Fiscal year 1998: $36,400,000,000.
Fiscal year 1999: $36,600,000,000.
Fiscal year 2000: $36,500,000,000.
Fiscal year 2001: $36,600,000,000.
Fiscal year 2002: $36,600,000,000.

(7) PRIMARY LOAN GUARANTEE COMMITMENTS.—The appropriate levels of new primary loan guarantee commitments are as follows:

Fiscal year 1997: $267,100,000,000.
Fiscal year 1998: $267,800,000,000.
Fiscal year 1999: $268,600,000,000.
Fiscal year 2000: $269,700,000,000.
Fiscal year 2001: $270,400,000,000.
Fiscal year 2002: $271,300,000,000.

SEC. 102. DEBT INCREASE.

The amounts of the increase in the public debt subject to limitation are as follows:

Fiscal year 1997: $285,500,000,000.
Fiscal year 1998: $272,300,000,000.
Fiscal year 1999: $251,100,000,000.
Fiscal year 2000: $239,600,000,000.
Fiscal year 2001: $190,600,000,000.
Fiscal year 2002: $147,500,000,000.

SEC. 103. SOCIAL SECURITY.

(a) SOCIAL SECURITY REVENUES.—For purposes of Senate enforcement under sections 302, 602, and 311 of the Congressional Budget Act of 1974, the amounts of revenues of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 1997: $384,900,000,000.
Fiscal year 1998: $401,900,000,000.
Fiscal year 1999: $422,800,000,000.
Fiscal year 2000: $422,200,000,000.
Fiscal year 2001: $463,900,000,000.
Fiscal year 2002: $485,700,000,000.

(b) SOCIAL SECURITY OUTLAYS.—For purposes of Senate enforcement under sections 302, 602, and 311 of the Congressional Budget Act of 1974, the amounts of outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 1997: $310,400,000,000.
Fiscal year 1998: $323,000,000,000.
Fiscal year 1999: $335,900,000,000.
Fiscal year 2000: $349,300,000,000.
Fiscal year 2001: $363,900,000,000.
Fiscal year 2002: $378,800,000,000.

SEC. 104. MAJOR FUNCTIONAL CATEGORIES.

The Congress determines and declares that the appropriate levels of new budget authority, budget outlays, new direct loan obligations, and new primary loan guarantee commitments for fiscal years 1997 through 2002 for each major functional category are:

(1) National Defense (050):

Fiscal year 1997:
(A) New budget authority, $254,340,000,000.
(B) Outlays, $260,777,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $800,000,000.

Fiscal year 1998:
(A) New budget authority, $258,538,000,000.
(B) Outlays, $256,319,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $200,000,000.

Fiscal year 1999:
(A) New budget authority, $263,801,000,000.
(B) Outlays, $257,794,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $192,000,000.

Fiscal year 2000:
(A) New budget authority, $270,288,000,000.
(B) Outlays, $263,258,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $187,000,000.

Fiscal year 2001:
(A) New budget authority, $279,352,000,000.
(B) Outlays, $266,579,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $185,000,000.

Fiscal year 2002:
(A) New budget authority, $287,764,000,000.
(B) Outlays, $278,219,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $183,000,000.

(2) International Affairs (150):

Fiscal year 1997:
(A) New budget authority, $15,346,000,000.
(B) Outlays, $15,680,000,000.
(C) New direct loan obligations, $4,333,000,000.
(D) New primary loan guarantee commitments, $18,110,000,000.

Fiscal year 1998:
(A) New budget authority, $14,548,000,000.
(B) Outlays, $14,880,000,000.
(C) New direct loan obligations, $4,342,000,000.
(D) New primary loan guarantee commitments, $18,262,000,000.

Fiscal year 1999:
(A) New budget authority, $13,887,000,000.
(B) Outlays, $14,543,000,000.
(C) New direct loan obligations, $4,358,000,000.
(D) New primary loan guarantee commitments, $18,311,000,000.

Fiscal year 2000:
(A) New budget authority, $14,270,000,000.
(B) Outlays, $15,595,000,000.
(C) New direct loan obligations, $4,346,000,000.
(D) New primary loan guarantee commitments, $18,311,000,000.

Fiscal year 2001:
(A) New budget authority, $15,623,000,000.
(B) Outlays, $14,103,000,000.
(C) New direct loan obligations, $4,395,000,000.
(D) New primary loan guarantee commitments, $18,409,000,000.

Fiscal year 2002:
(A) New budget authority, $17,115,000,000.
(B) Outlays, $14,923,000,000.
(C) New direct loan obligations, $4,387,000,000.
(D) New primary loan guarantee commitments, $18,409,000,000.

(3) General Science, Space, and Technology (250):

Fiscal year 1997:
(A) New budget authority, $17,918,000,000.
(B) Outlays, $16,855,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.

Fiscal year 1998:
(A) New budget authority, $16,087,000,000.
(B) Outlays, $16,632,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.

Fiscal year 1999:
(A) New budget authority, $15,333,000,000.
(B) Outlays, $15,970,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.

Fiscal year 2000:
(A) New budget authority, $14,572,000,000.
(B) Outlays, $15,104,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.

Fiscal year 2001:
(A) New budget authority, $15,796,000,000.
(B) Outlays, $15,461,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.

Fiscal year 2002:
(A) New budget authority, $17,168,000,000.
(B) Outlays, $16,590,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.

(4) Energy (270):

Fiscal year 1997:
(A) New budget authority, $3,235,000,000.
(B) Outlays, $3,131,000,000.
(C) New direct loan obligations, $1,033,000,000.
(D) New primary loan guarantee commitments, $0.

Fiscal year 1998:
(A) New budget authority, $3,723,000,000.
(B) Outlays, $2,746,000,000.
(C) New direct loan obligations, $1,039,000,000.
(D) New primary loan guarantee commitments, $0.

Fiscal year 1999:
(A) New budget authority, $3,034,000,000.
(B) Outlays, $2,324,000,000.
(C) New direct loan obligations, $1,045,000,000.
(D) New primary loan guarantee commitments, $0.

Fiscal year 2000:
(A) New budget authority, $2,728,000,000.
(B) Outlays, $1,865,000,000.
(C) New direct loan obligations, $1,036,000,000.
(D) New primary loan guarantee commitments, $0.

Fiscal year 2001:
(A) New budget authority, $3,333,000,000.
(B) Outlays, $2,062,000,000.
(C) New direct loan obligations, $1,000,000,000.
(D) New primary loan guarantee commitments, $0.

Fiscal year 2002:
(A) New budget authority, $3,627,000,000.
(B) Outlays, $2,125,000,000.
(C) New direct loan obligations, $1,031,000,000.
(D) New primary loan guarantee commitments, $0.

(5) Natural Resources and Environment (300):

Fiscal year 1997:
(A) New budget authority, $21,949,000,000.
(B) Outlays, $22,202,000,000.
(C) New direct loan obligations, $37,000,000.
(D) New primary loan guarantee commitments, $0.

Fiscal year 1998:
(A) New budget authority, $21,616,000,000.
(B) Outlays, $22,281,000,000.
(C) New direct loan obligations, $41,000,000.
(D) New primary loan guarantee commitments, $0.

Fiscal year 1999:
(A) New budget authority, $21,424,000,000.
(B) Outlays, $22,073,000,000.
(C) New direct loan obligations, $38,000,000.
(D) New primary loan guarantee commitments, $0.

Fiscal year 2000:
(A) New budget authority, $20,931,000,000.
(B) Outlays, $21,499,000,000.
(C) New direct loan obligations, $38,000,000.
(D) New primary loan guarantee commitments, $0.

Fiscal year 2001:
(A) New budget authority, $21,761,000,000.
(B) Outlays, $21,760,000,000.
(C) New direct loan obligations, $38,000,000.
(D) New primary loan guarantee commitments, $0.

Fiscal year 2002:
(A) New budget authority, $22,964,000,000.
(B) Outlays, $22,587,000,000.
(C) New direct loan obligations, $38,000,000.
(D) New primary loan guarantee commitments, $0.

(6) Agriculture (350):

Fiscal year 1997:
(A) New budget authority, $12,961,000,000.
(B) Outlays, $11,123,000,000.
(C) New direct loan obligations, $7,794,000,000.
(D) New primary loan guarantee commitments, $5,870,000,000.

Fiscal year 1998:
(A) New budget authority, $12,611,000,000.
(B) Outlays, $10,740,000,000.
(C) New direct loan obligations, $9,346,000,000.
(D) New primary loan guarantee commitments, $6,637,000,000.

Fiscal year 1999:
(A) New budget authority, $12,084,000,000.
(B) Outlays, $10,243,000,000.
(C) New direct loan obligations, $10,743,000,000.
(D) New primary loan guarantee commitments, $6,586,000,000.

Fiscal year 2000:
(A) New budget authority, $11,199,000,000.
(B) Outlays, $9,406,000,000.
(C) New direct loan obligations, $10,736,000,000.
(D) New primary loan guarantee commitments, $6,652,000,000.

Fiscal year 2001:

(A) New budget authority, $10,584,000,000.
(B) Outlays, $8,695,000,000.
(C) New direct loan obligations, $10,595,000,000.
(D) New primary loan guarantee commitments, $6,641,000,000.
Fiscal year 2002:
(A) New budget authority, $10,825,000,000.
(B) Outlays, $8,868,000,000.
(C) New direct loan obligations, $10,570,000,000.
(D) New primary loan guarantee commitments, $6,709,000,000.
(7) Commerce and Housing Credit (370):
Fiscal year 1997:
(A) New budget authority, $8,630,000,000.
(B) Outlays, −$1,931,000,000.
(C) New direct loan obligations, $1,856,000,000.
(D) New primary loan guarantee commitments, $197,340,000.
Fiscal year 1998:
(A) New budget authority, $10,276,000,000.
(B) Outlays, $646,300,000,000.
(C) New direct loan obligations, $1,787,000,000.
(D) New primary loan guarantee commitments, $196,750,000,000.
Fiscal year 1999:
(A) New budget authority, $1,157,000,000.
(B) Outlays, $6,844,000,000.
(C) New direct loan obligations, $1,763,000,000.
(D) New primary loan guarantee commitments, $196,253,000,000.
Fiscal year 2000:
(A) New budget authority, $12,949,000,000.
(B) Outlays, $8,050,000,000.
(C) New direct loan obligations, $1,759,000,000.
(D) New primary loan guarantee commitments, $195,883,000,000.
Fiscal year 2001:
(A) New budget authority, $12,109,000,000.
(B) Outlays, $8,238,000,000.
(C) New direct loan obligations, $1,745,000,000.
(D) New primary loan guarantee commitments, $195,375,000,000.
Fiscal year 2002:
(A) New budget authority, $12,829,000,000.
(B) Outlays, $8,524,000,000.
(C) New direct loan obligations, $1,740,000,000.
(D) New primary loan guarantee commitments, $194,875,000,000.
(8) Transportation (400):
Fiscal year 1997:
(A) New budget authority, $42,218,000,000.
(B) Outlays, $39,572,000,000.
(C) New direct loan obligations, $15,000,000.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1998:
(A) New budget authority, $36,180,000,000.
(B) Outlays, $38,641,000,000.
(C) New direct loan obligations, $15,000,000.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, $33,213,000,000.
(B) Outlays, $36,870,000,000.
(C) New direct loan obligations, $15,000,000.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2000:
(A) New budget authority, $30,880,000,000.
(B) Outlays, $34,615,000,000.
(C) New direct loan obligations, $15,000,000.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2001:
(A) New budget authority, $34,188,000,000.
(B) Outlays, $33,653,000,000.
(C) New direct loan obligations, $15,000,000.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2002:
(A) New budget authority, $37,937,000,000.
(B) Outlays, $35,286,000,000.
(C) New direct loan obligations, $15,000,000.
(D) New primary loan guarantee commitments, $0.
(9) Community and Regional Development (450):
Fiscal year 1997:
(A) New budget authority, $9,208,000,000.
(B) Outlays, $10,602,000,000.
(C) New direct loan obligations, $1,222,000,000.
(D) New primary loan guarantee commitments, $2,133,000,000.
Fiscal year 1998:
(A) New budget authority, $8,759,000,000.
(B) Outlays, $10,315,000,000.
(C) New direct loan obligations, $1,242,000,000.
(D) New primary loan guarantee commitments, $2,133,000,000.
Fiscal year 1999:
(A) New budget authority, $8,258,000,000.
(B) Outlays, $9,888,000,000.
(C) New direct loan obligations, $1,265,000,000.
(D) New primary loan guarantee commitments, $2,171,000,000.
Fiscal year 2000:
(A) New budget authority, $7,838,000,000.
(B) Outlays, $9,314,000,000.
(C) New direct loan obligations, $1,288,000,000.
(D) New primary loan guarantee commitments, $2,171,000,000.
Fiscal year 2001:
(A) New budget authority, $8,652,000,000.
(B) Outlays, $8,675,000,000.
(C) New direct loan obligations, $1,317,000,000.
(D) New primary loan guarantee commitments, $2,202,000,000.
Fiscal year 2002:
(A) New budget authority, $9,395,000,000.
(B) Outlays, $8,326,000,000.
(C) New direct loan obligations, $1,343,000,000.
(D) New primary loan guarantee commitments, $2,202,000,000.
(10) Education, Training, Employment, and Social Services (500):
Fiscal year 1997:
(A) New budget authority, $53,264,000,000.
(B) Outlays, $51,262,000,000.
(C) New direct loan obligations, $16,219,000,000.
(D) New primary loan guarantee commitments, $15,469,000,000.
Fiscal year 1998:
(A) New budget authority, $54,486,000,000.
(B) Outlays, $53,678,000,000.
(C) New direct loan obligations, $19,040,000,000.
(D) New primary loan guarantee commitments, $14,760,000,000.
Fiscal year 1999:
(A) New budget authority, $56,313,000,000.
(B) Outlays, $55,041,000,000.
(C) New direct loan obligations, $21,781,000,000.
(D) New primary loan guarantee commitments, $13,854,000,000.
Fiscal year 2000:
(A) New budget authority, $58,040,000,000.
(B) Outlays, $56,664,000,000.
(C) New direct loan obligations, $22,884,000,000.
(D) New primary loan guarantee commitments, $14,589,000,000.
Fiscal year 2001:
(A) New budget authority, $60,723,000,000.
(B) Outlays, $58,906,000,000.
(C) New direct loan obligations, $23,978,000,000.
(D) New primary loan guarantee commitments, $15,319,000,000.
Fiscal year 2002:
(A) New budget authority, $63,399,000,000.
(B) Outlays, $61,446,000,000.
(C) New direct loan obligations, $25,127,000,000.
(D) New primary loan guarantee commitments, $16,085,000,000.
(11) Health (550):
Fiscal year 1997:
(A) New budget authority, $136,886,000,000.
(B) Outlays, $136,272,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $187,000,000.
Fiscal year 1998:
(A) New budget authority, $144,352,000,000.
(B) Outlays, $144,778,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $94,000,000.
Fiscal year 1999:
(A) New budget authority, $151,181,000,000.
(B) Outlays, $151,707,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2000:
(A) New budget authority, $158,846,000,000.
(B) Outlays, $159,149,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2001:
(A) New budget authority, $164,928,000,000.
(B) Outlays, $163,942,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2002:
(A) New budget authority, $176,106,000,000.
(B) Outlays, $174,617,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(12) Medicare (570):
Fiscal year 1997:
(A) New budget authority, $193,120,000,000.
(B) Outlays, $191,422,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1998:
(A) New budget authority, $209,284,000,000.
(B) Outlays, $207,559,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, $222,567,000,000.
(B) Outlays, $220,295,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2000:
(A) New budget authority, $236,552,000,000.
(B) Outlays, $234,803,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2001:
(A) New budget authority, $252,673,000,000.
(B) Outlays, $250,932,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2002:
(A) New budget authority, $272,291,000,000.
(B) Outlays, $269,881,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(13) Income Security (600):
Fiscal year 1997:
(A) New budget authority, $231,555,000,000.
(B) Outlays, $239,009,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1998:
(A) New budget authority, $244,128,000,000.

(B) Outlays, $247,084,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, $255,459,000,000.
(B) Outlays, $256,461,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $.
Fiscal year 2000:
(A) New budget authority, $270,127,000,000.
(B) Outlays, $269,571,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $.
Fiscal year 2001:
(A) New budget authority, $270,920,000,000.
(B) Outlays, $275,743,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $.
Fiscal year 2002:
(A) New budget authority, $293,800,000,000.
(B) Outlays, $290,131,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $_____.
(14) Social Security (650):
Fiscal year 1997:
(A) New budget authority, $7,813,000,000.
(B) Outlays, $10,831,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1998:
(A) New budget authority, $8,477,000,000.
(B) Outlays, $11,576,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, $9,220,000,000.
(B) Outlays, $12,271,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2000:
(A) New budget authority, $9,980,000,000.
(B) Outlays, $13,031,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2001:
(A) New budget authority, $10,776,000,000.
(B) Outlays, $13,904,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2002:
(A) New budget authority, $11,608,000,000.
(B) Outlays, $14,822,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(15) Veterans Benefits and Services (700):
Fiscal year 1997:
(A) New budget authority, $39,013,000,000.
(B) Outlays, $39,557,000,000.
(C) New direct loan obligations, $935,000,000.
(D) New primary loan guarantee commitments, $26,362,000,000.
Fiscal year 1998:
(A) New budget authority, $37,863,000,000.
(B) Outlays, $38,740,000,000.
(C) New direct loan obligations, $962,000,000.
(D) New primary loan guarantee commitments, $25,925,000,000.
Fiscal year 1999:
(A) New budget authority, $36,589,000,000.
(B) Outlays, $36,990,000,000.
(C) New direct loan obligations, $987,000,000.
(D) New primary loan guarantee commitments, $25,426,000,000.
Fiscal year 2000:
(A) New budget authority, $35,212,000,000.
(B) Outlays, $37,080,000,000.
(C) New direct loan obligations, $1,021,000,000.
(D) New primary loan guarantee commitments, $24,883,000,000.
Fiscal year 2001:
(A) New budget authority, $37,273,000,000.
(B) Outlays, $36,001,000,000.
(C) New direct loan obligations, $1,189,000,000.
(D) New primary loan guarantee commitments, $24,298,000,000.
Fiscal year 2002:
(A) New budget authority, $39,783,000,000.
(B) Outlays, $39,751,000,000.
(C) New direct loan obligations, $1,194,000,000.
(D) New primary loan guarantee commitments, $23,668,000,000.
(16) Administration of Justice (750):
Fiscal year 1997:
(A) New budget authority, $23,510,000,000.
(B) Outlays, $21,237,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1998:
(A) New budget authority, $24,527,000,000.
(B) Outlays, $24,356,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, $24,453,000,000.
(B) Outlays, $24,826,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2000:
(A) New budget authority, $25,540,000,000.
(B) Outlays, $25,480,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2001:
(A) New budget authority, $24,783,000,000.
(B) Outlays, $25,712,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2002:
(A) New budget authority, $24,146,000,000.
(B) Outlays, $24,981,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(17) General Government (800):
Fiscal year 1997:
(A) New budget authority, $15,491,000,000.
(B) Outlays, $14,797,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1998:
(A) New budget authority, $15,158,000,000.
(B) Outlays, $14,892,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, $15,151,000,000.
(B) Outlays, $14,941,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2000:
(A) New budget authority, $15,250,000,000.
(B) Outlays, $15,183,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2001:
(A) New budget authority, $15,819,000,000.
(B) Outlays, $15,255,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2002:
(A) New budget authority, $16,311,000,000.
(B) Outlays, $15,957,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(18) Net Interest (900):
Fiscal year 1997:
(A) New budget authority, $282,247,000,000.
(B) Outlays, $282,347,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1998:
(A) New budget authority, $289,354,000,000.
(B) Outlays, $289,354,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, $293,938,000,000.
(B) Outlays, $293,938,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2000:
(A) New budget authority, $296,606,000,000.
(B) Outlays, $296,606,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2001:
(A) New budget authority, $301,875,000,000.
(B) Outlays, $301,875,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2002:
(A) New budget authority, $307,543,000,000.
(B) Outlays, $307,543,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(19) The corresponding levels of gross interest on the public debt are as follows:
Fiscal year 1997: $348,790,000,000.
Fiscal year 1998: $355,452,000,000.
Fiscal year 1999: $359,253,000,000.
Fiscal year 2000: $360,639,000,000.
Fiscal year 2001: $366,154,000,000.
Fiscal year 2002: $369,631,000,000.
(20) Allowances (920):
Fiscal year 1997:
(A) New budget authority, −$490,000,000.
(B) Outlays, −$490,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1998:
(A) New budget authority, −$20,000,000.
(B) Outlays, −$20,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, −$10,000,000.
(B) Outlays, −$10,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2000:
(A) New budget authority, −$20,000,000.
(B) Outlays, −$20,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2001:
(A) New budget authority, −$12,934,000,000.
(B) Outlays, −$12,934,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2002:
(A) New budget authority, −$36,783,000,000.
(B) Outlays, −$36,783,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.

(21) Undistributed Offsetting Receipts (950):

Fiscal year 1997:

(A) New budget authority, −$43,338,000,000.

(B) Outlays, −$43,338,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

Fiscal year 1998:

(A) New budget authority, −$35,351,000,000.

(B) Outlays, −$35,351,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

Fiscal year 1999:

(A) New budget authority, −$34,951,000,000.

(B) Outlays, −$34,951,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

Fiscal year 2000:

(A) New budget authority, −$37,069,000,000.

(B) Outlays, −$37,069,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

Fiscal year 2001:

(A) New budget authority, −$38,893,000,000.

(B) Outlays, −$38,893,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

Fiscal year 2002:

(A) New budget authority, −$59,385,000,000.

(B) Outlays, −$59,385,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

SEC. 105. RECONCILIATION.

(a) RECONCILIATION OF SPENDING REDUCTIONS.—

(1) SENATE COMMITTEES.—Not later than _____, 1996, the committees named in this subsection shall submit their recommendations to the Committee on the Budget of the Senate. After receiving those recommendations, the Committee on the Budget shall report to the Senate a reconciliation bill carrying out all such recommendations without any substantive revision.

(A) COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY.—The Senate Committee on Agriculture, Nutrition, and Forestry shall report changes in laws within its jurisdiction that provide direct spending (as defined in section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985) to reduce outlays $2,282,000,000 in fiscal year 1997 and $21,655,000,000 for the period of fiscal years 1997 through 2002.

(B) COMMITTEE ON ARMED SERVICES.—The Senate Committee on Armed Services shall report changes in laws within its jurisdiction that provide direct spending to reduce outlays $79,000,000,000 in fiscal year 1997 and $1,828,000,000 for the period of fiscal years 1997 through 2002.

(C) COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS.—The Senate Committee on Banking, Housing, and Urban Affairs shall report changes in laws within its jurisdiction that provide direct spending to reduce outlays $3,291,000,000 in fiscal year 1997 and $1,791,000,000 for the period of fiscal years 1997 through 2002.

(D) COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION.—The Senate Committee on Commerce, Science, and Transportation shall report changes in laws within its jurisdiction that provide direct spending to reduce outlays $134,000,000 in fiscal year 1997 and $37,168,000,000 for the period of fiscal years 1997 through 2002.

(E) COMMITTEE ON ENERGY AND NATURAL RESOURCES.—The Senate Committee on Energy and Natural Resources shall report changes in laws within its jurisdiction that provide direct spending to reduce outlays $83,000,000 in fiscal year 1997 and $795,000,000 for the period of fiscal years 1997 through 2002.

(F) COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS.—The Senate Committee on Environment and Public Works shall report changes in laws within its jurisdiction that provide direct spending to reduce outlays $23,000,000 in fiscal year 1997 and $1,375,000,000 for the period of fiscal years 1997 through 2002.

(G) COMMITTEE ON FINANCE.—The Senate Committee on Finance shall report changes in laws within its jurisdiction that provide direct spending to reduce outlays $6,734,000,000 in fiscal year 1997 and $187,022,000,000 for the period of fiscal years 1997 through 2002.

(H) COMMITTEE ON GOVERNMENTAL AFFAIRS.—The Senate Committee on Governmental Affairs shall report changes in laws within its jurisdiction to reduce the deficit $840,000,000 in fiscal year 1997 and $9,136,000,000 for the period of fiscal years 1997 through 2002.

(I) COMMITTEE ON THE JUDICIARY.—The Senate Committee on the Judiciary shall report changes in laws within its jurisdiction that provide direct spending to reduce outlays $0 in fiscal year 1997 and $476,000,000 for the period of fiscal years 1997 through 2002.

(J) COMMITTEE ON LABOR AND HUMAN RESOURCES.—The Senate Committee on Labor and Human Resources shall report changes in laws within its jurisdiction that provide direct spending to reduce outlays $411,000,000 in fiscal year 1997 and $2,877,000,000 for the period of fiscal years 1997 through 2002.

(K) COMMITTEE ON VETERANS' AFFAIRS.—The Senate Committee on Veterans' Affairs shall report changes in laws within its jurisdiction that provide direct spending to reduce outlays $148,000,000 in fiscal year 1997 and $5,284,000,000 for the period of fiscal years 1997 through 2002.

TITLE II—BUDGETARY RESTRAINTS AND RULEMAKING

SEC. 201. DISCRETIONARY SPENDING LIMITS.

(a) DEFINITION.—As used in this section and for the purposes of allocations made pursuant to section 302(a) or 602(a) of the Congressional Budget Act of 1974, for the discretionary category, the term ''discretionary spending limit'' means—

(1) with respect to fiscal year 1997, for the discretionary category $496,572,000,000 in new budget authority and $539,190,000,000 in outlays;

(2) with respect to fiscal year 1998, for the discretionary category $501,619,000,000 in new budget authority and $534,785,000,000 in outlays;

(3) with respect to fiscal year 1999, for the discretionary category $504,074,000,000 in new budget authority and $531,100,000,000 in outlays;

(4) with respect to fiscal year 2000, for the discretionary category $509,115,000,000 in new budget authority and $530,937,000,000 in outlays;

(5) with respect to fiscal year 2001, for the discretionary category $518,983,000,000 in new budget authority and $521,682,000,000 in outlays; and

(6) with respect to fiscal year 2002, for the discretionary category $520,292,000,000 in new budget authority and $525,624,000,000 in outlays;

as adjusted for changes in concepts and definitions and emergency appropriations.

(b) POINT OF ORDER IN THE SENATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), it shall not be in order in the Senate to consider—

(A) any revision of this resolution or any concurrent resolution on the budget for fiscal year 1998, 1999, 2000, 2001, or 2002 (or amendment, motion, or conference report on such a resolution) that provides discretionary spending in excess of the discretionary spending limit for such fiscal year; or

(B) any appropriations bill or resolution (or amendment, motion, or conference report on such appropriations bill or resolution) for fiscal year 1997, 1998, 1999, 2000, 2001, or 2002 that would exceed any of the discretionary spending limits in this section or suballocations of those limits made pursuant to section 602(b) of the Congressional Budget Act of 1974.

(2) EXCEPTION.—

(A) IN GENERAL.—This section shall not apply if a declaration of war by the Congress is in effect or if a joint resolution pursuant to section 258 of the Balanced Budget and Emergency Deficit Control Act of 1985 has been enacted.

(B) ENFORCEMENT OF DISCRETIONARY LIMITS IN FY 1997.—Until the enactment of reconciliation legislation pursuant to section 105 of this resolution and for purposes of the application of paragraph (1), only subparagraph (B) of paragraph (1) shall apply to fiscal year 1997.

(c) WAIVER.—This section may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(d) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this section shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the concurrent resolution, bill, or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(e) DETERMINATION OF BUDGET LEVELS.—For purposes of this section, the levels of new budget authority, outlays, new entitlement authority, and revenues for a fiscal year shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

SEC. 202. EXTENSION OF PAY-AS-YOU-GO POINT OF ORDER.

(a) PURPOSE.—The Senate declares that it is essential to—

(1) ensure continued compliance with the balanced budget plan set forth in this resolution; and

(2) continue the pay-as-you-go enforcement system.

(b) POINT OF ORDER.—

(1) IN GENERAL.—It shall not be in order in the Senate to consider any direct spending or revenue legislation that would increase the deficit for any one of the three applicable time periods as measured in paragraphs (5) and (6).

(2) APPLICABLE TIME PERIODS.—For purposes of this subsection the term ''applicable time period'' means any one of the three following periods:

(A) The first year covered by the most recently adopted concurrent resolution on the budget.

(B) The period of the first five fiscal years covered by the most recently adopted concurrent resolution on the budget.

(C) The period of the five fiscal years following the first five fiscal years covered in the most recently adopted concurrent resolution on the budget.

(3) DIRECT-SPENDING LEGISLATION.—For purposes of this subsection and except as provided in paragraph (4), the term ''direct-spending legislation'' means any bill, joint resolution, amendment, motion, or conference report that affects direct spending as that term is defined by and interpreted for purposes of the Balanced Budget and Emergency Deficit Control Act of 1985.

(4) EXCLUSION.—For purposes of this subsection, the terms ''direct-spending legislation'' and ''revenue legislation'' do not include—

(A) any concurrent resolution on the budget; or

(B) any provision of legislation that affects the full funding of, and continuation of, the deposit insurance guarantee commitment in effect on the date of enactment of the Budget Enforcement Act of 1990.

(5) BASELINE.—Estimates prepared pursuant to this section shall—

(A) use the baseline used for the most recently adopted concurrent resolution on the budget; and

(B) be calculated under the requirements of subsections (b) through (d) of section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 for fiscal years beyond those covered by that concurrent resolution on the budget.

(6) PRIOR SURPLUS.—If direct spending or revenue legislation increases the deficit when taken individually, then it must also increase the deficit when taken together with all direct spending and revenue legislation enacted since the beginning of the calendar year not accounted for in the baseline under paragraph (5)(A), except that the direct spending or revenue effects resulting from legislation enacted pursuant to the reconciliation instructions included in that concurrent resolution on the budget shall not be available.

(c) WAIVER.—This section may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(d) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this section shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(e) DETERMINATION OF BUDGET LEVELS.—For purposes of this section, the levels of new budget authority, outlays, and revenues for a fiscal year shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

(f) SUNSET.—Subsections (a) through (e) of this section shall expire September 30, 2002.

SEC. 203. EXTENSION OF BUDGET ACT 60-VOTE ENFORCEMENT THROUGH 2002.

Notwithstanding section 275(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as amended by sections 13112(b) and 13208(b)(3) of the Budget Enforcement Act of 1990), the second sentence of section 904(c) of the Congressional Budget Act of 1974 (except insofar as it relates to section 313 of that Act) and the final sentence of section 904(d) of that Act (except insofar as it relates to section 313 of that Act) shall continue to have effect as rules of the Senate through (but no later than) September 30, 2002.

SEC. 204. EXERCISE OF RULEMAKING POWERS.

The Congress adopts the provisions of this title—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House, or of that House to which they specifically apply, and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change those rules (so far as they relate to that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

MOSELEY-BRAUN AMENDMENT NO. 3966

(Ordered to lie on the table.)

Ms. MOSELEY-BRAUN submitted an amendment intended to be proposed by her to the concurrent resolution (S. Con. Res. 57) supra; as follows:

At the end of title III, add the following new section:

SEC. . SENSE OF THE SENATE REGARDING THE USE OF BUDGETARY SAVINGS.

(a) FINDINGS.—The Senate finds that—

(1) in August of 1994, the Bipartisan Commission on Entitlement and Tax Reform issued an Interim Report to the President, which found that, ''To ensure that today's debt and spending commitments do not unfairly burden America's children, the Government must act now. A bipartisan coalition of Congress, led by the President, must resolve the long-term imbalance between the Government's entitlement promises and the funds it will have available to pay for them'';

(2) unless the Congress and the President act together in a bipartisan way, overall Federal spending is projected by the Commission to rise from the current level of slightly over 22 percent of the Gross Domestic Product of the United States (hereafter in this section referred as ''GDP'') to over 37 percent of GDP by the year 2030;

(3) the source of that growth is not domestic discretionary spending, which is approximately the same portion of GDP now as it was in 1969, the last time at which the Federal budget was in balance;

(4) mandatory spending was only 29.6 percent of the Federal budget in 1963, but is estimated to account for 72 percent of the Federal budget in the year 2003;

(5) social security, medicare and medicaid, together with interest on the national debt, are the largest sources of the growth of mandatory spending;

(6) ensuring the long-term future of the social security system is essential to protecting the retirement security of the American people.

(7) The Social Security Trust Fund is projected to begin spending more than it takes in by approximately the year 2013, with Federal budget deficits rising rapidly thereafter unless appropriate policy changes are made;

(8) ensuring the future of medicare and medicaid is essential to protecting access to high-quality health care for senior citizens and poor women and children;

(9) Federal health care expenses have been rising at double digit rates, and are projected to triple to 11 percent of GDP by the year 2030 unless appropriate policy changes are made; and

(10) due to demographic factors, Federal health care expenses are projected to double by the year 2030, even if health care cost inflation is restrained after 1999, so that costs for each person of a given age grow no faster than the economy.

(b) SENSE OF THE SENATE.—If the sense of the Senate that budget savings in the mandatory spending area should be used—

(1) to protect and enhance the retirement security of the American people by ensuring the long-term future of the social security system;

(2) to protect and enhance the health care security of senior citizens and poor Americans by ensuring the long-term future of medicare and medicaid; and

(3) to restore and maintain Federal budget discipline, to ensure that the level of private investment necessary for long-term economic growth and prosperity is available.

KYL AMENDMENT NO. 2967

(Ordered to lie on the table.)

Mr. KYL submitted an amendment intended to be proposed by him to the concurrent resolution (S. Con. Res. 57) supra; as follows:

On page 4, line 10, decrease the amount by $90,000,000.

On page 4, line 11, decrease the amount by $181,000,000.

On page 4, line 12, decrease the amount by $181,000,000.

On page 4, line 13, decrease the amount by $181,000,000.

On page 4, line 19, decrease the amount by $85,000,000.

On page 4, line 20, decrease the amount by $174,000,000.

On page 4, line 21, decrease the amount by $181,000,000.

On page 4, line 22, decrease the amount by $181,000,000.

On page 5, line 3, decrease the amount by $85,000,000.

On page 5, line 4, decrease the amount by $174,000,000.

On page 5, line 5, decrease the amount by $181,000,000.

On page 5, line 6, decrease the amount by $181,000,000.

On page 31, line 17, decrease the amount by $90,000,000.

On page 31, line 18, decrease the amount by $85,000,000.

On page 31, line 24, decrease the amount by $181,000,000.

On page 31, line 25, decrease the amount by $174,000,000.

On page 32, line 6, decrease the amount by $181,000,000.

On page 32, line 7, decrease the amount by $181,000,000.

On page 32, line 13, decrease the amount by $181,000,000.

On page 32, line 14, decrease the amount by $181,000,000.

FIRST AMENDMENT NO. 3968

Mr. FRIST proposed an amendment to amend No. 3965 proposed by Mr. EXON to the concurrent resolution (S. Con. Res. 57) supra; as follows:

At the end of the pending amendment, add the following:

SEC. . COMMON SENSE BUDGETING AMENDMENT.

(a) FINDINGS.—The Congress finds that—

(1) President Clinton proposed in his fiscal year 1997 budget submission immediate downward adjustments to discretionary caps after the year 2000 if the Congressional Budget Office projected that his budget would not balance in 2002;

(2) the Congressional Budget Office (CBO) has estimated that President Clinton's fiscal year 1997 budget submission will incur a deficit of $84,000,000,000 in 2002;

(3) as a result of CBO's projected deficit in fiscal year 2002, the President's budget would trigger drastic reductions in discretionary spending in 2001 and 2002 to reach balance;

(4) these drastic reductions would have to occur in nondefense programs such as education, environment, crime control, science, veterans, and other human resource programs;

(5) 100 percent of the nondefense discretionary cuts in the President's budget occur in 2001 and 2002; and

(6) the inclusion in a budget submission of triggers to make immediate, drastic reductions in discretionary spending is inconsistent with sound budgeting practices and should be recognized as a ''budgetary gimmick'' that is antithetical to legitimate efforts to achieve balance in 2002.

(b) SENSE OF SENATE.—It is the sense of the Senate that the discretionary spending caps should not include triggers that would—

(1) result in 100 percent of the nondefense discretionary reductions occurring in fiscal years 2001 and 2002; and

(2) make drastic reductions in nondefense discretionary spending in fiscal years 2001 and 2002 (the last 2 years of the budget) for the purpose of achieving a balanced budget in fiscal year 2002.

FEINGOLD (AND OTHERS) AMENDMENT NO. 3969

(Ordered to lie on the table.)

Mr. FEINGOLD (for himself, Mr. SIMON, Mr. BUMPERS, and Mr. ROBB) submitted an amendment intended to be proposed by them to Senate Concurrent Resolution 57; supra, as follows:

On page 3, line 5, increase the amount by $15,000,000,000.

On page 3, line 6, increase the amount by $20,000,000,000.

On page 3, line 7, increase the amount by $24,000,000,000.

On page 3, line 8, increase the amount by $23,000,000,000.

On page 3, line 9, increase the amount by $23,000,000,000.

On page 3, line 10, increase the amount by $16,000,000,000.

On page 3, line 14, increase the amount by $15,000,000,000.

On page 3, line 15, increase the amount by $20,000,000,000.

On page 3, line 16, increase the amount by $24,000,000,000.

On page 3, line 17, increase the amount by $23,000,000,000.

On page 3, line 18, increase the amount by $23,000,000,000.

On page 3, line 19, increase the amount by $16,000,000,000.

On page 5, line 1, decrease the amount by $15,000,000,000.

On page 5, line 2, decrease the amount by $20,000,000,000.

On page 5, line 3, decrease the amount by $24,000,000,000.

On page 5, line 4, decrease the amount by $23,000,000,000.

On page 5, line 5, decrease the amount by $23,000,000,000.

On page 5, line 6, decrease the amount by $16,000,000,000.

On page 5, line 9, decrease the amount by $15,000,000,000.

On page 5, line 10, decrease the amount by $20,000,000,000.

On page 5, line 11, decrease the amount by $24,000,000,000.

On page 5, line 12, decrease the amount by $23,000,000,000.

On page 5, line 13, decrease the amount by $23,000,000,000.

On page 5, line 14, decrease the amount by $16,000,000,000.

On page 6, line 13, decrease the amount by $15,000,000,000.

On page 6, line 14, decrease the amount by $20,000,000,000.

On page 6, line 15, decrease the amount by $24,000,000,000.

On page 6, line 16, decrease the amount by $23,000,000,000.

On page 6, line 17, decrease the amount by $23,000,000,000.

On page 6, line 18, decrease the amount by $16,000,000,000.

On page 51, beginning with line 6 strike all through line 17.

On page 55, beginning with line 18 strike all through page 56, line 20.

FAIRCLOTH AMENDMENT NO. 3970

(Ordered to lie on the table.)

Mr. FAIRCLOTH submitted an amendment intended to be proposed by him to Senate Concurrent Resolution 57; supra, as follows:

At the appropriate place, insert the following:

SEC. . SENSE OF THE SENATE REGARDING REDUCTION OF THE NATIONAL DEBT.

Whereas, S. Con. Res. 57 projects a public debt in Fiscal Year 1997 of $5,400,000,000,000;

Whereas, S. Con. Res. 57 projects that the public debt will be $6,500,000,000,000 in the Fiscal Year 2002 when the budget resolution projects a unified budget surplus;

Whereas, this accumulated debt represents a significant financial burden that will require excessive taxation and lost economic opportunity for future generations of the United States;

Resolved, That, it is the sense of the Senate that any comprehensive legislation sent to the President that balances the budget by a certain date and that is agreed to by the Congress and the President shall also contain a strategy for reducing the national debt of the United States.

BOND AMENDMENT NO. 3971

(Ordered to lie on the table.)

Mr. BOND submitted an amendment intended to be proposed by him to the amendment No. 3965; supra, as follows:

In the pending amendment:

On page 30, line 5, decrease the amount by $175,000,000.

On page 30, line 6, decrease the amount by $7,000,000.

On page 30, line 11, decrease the amount by $907,000,000.

On page 30, line 12, decrease the amount by $246,000,000.

On page 30, line 17, decrease the amount by $2,256,000,000.

On page 30, line 18, decrease the amount by $1,920,000,000.

On page 30, line 23, decrease the amount by $3,621,000,000.

On page 30, line 24, decrease the amount by $3,033,000,000.

On page 31, line 4, decrease the amount by $3,302,000,000.

On page 31, line 5, decrease the amount by $3,124,000,000.

On page 31, line 10, decrease the amount by $2,355,000,000.

On page 31, line 11, decrease the amount by $2,187,000,000.

On page 33, line 5, increase the amount by $175,000,000.

On page 33, line 6, increase the amount by $7,000,000.

On page 33, line 12, increase the amount by $907,000,000.

On page 33, line 13, increase the amount by $246,000,000.

On page 33, line 19, increase the amount by $2,256,000,000.

On page 33, line 20, increase the amount by $1,920,000,000.

On page 34, line 1, increase the amount by $3,621,000,000.

On page 34, line 2, increase the amount by $3,033,000,000.

On page 34, line 8, increase the amount by $1,708,000,000.

On page 34, line 9, increase the amount by $1,552,000,000.

On page 40, line 23, increase the amount by $1,594,000,000.

On page 40, line 24, increase the amount by $1,572,000,000.

On page 41, line 5, increase the amount by $2,355,000,000.

On page 41, line 6, increase the amount by $2,187,000,000.

On page 45, line 15, increase the amount by $7,000,000,000.

On page 45, line 16, increase the amount by $10,952,000,000.

On page 47, line 9, increase the amount by $175,000,000.

On page 47, line 11, increase the amount by $7,000,000.

On page 47, line 13, increase the amount by $907,000,000.

On page 47, line 14, increase the amount by $246,000,000.

On page 47, line 16, increase the amount by $2,256,000,000.

On page 47, line 17, increase the amount by $1,920,000,000.

On page 47, line 19, increase the amount by $3,621,000,000.

On page 47, line 20, increase the amount by $3,033,000,000.

On page 47, line 22, increase the amount by $3,302,000,000.

On page 47, line 23, increase the amount by $3,124,000,000.

On page 48, line 2, increase the amount by $2,730,000,000.

On page 48, line 3, increase the amount by $2,623,000,000.

MCCAIN AMENDMENT NO. 3972

(Ordered to lie on the table.)

Mr. MCCAIN submitted an amendment intended to be proposed by him to Senate Concurrent Resolution 57; supra, as follows:

At the appropriate place, insert the following:

''SEC. . SENSE OF THE SENATE—TRUTH IN BUDGETING.—It is the Sense of the Senate that:

(a) The Congressional Budget Office has scored revenue expected to be raised from the auction of Federal Communications Commission licenses for various services;

(b) For budget scoring purposes, the Congress has assumed that such auctions would occur in a prompt and expeditious manner and that revenue raised by such auctions would flow to the federal treasury;

(c) The revenue assumed to be raised from auctions totals billions of dollars;

(d) The Federal Communications Commission has not yet conducted auctions for all services where auctions were assumed, such as Local Multipoint Distribution Service (LMDS) and other subscription services, revenue from which has been assumed in Congressional budgetary calculations and in determining the level of the deficit; and

(e) The Commission's service rules can dramatically affect license values and auction revenues and therefore the Commission should seek to act expeditiously and without further delay to conduct auctions of licenses in a manner that enhances revenue and increases efficiency for any service for which auction revenues has been scored by the Congressional Budget Office and/or counted for budgetary purposes in an Act of Congress.

EXON AMENDMENT NO. 3973

Mr. EXON proposed an amendment to amendment No. 3965 proposed by him to the concurrent resolution (S. Con. Res. 57) supra; as follows:

In the pending amendment:

On page 2, line 9, increase the amount by $7,000,000.

On page 2, line 10, increase the amount by $246,000,000.

On page 2, line 11, increase the amount by $1,920,000,000.

On page 2, line 12, increase the amount by $3,033,000,000.

On page 2, line 13, increase the amount by $3,124,000,000.

On page 2, line 14, increase the amount by $2,187,000,000.

On page 2, line 18, increase the amount by $7,000,000.

On page 2, line 19, increase the amount by $246,000,000.

On page 2, line 20, increase the amount by $1,920,000,000.

On page 3, line 1 increase the amount by $3,033,000,000.

On page 3, line 2, increase the amount by $3,124,000,000.

On page 3, line 3, increase the amount by $2,187,000,000.

On page 33, line 5, increase the amount by $175,000,000.

On page 33, line 6, increase the amount by $7,000,000.

On page 33, line 12, increase the amount by $907,000,000.

On page 33, line 13, increase the amount by $246,000,000.

On page 33, line 19, increase the amount by $2,256,000,000.

On page 33, line 20, increase the amount by $1,920,000,000.

On page 34, line 1, increase the amount by $3,621,000,000.

On page 34, line 2, increase the amount by $3,033,000,000.

On page 34, line 8, increase the amount by $1,708,000,000.

On page 34, line 9, increase the amount by $1,552,000,000.

On page 40, line 23, increase the amount by $1,594,000,000.

On page 40, line 24, increase the amount by $1,572,000,000.

On page 41, line 5, increase the amount by $2,355,000,000.

On page 41, line 6, increase the amount by $2,187,000,000.

On page 47, line 10, increase the amount by $175,000,000.

On page 47, line 11, increase the amount by $7,000,000.

On page 47, line 13, increase the amount by $907,000,000.

On page 47, line 14, increase the amount by $246,000,000.

On page 47, line 16, increase the amount by $2,256,000,000.

On page 47, line 17, increase the amount by $1,920,000,000.

On page 47, line 19, increase the amount by $3,621,000,000.

On page 47, line 20, increase the amount by $3,033,000,000.

On page 47, line 22, increase the amount by $3,302,000,000.

On page 47, line 23, increase the amount by $3,124,000,000.

On page 48, line 2, increase the amount by $2,355,000,000.

On page 48, line 3, increase the amount by $2,187,000,000.

THOMAS AMENDMENT NO. 3974

(Ordered to lie on the table.)

Mr. THOMAS submitted an amendment intended to be proposed by him to the concurrent resolution (S. Con. Res. 57) supra; as follows:

At the end of title III, insert the following new section:

SEC. . SENSE OF THE SENATE SUPPORTING BIENNIAL BUDGETING.

(a) FINDINGS.—The Senate finds that the current budget process—

(1) results in constant and redundant congressional action on spending measures and budget issues;

(2) causes instability in financial markets and creates budgetary uncertainty for recipients of Federal funds, thereby inhibiting the efficient operation of these programs; and

(3) allows insufficient time for Congress to consider national needs as a basis for sound and efficient policy approaches, thereby fostering piecemeal solutions that contribute to unrestrained growth of the Federal Government.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) a biennial budget process would—

(A) create an orderly, predictable process for consideration of spending decisions responsive to policy priorities and improve congressional control over the Federal budget and therefore promote better accountability to the public;

(B) provide greater stability and certainty for financial markets, Federal, State, and local government agencies which need sufficient time to plan for the implementation of programs; and

(C) allow sufficient time for the fulfillment by the Congress of its legislative and oversight responsibilities, including the consideration of authorizing legislation, budget resolutions, appropriations bills, and other spending measures; and

(2) the Congress should enact legislation in the 104th Congress to establish a biennial budget process.

GRAHAM (AND BAUCUS) AMENDMENT NO. 3975

(Ordered to lie on the table.)

Mr. GRAHAM (for himself and Mr. BAUCUS) submitted an amendment intended to be proposed by them to the concurrent resolution (S. Con. Res. 57) supra; as follows:

At the appropriate place, insert the following new section:

''MEDICARE FRAUD AND ABUSE SAVINGS TRUST FUND

''SEC. . (a)(1) There is hereby created on the books of the Treasury of the United States in the Federal Hospital Insurance Trust Fund (in this subsection referred to as the 'Trust Fund') an expenditure account to be known as the 'Health Care Fraud and Abuse Control Account' (in this subsection referred to as the 'Account'). The Account shall consist of such gifts and bequests as may be made as provided in title XVIII of the Social Security Act and amounts appropriated under paragraph (2).

''(2) Amounts equivalent to 100 percent of the Secretary's estimate of the reductions in outlays in title XVIII that are attributable to Medicare waste, fraud and abuse recoveries, as defined in title XVIII of the Social Security Act—

''(A) are hereby appropriated to the Account out of any amounts in the Treasury not otherwise appropriated, and

''(B) in order to assure the solvency of the Medicare system, shall not be considered for purposes of calculating the deficit increase or estimated deficit for any year under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985.

The amounts appropriated by the preceeding sentence shall be transferred from time to time (not less frequently than monthly) from the general fund in the Treasury to the Trust Fund.

KENNEDY AMENDMENT NO. 3976

(Ordered to lie on the table.)

Mr. KENNEDY submitted an amendment intended to be proposed by him to the concurrent resolution (S. Con. Res. 57) supra; as follows:

At the appropriate place insert the following new section:

SEC. . SENSE OF THE CONGRESS REGARDING PROGRAMS FOR SENIOR CITIZENS, CHILDREN AND THE DISABLED.

(a) FINDINGS.—Congress finds that—

(1) 18,000,000 children depend on the medicaid program under title XIX of the Social Security Act;

(2) 6,000,000 disabled Americans depend on the medicaid program under title XIX of the Social Security Act and are generally unable to qualify for private health insurance coverage, regardless of whether such individuals can afford such insurance; and

(3) 5,000,000 senior citizens depend on the medicaid program under title XIX of the Social Security Act for assistance with health care services that are not covered under the medicare program under title XVIII of the Social Security Act, and medicaid is the sole source of affordable nursing home care for senior citizens, the disabled, and their families.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that the reconciliation bill should not include any provisions that reduce Federally mandated eligibility or benefits for programs for senior citizens, children, or the disabled.

FAIRCLOTH AMENDMENT NO. 3977

(Ordered to lie on the table.)

Mr. FAIRCLOTH submitted an amendment intended to be proposed by him to the concurrent resolution (S. Con. Res. 57) supra; as follows:

At the appropriate place, insert the following:

SEC. . SENSE OF THE SENATE REGARDING WELFARE REFORM.

FINDINGS.—S. Con. Res. 57 assumes substantial savings from welfare reform; and

Children born out of wedlock are five times more likely to be poor and about ten times more likely to be extremely poor and therefore are more likely to receive welfare benefits than children from two parent families; and

High rates of out-of-wedlock births are associated with a host of other social pathologies; for example, children of single mothers are twice as likely to drop out of high school; boys whose fathers are absent are more likely to engage in criminal activities; and girls in single-parent families are three times more likely to have children out of wedlock themselves;

Therefore, it is the sense of the Senate that any comprehensive legislation sent to the President that balances the budget by a certain date and that includes welfare reform provisions and that is agreed to by the Congress and the President shall also contain to the maximum extent possible a strategy for reducing the rate of out-of-wedlock births and encouraging family formation.

KERREY (AND OTHERS) AMENDMENT NO. 3978

(Ordered to lie on the table.)

Mr. KERREY (for himself, Mr. SIMON, Mr. NUNN, Mr. ROBB, and Mr. SIMPSON) submitted an amendment intended to be proposed by them to the concurrent resolution (S. Con. Res. 57) supra; as follows:

At the end of title III, add the following:

SEC. . SENSE OF THE SENATE ON A REDUCTION IN CONSUMER PRICE INDEX ADJUSTMENTS.

It is the sense of the Senate that the assumptions underlying the functional totals in this resolution assume that the consumer

price index should be reduced by 0.5 percentage point.

ROCKEFELLER (AND OTHERS) AMENDMENT NO. 3979

Mr. ROCKEFELLER (for himself, Mr. DORGAN, Mr. KENNEDY, Mr. DODD, Mrs. BOXER, Mr. LAUTENBERG, Mr. DASCHLE, Mr. WELLSTONE, Mr. FORD, Mr. EXON, Mr. HARKIN, and Ms. MIKULSKI) proposed an amendment to the concurrent resolution (S. Con. Res. 57) supra; as follows:

On page 3, line 5, increase the amount by $100,000,000.

On page 3, line 6, increase the amount by $3,400,000,000.

On page 3, line 7, increase the amount by $5,900,000,000.

On page 3, line 8, increase the amount by $9,200,000,000.

On page 3, line 9, increase the amount by $13,200,000,000.

On page 3, line 10, increase the amount by $18,700,000,000.

On page 3, line 14, increase the amount by $100,000,000.

On page 3, line 15, increase the amount by $3,400,000,000.

On page 3, line 16, increase the amount by $5,900,000,000.

On page 3, line 17, increase the amount by $9,200,000,000.

On page 3, line 18, increase the amount by $13,200,000,000.

On page 3, line 19, increase the amount by $18,700,000,000.

On page 4, line 8, increase the amount by $100,000,000.

On page 4, line 9, increase the amount by $3,400,000,000.

On page 4, line 10, increase the amount by $5,900,000,000.

On page 4, line 11, increase the amount by $9,200,000,000.

On page 4, line 12, increase the amount by $13,200,000,000.

On page 4, line 13, increase the amount by $18,700,000,000.

On page 4, line 17, increase the amount by $100,000,000.

On page 4, line 18, increase the amount by $3,400,000,000.

On page 4, line 19, increase the amount by $5,900,000,000.

On page 4, line 20, increase the amount by $9,200,000,000.

On page 4, line 21, increase the amount by $13,200,000,000.

On page 4, line 22, increase the amount by $18,700,000,000.

On page 29, line 10, increase the amount by $100,000,000.

On page 29, line 11, increase the amount by $100,000,000.

On page 29, line 17, increase the amount by $3,400,000,000.

On page 29, line 18, increase the amount by $3,400,000,000.

On page 29, line 24, increase the amount by $5,900,000,000.

On page 29, line 25, increase the amount by $5,900,000,000.

On page 30, line 6, increase the amount by $9,200,000,000.

On page 30, line 7, increase the amount by $9,200,000,000.

On page 30, line 13, increase the amount by $13,200,000,000.

On page 30, line 14, increase the amount by $13,200,000,000.

On page 30, line 20, increase the amount by $18,700,000,000.

On page 30, line 21, increase the amount by $18,700,000,000.

On page 49, line 17, decrease the amount by $100,000,000.

On page 49, line 18, decrease the amount by $50,500,000,000.

ABRAHAM (AND DOMENICI) AMENDMENT NO. 3980

Mr. ABRAHAM (for himself and Mr. DOMENICI) proposed an amendment to the concurrent resolution (S. Con. Res. 57) supra; as follows:

At the appropriate place in the concurrent resolution, insert the following:

SEC. . SENSE OF THE CONGRESS REGARDING CHANGES IN THE MEDICARE PROGRAM.

(A) FINDINGS.—Congress finds that, in achieving the spending levels specified in this resolution—

(1) the public Trustees of medicare have concluded that ''the medicare program is clearly unsustainable in its present form'';

(2) the President has said his goal is to keep the medicare hospital insurance trust fund solvent for more than a decade, but his budget transfers $55 billion of home health spending from medicare part A to medicare part B;

(3) the transfer of home health spending threatens the delivery of home health services to 3.5 million Medicare beneficiaries;

(4) such a transfer increases the burden on general revenues, including income taxes paid by working Americans, by $55 billion;

(5) such a transfer artificially inflates the solvency of the medicare hospital insurance trust fund, misleading the Congress, medicare beneficiaries, and working taxpayers;

(6) the Director of the Congressional Budget Office has certified that, without such a transfer, the President's budget extends the solvency of the hospital insurance trust fund for only one additional year; and

(7) without misleading transfers, the President's budget therefore fails to achieve his own stated goal for the medicare hospital insurance trust fund.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that, in achieving the spending levels specified in this resolution, the Congress assumes that the Congress would—

(1) keep the medicare hospital insurance trust fund solvent for more than a decade, as recommended by the President; and

(2) accept the President's proposed level of medicare part B savings of $44.1 billion over the period 1997 through 2002; but would

(3) reject the President's proposal to transfer health spending from one part of medicare to another, which threatens the delivery of home health care services to 3.5 million Medicare beneficiaries, artificially inflates the solvency of the medicare hospital insurance trust fund, and increases the burden on general revenues, including income taxes paid by working Americans, by $55 billion.

THOMPSON (AND OTHERS) AMENDMENT NO. 3981

(Ordered to lie on the table.)

Mr. THOMPSON (for himself, Mr. KERRY, Mr. MCCAIN, Mr. FEINGOLD, and Mr. BRADLEY) submitted an amendment intended to be proposed by them to the concurrent resolution (S. Con. Res. 57) supra; as follows:

At the appropriate place in the resolution, insert the following:

SEC. . SENSE OF THE SENATE ON THE PRESIDENTIAL ELECTION CAMPAIGN FUND.

It is the sense of the Senate that the assumptions underlying the functional totals in this resolution assume that when the Finance Committee meets its outlay and revenue obligations under this resolution the committee should not make any changes in the Presidential Election Campaign Fund or its funding mechanism and should meet its revenue and outlay targets through other programs within its jurisdiction.

BOXER (AND OTHERS) AMENDMENT NO. 3982

Mrs. BOXER (for herself, Mr. GRAHAM, Mr. DORGAN, and Mr. KENNEDY) proposed an amendment to the concurrent resolution (S. Con. Res. 57) supra; as follows:

On page 3, line 5, increase the amount by $1,900,000,000.

On page 3, line 6, increase the amount by $2,500,000,000.

On page 3, line 7, increase the amount by $3,200,000,000.

On page 3, line 8, increase the amount by $2,700,000,000.

On page 3, line 9, increase the amount by $2,600,000,000.

On page 3, line 10, increase the amount by $5,400,000,000.

On page 3, line 14, increase the amount by $1,900,000,000.

On page 3, line 15, increase the amount by $2,500,000,000.

On page 3, line 16, increase the amount by $3,200,000,000.

On page 3, line 17, increase the amount by $2,700,000,000.

On page 3, line 18, increase the amount by $2,600,000,000.

On page 3, line 19, increase the amount by $5,400,000,000.

On page 4, line 8, increase the amount by $1,900,000,000.

On page 4, line 9, increase the amount by $2,500,000,000.

On page 4, line 10, increase the amount by $3,200,000,000.

On page 4, line 11, increase the amount by $2,700,000,000.

On page 4, line 12, increase the amount by $2,600,000,000.

On page 4, line 13, increase the amount by $5,400,000,000.

On page 4, line 17, increase the amount by $1,900,000,000.

On page 4, line 18, increase the amount by $2,500,000,000.

On page 4, line 19, increase the amount by $3,200,000,000.

On page 4, line 20, increase the amount by $2,700,000,000.

On page 4, line 21, increase the amount by $2,600,000,000.

On page 4, line 22, increase the amount by $5,400,000,000.

On page 27, line 16, increase the amount by $1,900,000,000.

On page 27, line 17, increase the amount by $1,900,000,000.

On page 27, line 23, increase the amount by $2,500,000,000.

On page 27, line 24, increase the amount by $2,500,000,000.

On page 28, line 6, increase the amount by $3,200,000,000.

On page 28, line 12, increase the amount by $2,700,000,000.

On page 28, line 13, increase the amount by $2,700,000,000.

On page 28, line 19, increase the amount by $2,600,000,000.

On page 28, line 20, increase the amount by $2,600,000,000.

On page 29, line 2, increase the amount by $5,400,000,000.

On page 29, line 3, increase the amount by $5,400,000,000.

On page 46, line 12, decrease the amount by $18,300,000,000.

At the appropriate place insert the following:

SEC. . SENSE OF THE SENATE.

It is the sense of the Senate that the provisions contained in this budget resolution assume Medicaid reforms shall—

(1) maintain the guarantees in current law for Medicaid coverage of seniors, children, pregnant women, and persons with disabilities;

(2) preserve current laws protecting spouses and adult children from the risk of impoverishment to pay for long-term nursing home care;

(3) maintain the current Federal nursing home quality and enforcement standards;

(4) protect states from unanticipated program costs resulting from economic fluctuations in the business cycle, changing demographics, and natural disasters;

(5) maintain the successful Federal-State partnership and protect the Federal Treasury against practices that allow States to decrease their fair share of Medicaid funding; and,

(6) continue to provide coverage of Medicare premiums and cost-sharing payments for low-income Medicare beneficiaries, consistent with current law.

THE PUBLIC BUILDINGS REFORM ACT OF 1995

BAUCUS AMENDMENT NO. 3983

Mr. FRIST (for Mr. BAUCUS) proposed an amendment to the bill (S. 1005) to amend the Public Buildings Act of 1959 to improve the process of constructing, altering, purchasing, and acquiring public buildings, and for other purposes; as follows:

On page 21, line 3, strike ''1995'' and insert ''1996''.

THE CONGRESSIONAL BUDGET CONCURRENT RESOLUTION

WYDEN (AND KERRY) AMENDMENT NO. 3984

Mr. WYDEN (for himself and Mr. KERRY) proposed an amendment to the concurrent resolution (S. Con. Res. 57) supra; as follows:

At the appropriate place, insert the following new section:

SEC. . SENSE OF THE SENATE REGARDING REVENUE ASSUMPTIONS.

(a) FINDINGS.—The Congress finds the following:

(1) Corporations and individuals have clear responsibility to adhere to environmental laws. When they do not, and environmental damage results, the Federal and State governments my impose fines and penalties, and assess polluters for the cost of remediation.

(2) Assessment of these costs is important in the enforcement process. They appropriately penalize wrongdoing. They discourage future environmental damage. They ensure that taxpayers do not bear the financial brunt of cleaning up after damages done by polluters.

(3) In the case of the *Exxon Valdez* oil spill disaster in Prince William Sound, Alaska, for example, the corporate settlement with the Federal Government totaled $900 million.

(4) The Tax Code, however, currently allows polluters to fully deduct all expenses, including penalties and fines associated with these settlements. In the case of the *Exxon Valdez* disaster, deductibility on that settlement at the current corporate tax rate will result in $300 million in losses to Federal tax collections . . . losses which will have to be made up through increased collections from taxation of average American families.

(5) Additionally, these losses also will make it more difficult to move aggressively and successfully toward a balanced Federal budget.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—assumptions in this resolution assume that revenues will be increased by a minimum of $100 million per year through legislation that will not allow deductions for fines, penalties and damages arising from a failure to comply with Federal or State environmental or health protection laws.

NOTICES OF HEARINGS

SPECIAL COMMITTEE ON AGING

Mr. COHEN. Mr. President, I wish to announce that the Special Committee on Aging will hold a hearing on Thursday, May 23, 1996, at 9:30 a.m., in room 562 of the Dirksen Senate Office Building. The hearing will discuss encouraging return to work in the SSI and DI Programs.

COMMITTEE ON ENERGY AND NATURAL RESOURCES, SUBCOMMITTEE ON PARKS, HISTORIC PRESERVATION AND RECREATION

Mr. CAMPBELL. Mr. President, I would like to announce for the public that a field hearing has been scheduled before the Subcommittee on Parks, Historic Preservation, and Recreation.

The hearing will take place Friday, May 31, 1996, at 9:30 a.m. at the Montrose Pavillion, 1800 Pavillion Boulevard, Montrose, CO.

The purpose of this hearing is to review S. 1424, a bill to redesignate the Black Canyon of the Gunnison National Monument as a national park, to establish the Gunnison Gorge National Conservation Area, to establish the Curecanti National Recreation Area, to establish the Black Canyon of the Gunnison National Park Complex, and for other purposes.

Because of the limited time available for the hearing, witnesses may testify by invitation only. Written testimony will be accepted for the record. Witnesses testifying at the hearing are requested to bring 10 copies of their testimony with them on the day of the hearing.

The subcommittee will invite witnesses representing a cross-section of views and organizations to testify at the hearing. Others wishing to testify may, as time permits, make a brief statement of no more than 2 minutes. Those wishing to testify should contact Mr. James Doyle in Senator CAMPBELL's office at (303) 866–1900. The deadline for signing up to testify is 5 p.m., Wednesday, May 29, 1996. Every attempt will be made to accommodate as many witnesses as possible, while ensuring that all views are represented.

For additional information, please contact Jim O'Toole, Energy and Natural Resources Committee, at (202) 224–5161.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be allowed to meet during the Thursday, May 16, 1996, session of the Senate for the purpose of conducting a hearing on NASA's Mission to Planet Earth.

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

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. LOTT. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Committee to meet on Thursday, May 16, 1996, at 10 a.m. for a markup.

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

COMMITTEE ON THE JUDICIARY

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Thursday, May 16, 1996, at 10:30 a.m. to hold an executive business meeting.

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

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet for a hearing on oversight of the ''Healthy Start'' demonstration project, during the session of the Senate on Thursday, May 16, 1996, at 9:30 a.m.

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

SUBCOMMITTEE ON PARKS, HISTORIC PRESERVATION, AND RECREATION

Mr. LOTT. Mr. President, I ask unanimous consent that the Subcommittee on Parks, Historic Preservation, and Recreation of the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Thursday, May 16, 1996, for purposes of conducting a subcommittee hearing which is scheduled to begin at 9:30 a.m. The purpose of this hearing is to consider S. 621, a bill to amend the National Trails System Act to designate the Great Western Trail for potential addition to the National Trails System; H.R. 531, a bill to designate the Great Western Scenic Trail as a study trail under the National Trails System Act. S. 1049, a bill to amend the National Trails System Act to designate the route from Selma to Montgomery as a National Historic Trail. S. 1706, a bill to increase the amount authorized to be appropriated for assistance for highway relocation with respect to the Chicamauga and Chattanooga National Military Park in Georgia; S. 1725, a bill to amend the National Trails System Act to create a third category of long-distance trails to be known as national discovery trails and to authorize the American Discovery Trail as the first national discovery trail.

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

SUBCOMMITTEE ON INTERNATIONAL ECONOMIC POLICY, EXPORT AND TRADE PROMOTION

Mr. LOTT. Mr. President, I ask unanimous consent that the Subcommittee on International Economic Policy, Export and Trade Promotion of the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, May 16, 1996, at 9 a.m.

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

ADDITIONAL STATEMENTS

COMMON SENSE ON SCHOOL CHOICE

• Mr. HOLLINGS. Mr. President, I ask to have printed in today's RECORD an unusually clear article on the complex subject of school vouchers. Ms. Claudia Smith Brinson at the State newspaper in Columbia, SC, has made the case eloquently that the choice of taxpayer funding for private and religious schools is a bad one. Specifically, she points out its history as a means of minimizing desegregation, its lack of results, and its lack of promise compared to other proven education reforms. I commend her for her eloquence and hope my colleagues will benefit from her column.

The column follows:

[From the State, May 15, 1996]

LET'S DECIDE JUST EXACTLY WHAT SCHOOL CHOICE' MEANS

(By Claudia Smith Brinson)

The concept of school choice has been around a long time. In the '60s, it was promoted in the South as a means of minimizing court-ordered desegregation. In the '70s, economist Milton Friedman talked up what he called the ''free-choice'' model. In the '80s and early '90s, as dissatisfaction with public schools grew, experimentation kicked in.

School choice covers an enormous range. At its most basic, parents exercise choice when they buy a house in a certain neighborhood. When a school provides school-within-a-school options, choice is offered. When a school district provides alternative or magnet schools, choice is offered. Some districts allow parents with a need for flexibility regarding work or child care to use intra-district choice.

While, in this state, we have few magnet schools, half of our school districts offer alternative schools or second-chance programs; more than half allow high-school students to take college courses; almost two-thirds permit inter-district transfers. Our governor's schools for arts and mathematics and science increase choice statewide for our brightest students.

Nationwide, choice is often employed to help with the urban suburban desegregation issue. In St. Louis, Mo., inner-city children can apply to attend mostly white suburban schools. To improve schooling for Hispanic students in San Antonio, the Multilingual Program provides a language and cultural focus for academically successful students. In Montgomery County, Md., a magnet school program was introduced to improve integration. In Moniclair, N.J., all schools are magnet schools, and transportation is provided.

In Cambridge, Mass., parents can choose, with the help of an information center, any public school in the district. In Minnesota, the whole state allows open enrollment, although students must supply transportation.

Charter schools, in which parents and teachers contract with the state to provide a particular kind of education, are another option. Just over 100 charter schools are in operation nationwide. Here, the House has passed legislation allowing charter schools; a Senate subcommittee is discussing it.

Vouchers are rare. In Milwaukee, to desegregate schools and improve urban children's schooling, low-income parents were invited to apply for public funds to send their children to private or public suburban schools. An attempt to add church schools is on hold because the state Supreme Court deadlocked on its constitutionality. In Boston, private money is used to send low-income children to parochial schools. In San Antonio and Indianapolis, private businesses pay low-income students' tuition at private schools.

The favorite arguments for using vouchers (sending public money through parents) for private schools rest on three faulty premises. The first is that children make great academic strides in private and parochial schools. When you take out those oh-so-important factors such as parents' income and education, what remains is a very small advantage in scores for parochial and private school students.

The second faulty premise is that education can be compared to car-making. The premise goes like this: Education is just another manufacturing process; vouchers will create competition; competition will automatically improve product quality. But children and learning are far more complicated than autos and welding. Education is a service, and public education is a service with important democratic goals, such as preparing children for full citizenship, minimizing social inequities and promoting cultural unity.

It's not much better an analogy, but compare education, instead, to a service like public hospitals. No one in need is turned away, and yes, those who can afford to do so shop around. However, the patient (both consumer and product, like our students) cannot be cured at any location if destructive behaviors persist. Even with some of the magical pills our technology has created, radical changes in lifestyle are often required. Likewise, poverty, parental disengagement, behavior or discipline problems that many of our children bring into the schoolhouse cannot be quickly and permanently cured by shifting locale. (In Milwaukee, where vouchers are being tried, academic scores haven't improved and attrition remains high.)

So vouchers are not a miracle cure. And that is the third faulty premise, that any one new step, such as increased choice or vouchers, will suddenly remake education. The funding equity issue, raised by 40 of our districts, has yet to be ruled on in court. How much good would intra-district choice currently serve in some of the suing, impoverished counties such as Clarendon, Lee, Williamsburg or Jasper? How much help is a $1,700 voucher to an impoverished family in a rural community without transportation or in an urban community where private schools cost $6,000-plus a year? What happens then is not that parents are offered more choice, but that private schools are.

If our community, and our Legislature, want to consider choice, first the conversation has to get honest. It can be a legitimate discussion given public dissatisfaction with public schools and a universal desire by parents to do the best possible for their children.

But if we're going to talk about choice, what are we talking about? Increasing variety? Or resegregating? If our state and national constitutions forbid public money supporting church schools, why on Earth is our conversation about choice starting in forbidden territory?

In a state with limited funds, why begin with vouchers when encouragement for more magnet schools, school-within-a school programs and inter- and intra-district transfers would offer more choices to more children at no extra cost? With limited funds, why not start small and emulate programs that work, like the language option in San Antonio or the controlled-choice program in Cambridge? Why take giant, expensive leaps into ideas, such as vouchers, that have barely been tested anywhere?

We have a summer to think this out.•

TRIBUTE TO ASTRONAUT RICK LINNEHAN

• Mr. SMITH. Mr. President, I rise today to congratulate the extraordinary accomplishments of Astronaut Rick Linnehan, who will be a mission specialist on the space shuttle *Columbia*, scheduled to leave Cape Canaveral, FL in June.

In 1975, Rick graduated from Pelham High School in Pelham, NH and proceeded to earn a bachelor of science degree in animal science and microbiology at the University of New Hampshire. Later, Rick denied his acceptance to the U.S. Air Force for pilot training and instead opted to attend the Ohio State University College of Medicine to earn his veterinary degree. While Rick's heartening desire to fly was temporarily delayed, his dream never died. Upon finishing his veterinary degree in 1985, Rick applied for NASA's astronaut training program. With the 1986 *Challenger* disaster stalling the program, Rick's dream of space flight was once again put on hold. During this time, Rick worked as a veterinarian before joining an internship with the Baltimore Zoo and Johns Hopkins University from 1986 to 1988. He then joined the military as a captain in the U.S. Army Veterinary Corps, and ended up as chief clinical veterinarian with the Navy's Marine Mammal project in San Diego, CA.

Despite Rick's success in his field of study, he still held on to his dream of one day becoming an astronaut. In 1991, Rick again applied for the astronaut program and was selected along with 18 others out of nearly 3,000 applicants.

After 4 years of dedicated training, Rick will embark on his first journey into space this summer as a crewmember of NASA's Life Sciences and Micro-gravity Spacelab mission. During the 16-day flight, Rick will be part of a medical team that will be checking fellow crewmembers for the effects of prolonged space flight as part of NASA's testing program for the space station.

In memory of another New Hampshire astronaut, Christa McAuliffe,

Rick will carry a lapel pin with him into space from the Concord planetarium. Rick will also bring a New Hampshire flag from the State Legislature, which will be returned to fly in our State House, as well as a banner for the University of New Hampshire, and some personal items for relatives and friends.

New Hampshire is very proud of Rick's extraordinary commitment and hard work to achieve his boyhood dream of space flight. America needs more visionaries like Rick, who not only hold on to their dreams but work hard to achieve them. I congratulate Rick on this outstanding honor and am proud to have him represent us in the final frontier.●

CALIFORNIA CITIES ACT TO BAN JUNK GUNS

● Mrs. BOXER. Mr. President, last month I introduced legislation with Senators JOHN CHAFEE and BILL BRADLEY to prohibit the manufacture and sale of junk guns—or as they are also called, Saturday night specials. We believe that these cheap, poorly constructed, easily concealable firearms pose such a great threat to public safety that their sale and manufacture should be prohibited.

Nearly 20 years ago, Congress prohibited the importation of junk guns, but allowed their domestic manufacture to soar virtually unchecked. Today, 7 of the 10 firearms most frequently traced at crime scenes are junk guns that cannot legally be imported. My view is that if a gun represents such a threat to public safety that it should not be imported, its domestic manufacture should also be restricted. A firearm's point of origin is irrelevant.

Earlier this year, the City of West Hollywood prohibited the sale of junk guns within the city limit. Shortly thereafter, I introduced my bill, which would ban junk guns nationwide. Since then, California cities have made progress that exceeded my expectations. Once again, California is at the leading edge of a nationwide movement.

This week, the Oakland City Council, with the support of the mayor and the police chief, voted to ban the sale of junk guns. San Francisco is expected to follow shortly. And the city of San Jose is also considering enacting a junk gun ban. The police chiefs of these three cities have all endorsed my bill to ban junk guns nationwide.

I am very proud that these California cities are acting responsibly to take these dangerous firearms off our streets. This momentum is growing into an unstoppable force. The current junk gun double standard cannot be maintained. It is simply a matter of time before Congress acts to apply the same standards to domestically produced junk guns are currently applied to imports.●

TRIBUTE TO VERNON J. BAKER

● Mr. CRAIG. Mr President, it is indeed a pleasure and a privilege for me to speak today about the accomplishments of one of my fellow Idahoans, Vernon J. Baker. Vernon Baker is one of seven African-Americans whose heroic actions in World War II are being belatedly recognized. Vernon has been nominated for this Nation's highest award—the Congressional Medal of Honor.

When 1st Lt. Vernon Baker awoke on the morning of April 5, 1945, I am confident he did not begin the day thinking, ''Today, I am going to be a hero.'' I am more confident he began that morning thinking, ''Lord, give me the strength to get me and my men through another day.''

In the smokey grayness of predawn, artillery rained on the German mountain stronghold called ''Hill X'' near Castle Aghinolfi, Italy. First Lieutenant Baker was a platoon leader of 25 men and a recent graduate of Officer Candidate School. Standing five foot five and weighing in at 139 pounds, he led his men to the south side of the draw, within 250 yards of the castle. Seeing a telescope pointing out of the narrow slit of the bunker, he ordered his men to stay down and he crawled to the opening, stuck in his M–1 and fired until the rifle was empty. When he looked inside, one of the two dead Germans was still slumped in his chair. Baker then stumbled upon a camouflaged machine gun nest where he killed two more Germans.

As he reported to his company commander, Captain John Runyan, who like all his superiors was white, he was hit in the head by a ''potato masher'' hand grenade. It failed to explode and Baker quickly shot and killed the German who had thrown the grenade. While his unit was under heavy fire, he continued into the canyon alone. Discovering a hidden entrance to another dugout, he blasted it open with a grenade and dashed inside, killing two more German soldiers with a discarded machine gun he had picked up off the ground.

Captain Runyan ordered a withdrawal of the unit and told Baker he was going for reinforcements. That was the last time Lieutenant Baker saw Captain Runyan. The reinforcements never arrived. At the end of the battle, Baker regrouped the seven survivors of the 25 man platoon. The unit had killed 26 Germans, destroyed six machine gun nests, two observer posts, and four dugouts.

Vernon Baker was awarded the Distinguished Service Cross on July 4, 1945, for his actions that day. The Distinguished Service Cross is the Nation's second highest military award. On the citation for the award, Baker is cited for ''outstanding courage'' and ''daring leadership.''

Nearly 50 years later, during an Army review of medals awarded during World War II, the absence of a single African-American from the list of Congressional Medal of Honor winners was duly noted. This began the process to determine if African-Americans had not received the Nation's highest award merely because of racial bias rather than military record under fire. Seven Distinguished Service Medal awards were reevaluated and have now been recommended for upgrade to the Congressional Medal of Honor. Vernon J. Baker is the only surviving nominee from this illustrious group.

Mr. President, on behalf of a grateful nation, I once more want to thank Vernon J. Baker for his courageous actions, on that April day so long ago.●

JANET COOPER

● Mr. LEVIN. Mr. President, I rise to honor Janet Cooper who will be retiring from the State of Michigan Department of Civil Rights on June 1, 1996. Janet Cooper has given more than three decades of dedicated service in establishing one of the best civil rights agencies in the Nation.

Janet Cooper joined the Michigan Department of Civil Rights as a field investigator in 1963, about the same time I became the general counsel. I knew her as a dedicated and thorough public servant. Since then, she has served the department in many roles including director of the Conciliation and Hearings Division, deputy director of the Enforcement Bureau, and director of the Legal Bureau. She is currently the department deputy and is responsible for the Enforcement Bureau, the Office of Contractual and Business Services, and the Office of Research.

Janet Cooper is an experienced attorney who is known across the country as an expert in the field of civil rights. She has served as an adjunct professor at Wayne State University School of Law and the Detroit College of Law. The Michigan State Bar Foundation honored Janet with the title of Fellow. This title is given to attorneys who have demonstrated outstanding legal ability and a strong dedication to the community.

Janet Cooper is retiring from the Department of Civil Rights, but her work protecting the constitutional rights of all citizens will not end. She will now become the chair of the Metropolitan Detroit Branch of the American Civil Liberties Union of Michigan.

I know that my Senate colleagues will join me in honoring Janet Cooper for her many years of dedicated service in upholding the civil rights of all people.●

LT. CAROLYN J. FERRARI, M.D.

● Mr. WARNER. Mr. President, I rise today to commend the selection of Lt. Carolyn J. Ferrari, M.D. as medical director and physician for Highland Medical Center in Monterey, VA. Dr. Ferrari's acceptance of this key medical position concludes a nearly 3-year-old search by the medical center board of directors.

I extend further praise to the U.S. Navy for its authorization of Dr. Ferrari's early release. Mr. President, if it were not for this authorization, Dr. Ferrari would have had to complete another year of duty.

As a former Secretary of the Navy, I believe this is a win-win situation for the U.S. Navy and the people of Highland County. The Navy has a long and distinguished history in Virginia, and I appreciate this good neighbor effort.

Dr. Ferrari and the Highland Medical Center will play an important role in providing first-class health care to the community. Moreover, this partnership represents another important step toward positive community and economic growth.

Mr. President, let me say once again that I applaud the Navy, Highland Medical Center and Lt. Carolyn Ferrari, M.D. I am proud that my office was able to play a small role in this very good development for the citizens of Highland County and the surrounding area.●

SIGNIFICANT ALASKA MILESTONE

● Mr. STEVENS. Mr. President, Mark Stasik and Daryl Miller, of Talkeetna, recently achieved a great distinction in our State of Alaska—they endured a 45 day, 350 mile circumnavigation of the Denali and Foraker massifs, in Winter, on foot. Along the way, the men crossed four remote mountain passes, traveled approximately 100 miles on 16 glaciers, 80 miles on rugged and diverse, high mountainous terrain, 115 miles on frozen rivers, creeks, and lakes, and 55 miles amidst dense boreal forest. There was an estimated elevation gain and loss of 60,000 feet, the equivalent of two Mt. Everests. The two men also encountered temperatures as low as 60 degrees below zero and winds up to 100 mph, while carrying 150 pounds of gear per person.

This expedition not only shows the personal strength and perseverance of these Alaskans, but it also provided scientific and educational data for the Denali National Park. This was the first expedition of this kind. I am sure the family and friends of Mark and Daryl are very proud of their achievement.

Mr. President, I ask that an article entitled ''Off The Couch'' from the Climbing Magazine be printed in the RECORD.

The article follows:

[From Climbing Magazine, June 15-Aug. 1, 1995]

OFF THE COUCH—TALKEETNA LOCALS COMPLETE GRAND CIRCUMNAVIGATION

Leaving from their couches in downtown Talkeetna, the Alaska Range veterans Mark Stasik and Daryl Miller endured a 45-day, 350 mile circumnavigation of the Denali and Foraker massifs—a first in winter. Calculating an elevation gain/loss of 60,000 feet for the trip, Stasik and Miller experienced expectedly horrendous conditions, including 60-below temperatures and 100 mph winds. They also weathered a tent fire, a fall through river ice, the loss of their maps, and three days of travel without food or fuel. The routefinding involved crossing four remote mountain passes, 100 miles over 16 glaciers, 115 miles along (usually) frozen rivers, creeks, and lakes, 80 miles of rugged mountain terrain, and 55 miles of dense boreal forest undergrowth—all while toting sleds and packs weighing in at 150 pounds per person. The extremes of terrain and conditions savaged their equipment: Miller broke two ski bindings, and then his skis, then both of his snowshoes, before borrowing Stasik's backup pair. ''It was a product tester's wet dream,'' says Stasik.

Stasik and Miller share a great deal of Alaskan experience, with 14 Denali expeditions between them, numerous other backcountry trips, and involvement in search-and-rescue operations. Having seen the yearly circus of climbers on Denali, many unprepared for and disrespectful of the dangers, Stasik and Miller hope to make a statement with their expedition. ''It was important for us to strip down to the rawest elements, to show how locals could do it, on foot, off the couch, and out the back door, to assimilate the experience into an everyday frame of reference, without it needing to become a Spandex production,'' says Stasik. ''All this hype and lionization of climbing has gotten to be a tad much.''●

TRIBUTE TO ''THE GRAND OL' LADY'' OF NEW HAMPSHIRE, MABEL RICHARDSON

● Mr. SMITH. Mr. President, I rise today to pay tribute to Mabel Richardson, a truly dedicated and respected New Hampshire public servant who passed away this week. Mabel, who was known to many as the Mountain Lady and the Grand Ol' Lady, served as a Republican lawmaker in the New Hampshire House of Representatives for 34 years. She was a role model for me and many other New Hampshire elected officials.

While Mabel may no longer be with us, she has left behind remarkable political legacy. From 1946 to 1980, she served as a State representative, was a strong advocate of public education and helped establish the New Hampshire Vocational-Technical College in Berlin. She was also a delegate to the National Republican Convention in the 1970's and was Chairman of the Order of Women Legislators and the State Republican Party. On her 90th birthday in 1986, then-Governor, John Sununu, read a proclamation of appreciation for her 34 years as a representative, and 4 years later then-Governor, Judd Gregg, named her Republican of the Year. She retired from politics when she was 83 years old.

Mabel lived a long, happy life of 99 years. She was born in Randolph, NH, raised on a farm and educated in a one-room schoolhouse. In 1960, she and her husband Herbert Randall Richardson became directors of the Odd Fellows' Old Folks Home in Concord, and before that they managed the Androscoggin Valley Country Club.

Many people in New Hampshire called Mabel the Mountain Lady because of her love of the White Mountains, where she had led many mountain climbs while working with the youth extension program.

I am amazed at the stamina and energy this lady had even in the later years of her life. As a representative in the New Hampshire Legislature, she was devoted to improving the lives of New Hampshire citizens. Undoubtedly, she will be missed by the many people who were touched by her devotion and hard work. I have always admired this woman, who gave so much to her State. She was truly a New Hampshire landmark, and her memory will live on—as solid as the White Mountains that she loved for her century-long life.●

THE 15TH ANNUAL PEACE OFFICERS' MEMORIAL DAY

● Mr. STEVENS. Mr. President, this week is National Peace Officers' Week, and the 15th Annual Peace Officers' Memorial Service is occurring today on the West Front of the Capitol.

We Americans go about our daily routines with the comfort that we can do so safety. We tend to forget that this comfort is the result of the efforts of thousands of dedicated peace officers around the country who are working to protect us from crime 24 hours a day.

While we are resting comfortably at home in the twilight hours of early morning, many peace officers are protecting our neighborhoods, patrolling our streets, and often putting themselves in harm's way. Their efforts are not without sacrifices. Police work does not always lend itself to family schedules. There are times when the children's weekend soccer matches are missed, when dinner is enjoyed in a patrol car, and when officers do not have the opportunity to tuck their children into bed. And, there is always the lingering anxiety of the spouse, worrying if tragedy will strike.

Mr. President, I am a cosponsor of Senator KEMPTHORNE's Senate Resolution 251, a resolution commemorating and acknowledging the dedication and sacrifices of the men and women who have lost their lives while serving as law enforcement officers.

A preliminary report of the National Association of Police Chiefs noted that 145 law officers died in the line of duty in 1995, including 13 in the Oklahoma City bombing.

While I am pleased to report that Alaska did not lose any peace officers in 1995, Alaska has lost 28 peace officers in the line of duty since statehood.

Today, we honor the memory of all fallen peace officers, and grieve for their families. In particular, I honor the memory of the 28 Alaskans who paid the ultimate price.

I will read the names of those 28 Alaskan peace officers and ask that their names be inserted in the RECORD of today's Senate proceedings. They are: Doris Wayne Barber, Earl Ray Hoggard, Dennis Finbar Cronin, Harry Edward Kier, Jimmy Earl Kennedy, Louie Gordon Mizelle, Ignatius John Charlie, Donald Thomas Dull, Karl William Reishus, Benjamin Franklin

Strong, Thomas Charles Dillon, Johnathon Paul Flora, Richard James Adair, Troy Lynn Duncan, Roland Edgar Chevalier, Jr., David Cameron Harris, Anthony Crawford Jones, Kenneth Grant Nauska, Gary George Wohfiel, Frank Stuart Rodman, Larry Robert Carr, John David Stimson, Gordon Brewster Bartel, Harry Biddington Hanson, Jr., Ronald Eugene Zimin, Robert Lee Bittick, Leroy Garvin Bohuslov, and Claude Everett Swackhammer.

Mr. President, in closing I bring to the attention of my colleagues the Blue Ribbon Campaign organized by Concerns of Police Survivors, Inc., also known as COPS.

Blue ribbons are being flown this week from patrol antennas nationwide to ask communities to support law enforcement, and to remember those officers who have given their lives in the line of duty. You can see them flying proudly from our Capitol Hill Police patrol cars.

In keeping with this sign of support and remembrance, I urge all Alaskans to fly blue ribbons from their car antennas this week.●

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on today's executive calendar: All nominations placed on the Secretary's desk in the Air Force, Army, Marine Corps, and Navy.

I further ask unanimous consent that the nominations be confirmed, en bloc, the motions to reconsider be laid upon the table, en bloc, that any statements relating to the nominations appear at the appropriate place in the RECORD, the President be immediately notified of the Senate's action, and that the Senate then return to legislative session.

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

The nominations were considered and confirmed, en bloc, as follows:

IN THE AIR FORCE, ARMY, MARINE CORPS, NAVY

Air Force nominations beginning Brian H. Benedict, and ending Daniel K. Roberts, which nominations were received by the Senate and appeared in the Congressional Record of March 20, 1996

Air Force nominations beginning Michael G. Colangelo, and ending John J. Barlettano, which nominations were received by the Senate and appeared in the Congressional Record of March 20, 1996

Army nominations beginning Ralph G. Benson, and ending Jesse L. Thornton, which nominations were received by the Senate and appeared in the Congressional Record of February 1, 1996

Army nominations beginning Wesley S. Ashton, and ending Valerie E. Holmes, which nominations were received by the Senate and appeared in the Congressional Record of March 26, 1996

Army nominations beginning Andre B. Abadie, and ending Steven Paul Zynda, which nominations were received by the Senate and appeared in the Congressional Record of March 26, 1996

Army nomination of Mark H. Lauber, which was received by the Senate and appeared in the Congressional Record of April 15, 1996

Army nominations beginning Jeffery Dootson, and ending Jon E. Schiff, which nominations were received by the Senate and appeared in the Congressional Record of April 15, 1996

Army nominations beginning Daniel Bolas, and ending Paul S. Darby, which nominations were received by the Senate and appeared in the Congressional Record of April 15, 1996

Army nominations beginning Richard R. Eckert, and ending Robert S. Knapp, which nominations were received by the Senate and appeared in the Congressional Record of April 15, 1996

Army nominations beginning Ernest R. Adkins, and ending James C. Robertson, Jr., which nominations were received by the Senate and appeared in the Congressional Record of April 15, 1996

Army nominations beginning *Raymond A. Constabile, and ending Neil W. Ahle, which nominations were received by the Senate and appeared in the Congressional Record of April 15, 1996

Army nominations beginning *William E. Ackerman, and ending *Myrna E. Zapata, which nominations were received by the Senate and appeared in the Congressional Record of April 15, 1996

Marine Corps nominations beginning Michael C. Albano, and ending Richard C. Zilmer, which nominations were received by the Senate and appeared in the Congressional Record of March 20, 1996.

Marine Corps nominations beginning William S. Aitken, and ending Douglas P. Yurovich, which nominations were received by the Senate and appeared in the Congressional Record of March 20, 1996.

Marine Corps nominations beginning Joel H. Berry III, and ending Wayne R. Steele, which nominations were received by the Senate and appeared in the Congressional Record of April 15, 1996.

Marine Corps nominations beginning Craig R. Abele, and ending Paul E. Zambelli, which nominations were received by the Senate and appeared in the Congressional Record of May 9, 1996.

Marine Corps nominations beginning Carlton W. Adams, and ending Donald C. Prograis, which nominations were received by the Senate and appeared in the Congressional Record of May 9, 1996.

Navy nominations beginning David L. Aamodt, and ending Schon M. Zwakman, which nominations were received by the Senate and appeared in the Congressional Record of April 15, 1996.

LEGISLATIVE SESSION

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

AMENDING THE NATIONAL SCHOOL LUNCH ACT

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 2066, just received from the House.

The PRESIDING OFFICER. The clerk will state the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 2066) to amend the National School Lunch Act to provide greater flexibility to schools to meet the dietary guidelines for Americans under the school lunch and school breakfast programs.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. LUGAR. Mr. President, the bill before us today amends the National School Lunch Act to provide greater flexibility to school food service authorities to meet the USDA dietary guidelines for Americans. It is a positive step in providing healthy meals for our Nation's school children.

As I have stated on numerous occasions, the National School Lunch and Breakfast Programs work. School food service authorities have worked for nearly 50 years feeding millions of children each school day healthy meals. In recent years they have worked even harder to reduce the fat and sodium in the meals. I support these changes made by school food authorities to improve the nutritional profile of school meals; and I believe it is important to provide them adequate flexibility to serve meals that meet the USDA dietary guidelines for Americans and the recommended dietary allowances.

The purpose of the bill, which is similar to one introduced by the distinguished Senator from Mississippi, Senator COCHRAN, is not to delete or postpone the implementation of the dietary guidelines as contained in the Healthy Meals for Healthy Americans Act of 1994. It is, however, to provide needed flexibility and clarity to meet these requirements in a cost efficient manner. Guidelines issued by the Department of Agriculture to assist schools in meeting nutrition requirements should reflect the intent of the bill and should not require intensive paperwork or sophisticated nutrient analysis of meals prior to food service.

The U.S. Department of Agriculture recently issued a policy statement revising the instructions for crediting grains and breads in the National School Lunch Program. The policy statement is complicated and potentially costly to schools. While I support the philosophy of the Department to assist schools in meeting the dietary guidelines, I question the need for such an explicit policy statement. It is my hope that this legislation, along with assistance from the Department of Agriculture, will help school food service authorities serve meals that meet the nutritional requirements and children will eat.

This legislation has strong support from the Indiana School Food Service Association and the American School Food Service Association. It is also supported by the Clinton administration.

I urge Senators to support the bill.

Mr. COCHRAN. Mr. President, today the Senate is considering H.R. 2066, a bill that is virtually the same as S.

1613, which I introduced in the Senate earlier this year.

The purpose of this legislation is to amend the National School Lunch Act to provide greater flexibility to schools to meet the dietary guidelines for Americans contained in Public Law 103–448, the Healthy Meals for Healthy Americans Act of 1994. This bill does not postpone or reduce in any way the statutory requirement that schools have to meet these dietary guidelines.

The National School Lunch Program currently operates in over 92,000 schools and serves approximately 26 million children each day. In my State of Mississippi approximately 7 out of 10 children participate in the School Lunch Program.

The Secretary should take measures to ensure accountability, but should ensure those measures do not reduce the flexibility in this bill. It is not the intent of this bill for the Secretary to require school food authorities to provide detailed information about recipes, menus, nutrients, or nutrient analyses in order to receive approval to use a menu-planning method other than the three prescribed by USDA. Limitations on staff time and resources could make it extremely difficult for many school food authorities to provide such information. Schools that desire to use the 1994–95 food-based meal policies are entitled to do so under this legislation without preapproval. This legislation will also allow schools to consider local and regional preferences when preparing meals.

This bill has received wide support from school representatives at both the local and national level and from the administration. Earlier this week the other body passed this bill by unanimous consent. I urge my colleagues to support this legislation.

Mr. MCCONNELL. Mr. President, I rise in support of H.R. 2066, which is identical to S. 1613, a bill which I cosponsored. The purpose of this legislation is to provide commonsense flexibility to schools in meeting the statutory requirement of serving meals that meet the dietary guidelines for Americans under the school lunch and breakfast programs.

The dietary guidelines for Americans were first issued jointly by the Department of Agriculture and the Department of Health and Human Services in 1980, and have been revised several times since to reflect developments in scientific opinion. They present reasonable suggestions for how healthy Americans should eat to help them stay healthy. Congress has required that the school lunch and breakfast programs meet standards outlined in the dietary guidelines beginning with the 1996–97 school year.

Local school food service personnel have been working hard to improve the nutritional quality of school meals so that the dietary guidelines would be met. Good progress has been underway in virtually all schools, and many schools have met the dietary guidelines for a number of years using the existing food-based meal pattern. Unfortunately, recent regulatory efforts by the Department of Agriculture seem to have been undertaken with such good-intentioned zeal that local school food service personnel found themselves being micromanaged from Washington. Mr. President, there are relatively few things that work out well when mandated in detail from Washington and then implemented without reasonable discretion across the country. In school lunches and breakfasts, that is a recipe for disaster.

This legislation makes crystal clear that the regulations, policies, and guidelines in effect in 1994–95 school year are to be available to schools as one of the reasonable means of meeting the dietary guidelines. This legislation reaches beyond the regulations to the informal policy guidance documents. For example, the Department of Agriculture has issued a new policy regarding bread serving sizes that could have been issued under the 1994–95 food plan regulations, but was not. This new policy specifies, among other things, various sizes for muffins that must be served to meet the new policy. The sizes depend on the ingredients, and in some cases, the size of muffins would have to double. This legislation provides that the previous bread policy is available to schools in serving a food-based menu plan. This legislation is not to be construed as permitting new mandates or overly-clever interpretations in informal policy statements with the effect of defeating flexibility for local schools. This is just the sort of micromanagement from Washington our schools do not need.

Mr. President, I know and appreciate the work of school food service personnel. They work day in and day out to provide the best possible meals for the children of their school. Often, they are preparing meals for their own children. The Department of Agriculture should not again lose sight of that commitment by local school personnel. Instead of detailed mandates that prove to be unworkable, USDA should strive to work with the local food service personnel who feed our children each school day.

Mr. FRIST. Mr. President, I ask unanimous consent that the bill be deemed read the third time, passed, the motion to reconsider be laid upon the table, and any statements relating to the bill appear at the appropriate place in the RECORD.

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

The bill (H.R. 2066) was deemed read the third time, and passed.

PUBLIC BUILDINGS REFORM ACT OF 1996

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of calendar No. 334, S. 1005.

The PRESIDING OFFICER. The clerk will state the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 1005) to amend the Public Buildings Act of 1959 to improve the process of constructing, altering, purchasing, and acquiring public buildings, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Environment and Public Works, with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Public Buildings Reform Act of 1995''.

SEC. 2. SITE SELECTION.

Section 5 of the Public Buildings Act of 1959 (40 U.S.C. 604) is amended by adding at the end the following:

''(d) CONSIDERATION OF COSTS.—In selecting a site for a project to construct, alter, or acquire a public building, or to lease office or any other type of space, under this Act, the Administrator shall consider the impact of the selection of a particular site on the cost and space efficiency of the project.''.

SEC. 3. CONGRESSIONAL OVERSIGHT OF PUBLIC BUILDINGS PROJECTS.

(a) IN GENERAL.—Section 7 of the Public Buildings Act of 1959 (40 U.S.C. 606) is amended—

(1) in subsection (a)—

(A) by striking the last sentence;

(B) in the first sentence, by striking ''In order'' and inserting the following:

''(2) PREREQUISITES TO OBLIGATION OF FUNDS.—

''(B) APPROVAL REQUIREMENTS.—

''(i) CONSTRUCTION, ALTERATION, AND ACQUISITION.—In order'';

(C) in the second sentence, by striking ''No'' and inserting the following:

''(ii) LEASE.—No'';

(D) in the third sentence, by striking ''No'' and inserting the following:

''(iii) ALTERATION.—No'';

(E) by striking ''SEC. 7. (a)'' and inserting the following:

''SEC. 7. SUBMISSION AND APPROVAL OF PROPOSED PROJECTS.

''(a) IN GENERAL.—

''(1) PUBLIC BUILDINGS PLAN.—

''(A) IN GENERAL.—Not later than 15 days after the President submits to Congress the budget of the United States Government under section 1105 of title 31, United States Code, the Administrator shall submit to Congress a public buildings plan (referred to in this subsection as the 'triennial plan') for the first 3 fiscal years that begin after the date of submission. The triennial plan shall specify such projects for which approval is required under paragraph (2)(B) relating to the construction, alteration, or acquisition of public buildings, or the lease of office or any other type of space, as the Administrator determines are necessary to carry out the duties of the Administrator under this Act or any other law.

''(B) CONTENTS.—The triennial plan shall include—

''(i) a 5-year strategic management plan for capital assets under the control of the Administrator that—

''(I) provides for accommodating the office space and other public building needs of the Federal Government; and

''(II) is based on procurement mechanisms that allow the Administrator to take advantage

of fluctuations in market forces affecting building construction and availability;

''(ii) a list—

''(I) in order of priority, of each construction or acquisition (excluding lease) project described in subparagraph (A) for which an authorization of appropriations is—

''(aa) requested for the first of the 3 fiscal years of the triennial plan referred to in subparagraph (A) (referred to in this paragraph as the 'first year');

''(bb) expected to be requested for the second of the 3 fiscal years of the triennial plan referred to in subparagraph (A) (referred to in this paragraph as the 'second year'); or

''(cc) expected to be requested for the third of the 3 fiscal years of the triennial plan referred to in subparagraph (A) (referred to in this paragraph as the 'third year'); and

''(II) that includes a description of each such project and the number of square feet of space planned for each such project;

''(iii) a list of each lease or lease renewal described in subparagraph (A) for which an authorization of appropriations is—

''(I) requested for the first year; or

''(II) expected to be requested for the second year or third year;

''(iv) a list, in order of priority, of each planned repair or alteration project described in subparagraph (A) for which an authorization of appropriations is—

''(I) requested for the first year; or

''(II) expected to be requested for the second year or third year;

''(v) an explanation of the basis for each order of priority specified under clauses (ii) and (iv);

''(vi) the estimated annual and total cost of each project requested in the triennial plan;

''(vii) a list of each public building planned to be wholly vacated, to be exchanged for other property, or to be disposed of during the period covered by the triennial plan; and

''(viii) requests for authorizations of appropriations necessary to carry out projects listed in the triennial plan for the first year.

''(C) PRESENTATION OF INFORMATION IN PLAN.—

''(i) FIRST YEAR.—In the case of a project for which the Administrator has requested an authorization of appropriations for the first year, information required to be included in the triennial plan under subparagraph (B) shall be presented in the form of a prospectus that meets the requirements of paragraph (2)(C).

''(ii) SECOND YEAR AND THIRD YEAR.—

''(I) IN GENERAL.—In the case of a project for which the Administrator expects to request an authorization of appropriations for the second year or third year, information required to be included in the triennial plan under subparagraph (B) shall be presented in the form of a project description.

''(II) GOOD FAITH ESTIMATES.—

''(aa) IN GENERAL.—Each reference to cost, price, or any other dollar amount contained in a project description referred to in subclause (I) shall be considered to be a good faith estimate by the Administrator.

''(bb) EFFECT.—A good faith estimate referred to in item (aa) shall not bind the Administrator with respect to a request for appropriation of funds for a fiscal year other than a fiscal year for which an authorization of appropriations for the project is requested in the triennial plan.

''(cc) EXPLANATION OF DEVIATION FROM ESTIMATE.—If the request for an authorization of appropriations contained in the prospectus for a project submitted under paragraph (2)(C) is different from a good faith estimate for the project referred to in item (aa), the prospectus shall include an explanation of the difference.

''(D) REINCLUSION OF PROJECTS IN PLANS.—If a project included in a triennial plan is not approved in accordance with this subsection, or if funds are not made available to carry out a project, the Administrator may include the project in a subsequent triennial plan submitted under this subsection.'';

(F) in paragraph (2) (as designated by subparagraph (B))—

(i) by inserting after ''(2) PREREQUISITES TO OBLIGATION OF FUNDS.—'' the following:

''(A) IN GENERAL.—Notwithstanding any other provision of law, the Administrator may not obligate funds that are made available for any project for which approval is required under subparagraph (B) unless—

''(i) the project was included in the triennial plan for the fiscal year; and

''(ii) a prospectus for the project was submitted to Congress and approved in accordance with this paragraph.''; and

(ii) by adding at the end the following:

''(C) PROSPECTUSES.—For the purpose of obtaining approval of a proposed project described in the triennial plan, the Administrator shall submit to Congress a prospectus for the project that includes—

''(i) a brief description of the public building to be constructed, altered, or acquired, or the space to be leased, under this Act;

''(ii) the location of the building to be constructed, altered, or acquired, or the space to be leased, and an estimate of the maximum cost, based on the predominant local office space measurement system (as determined by the Administrator), to the United States of the construction, alteration, or acquisition of the building, or lease of the space;

''(iii) in the case of a project for the construction of a courthouse or other public building consisting solely of general purpose office space, the cost benchmark for the project determined under subsection (d); and

''(iv) in the case of a project relating to a courthouse—

''(I) as of the date of submission of the prospectus, the number of—

''(aa) Federal judges for whom the project is to be carried out; and

''(bb) courtrooms available for the judges;

''(II) the projected number of Federal judges and courtrooms to be accommodated by the project at the end of the 10-year period beginning on the date;

''(III) a justification for the projection under subclause (II) (including a specification of the number of authorized positions, and the number of judges in senior status, to be accommodated);

''(IV) the year in which the courthouse in use as of the date of submission of the prospectus reached maximum capacity by housing only courts and court-related agencies;

''(V) the level of security risk at the courthouse in use as of the date of submission of the prospectus, as determined by the Director of the Administrative Office of the United States Courts; and

''(VI) the termination date of any lease, in effect as of the date of submission of the prospectus, of space to carry out a court-related activity that will be affected by the project.''; and

(G) by adding at the end the following:

''(3) EMERGENCY AUTHORITY.—

''(A) OVERRIDING INTEREST.—If the Administrator, in consultation with the Commissioner of the Public Buildings Service, determines that an overriding interest requires emergency authority to construct, alter, or acquire a public building, or lease office or storage space, and that the authority cannot be obtained in a timely manner through the triennial planning process required under paragraph (1), the Administrator may submit a written request for the authority to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives. The Administrator may carry out the project for which authority was requested under the preceding sentence if the project is approved in the manner described in paragraph (2)(B).

''(B) DECLARED EMERGENCIES.—

''(i) LEASE AUTHORITY.—Notwithstanding any other provision of this section, the Administrator may enter into an emergency lease during any period of emergency declared by the President pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) or any other law, or declared by any Federal agency pursuant to any applicable law, except that no such emergency lease shall be for a period of more than 5 years.

''(ii) REPORTING.—As part of each triennial plan, the Administrator shall describe any emergency lease for which a prospectus is required under paragraph (2) that was entered into by the Administrator under clause (i) during the preceding fiscal year.'';

(2) in subsection (b)—

(A) by striking ''(b) The'' and inserting the following:

''(b) INCREASES IN COSTS OF PROJECTS.—

''(1) INCREASE OF 10 PERCENT OR LESS.—The''; and

(B) by adding at the end the following:

''(2) GREATER INCREASES.—If the Administrator increases the estimated maximum cost of a project in an amount greater than the increase authorized by paragraph (1), the Administrator shall, not later than 30 days after the date of the increase, notify the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives of the amount of, and reasons for, the increase.'';

(3) in subsection (c), by striking ''(c) In the case'' and inserting the following:

''(c) RESCISSION OF APPROVAL.—In the case''; and

(4) by striking subsection (d) and inserting the following:

''(d) DEVELOPMENT OF COST BENCHMARKS.—

''(1) IN GENERAL.—The Administrator shall develop standard cost benchmarks for projects for the construction of courthouses, and other public buildings consisting solely of general purpose office space, for which a prospectus is required under subsection (a)(2). The benchmarks shall consist of the appropriate cost per square foot for low-rise, mid-rise, and high-rise projects subject to the various factors determined under paragraph (2).

''(2) FACTORS.—In developing the benchmarks, the Administrator shall consider such factors as geographic location (including the necessary extent of seismic structural supports), the tenant agency, and necessary parking facilities, and such other factors as the Administrator considers appropriate.''.

(b) REPORTS TO CONGRESS.—Section 11 of the Public Buildings Act of 1959 (40 U.S.C. 610) is amended—

(1) by striking ''SEC. 11. (a) Upon'' and inserting the following:

''SEC. 11. REPORTS TO CONGRESS.

''(a) REPORTS ON UNCOMPLETED PROJECTS.—Upon''; and

(2) in subsection (b)—

(A) by striking ''(b) The Administrator'' and inserting the following:

''(b) BUILDING PROJECT SURVEYS AND REPORTS.—

''(1) IN GENERAL.—The Administrator'';

(B) in the second sentence of paragraph (1) (as so designated), by inserting before the period at the end the following: '', and shall specify whether the project is included in a 5-year strategic capital asset management plan required under section 7(a)(1)(B)(i) or a prioritized list required under section 7(a)(1)(B)''; and

(C) by adding at the end the following:

''(2) INCLUSION OF REQUESTED BUILDING PROJECTS IN TRIENNIAL PLAN.—The Administrator may include a prospectus for the funding of a public building project for which a report is submitted under paragraph (1) in a triennial public buildings plan required under section 7(a)(1).''.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) Section 7 of the Act (40 U.S.C. 606) is amended by striking ''Committee on Public

Works and Transportation'' each place it appears and inserting ''Committee on Transportation and Infrastructure''.

(2) Section 11(b)(1) of the Act (as amended by subsection (b)(2)) is further amended by striking ''Committee on Public Works and Transportation'' and inserting ''Committee on Transportation and Infrastructure''.

SEC. 4. FEDERAL GOVERNMENT ASSET MANAGEMENT.

Section 12 of the Public Buildings Act of 1959 (40 U.S.C. 611) is amended—

(1) by striking ''SEC. 12. (a) The Administrator'' and inserting the following:

''SEC. 12. FEDERAL GOVERNMENT ASSET MANAGEMENT.

''(a) DUTIES OF ADMINISTRATOR.—

''(1) IN GENERAL.—The Administrator'';

(2) in subsection (a), by adding at the end the following:

''(2) REPOSITORY FOR ASSET MANAGEMENT INFORMATION.—The Administrator shall use the results of the continuing investigation and survey required under paragraph (1) to establish a central repository for the asset management information of the Federal Government.'';

(3) in subsection (b)—

(A) by striking ''(b) In carrying'' and inserting the following:

''(b) COOPERATION AMONG FEDERAL AGENCIES.—

''(1) BY THE ADMINISTRATOR.—In carrying'';

(B) by striking ''Each Federal'' and inserting the following:

''(2) BY THE AGENCIES.—Each Federal''; and

(C) by adding at the end the following:

''(3) IDENTIFICATION AND DISPOSITION OF UNNEEDED REAL PROPERTY.—

''(A) IDENTIFICATION.—Each Federal agency shall—

''(i) identify real property that is or will become unneeded, obsolete, or underutilized during the 5-year period beginning on the date of the identification; and

''(ii) annually report the information on the real property described in clause (i) to the Administrator.

''(B) DISPOSITION.—The Administrator shall analyze more cost-effective uses for the real property identified under subparagraph (A) and make recommendations to the Federal agency concerning the more cost-effective uses.'';

(4) in subsection (c), by striking ''(c) Whenever'' and inserting the following:

''(c) IDENTIFICATION OF BUILDINGS OF HISTORIC, ARCHITECTURAL, AND CULTURAL SIGNIFICANCE.—Whenever''; and

(5) in subsection (d), by striking ''(d) The Administrator'' and inserting the following:

''(d) REGARD TO COMPARATIVE URGENCY OF NEED.—The Administrator''.

SEC. 5. ADDRESSING LONG-TERM GOVERNMENT HOUSING NEEDS.

(a) REPORT ON LONG-TERM HOUSING NEEDS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act and the end of each 2-year period thereafter, the head of each Federal agency (as defined in section 13(3) of the Public Buildings Act of 1959 (40 U.S.C. 612(3))) shall review and report to the Administrator of General Services (referred to in this Act as the ''Administrator'') on the long-term housing needs of the agency. The Administrator shall consolidate the agency reports and submit a consolidated report to Congress.

(2) ASSISTANCE AND UNIFORM STANDARDS.—The Administrator shall—

(A) assist each agency in carrying out the review required under paragraph (1); and

(B) prepare uniform standards for housing needs for—

(i) executive agencies (as defined in section 13(4) of the Public Buildings Act of 1959 (40 U.S.C. 612(4))); and

(ii) establishments in the judicial branch of the Federal Government.

(b) REDUCTION IN AGGREGATE OFFICE AND STORAGE SPACE.—By the end of the third fiscal year that begins after the date of enactment of this Act, the Federal agencies referred to in subsection (a)(1) shall, to the maximum extent practicable, collectively reduce by not less than 10 percent the aggregate office and storage space used by the agencies (regardless of whether the space is leased or owned) on the date of enactment of this Act.

SEC. 6. DESIGN GUIDES AND STANDARDS FOR COURT ACCOMMODATIONS.

(a) REPORT.—Not later than 60 days after the date of enactment of this Act, the Administrator, in consultation with the Director of the Administrative Office of the United States Courts, shall submit a report to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that specifies the characteristics of court accommodations that are essential to the provision of due process of law and the safe, fair, and efficient administration of justice by the Federal court system.

(b) DESIGN GUIDES AND STANDARDS.—

(1) DEVELOPMENT.—Not later than 180 days after the date of enactment of this Act, the Administrator, in consultation with the Director of the Administrative Office of the United States Courts and after notice and opportunity for comment, shall develop design guides and standards for Federal court accommodations based on the report submitted under subsection (a). In developing the design guides and standards, the Administrator shall consider space efficiency and the appropriate standards for furnishings.

(2) USE.—Notwithstanding section 462 of title 28, United States Code, the design guides and standards developed under paragraph (1) shall be used in the design of court accommodations.

SEC. 7. DESIGN OF FEDERAL COURTHOUSES.

The Act entitled ''An Act establishing a Commission on Fine Arts'', approved May 17, 1910 (36 Stat. 371, chapter 243; 40 U.S.C. 104), is amended by inserting after the second sentence the following: ''It shall be the duty of the commission, not later than 60 days after submission of a conceptual design to the commission for a Federal courthouse at any place in the United States, to provide advice on the design, including an evaluation of the ability of the design to express the dignity, enterprise, vigor, and stability of the American Government appropriately and within the accepted standards of courthouse design.''.

Mr. BAUCUS. Mr. President, today the Senate is considering my bill, the Public Buildings Reform Act. Let me start by expressing my thanks to the Chairman of the Environment and Public Works Committee, Senator Chafee, and the Chairman of the relevant Subcommittee, Senator Warner, for their support of this bill.

Mr. President, the Public Buildings Reform Act will go a long way to helping Congress make wise decisions on public buildings construction. It will help Congress achieve some discipline with respect to the cost of new federal buildings and courthouses. Specifically, the bill will bring some sanity to the courthouse construction program.

I have been working on the courthouse construction program for quite some time. And the more I have learned about the program, the more concerned I have become. It is very important that we reform the courthouse construction program and this bill will do that.

Why? Because the budget requests for new courthouses get larger and larger each year. Let me give examples from the last five years of budget requests—in FY 1993, the courthouse construction program request was $132 million or 22 percent of the GSA budget request; in FY 1994, the courthouse construction program request was $566 million or 76 percent of GSA's budget request; in FY 1995, courthouse requests were $419 million or 87 percent; in FY 1996, courthouse requests were $639 million or 63 percent and this year, FY 1997, courthouse requests are $632 million or 88 percent.

Mr. President, this is a lot of money. And we need to spend it wisely and only on those courthouse projects that are truly needed.

The Public Buildings Reform Act will help us do just that. It accomplishes two major goals—prioritization of courthouse projects; and gaining control of the Courthouse construction Design Guide.

Let me briefly summarize the major provisions of the bill.

First, the bill will require the General Services Administration (GSA) each year to submit a three-year plan to Congress. This triennial plan will prioritize courthouse and non-courthouse projects.

The first year of the three-year plan will contain the projects requested for authorization or appropriation. The second and third years of the three-year plan will be informational lists of projects expected to be requested in the future. Each year, the projects must be listed in a priority order.

All of this information will help Congress determine which projects are truly necessary—which is more important than ever as we work to balance the federal budget. As part of the three-year plan, GSA must also submit a five-year strategic capital asset management plan—which is a long-term plan of projects.

GAO has stated that the lack of long-term planning has created a situation where ''absent this information, Congress has little practical choice but to consider projects individually. And since there is no articulated rationale or justification in a long-term strategic context for GSA's proposed projects, other projects can seem just as defensible.''

Now I must tell the Senate that this year, the Administrative Office of the Courts has heard our calls for a prioritized list of courthouses. And they submitted a list of projects to the Environment and Public Works Committee. This is a good step and I commend the Courts. But this bill will take us the next logical step and give Congress a preview of impending projects.

In addition to the priority list, the bill will require GSA to submit additional information to the Environment and Public Works Committee to justify project requests. For courthouse projects, this will include the projected number of judges to be housed in the new courthouse; the year when the current courthouse met or will meet its maximum capacity; the level of security risk at the current courthouse;

and the expiration date of any current leases housing the courts. This information will enable the Environment and Public Works Committee and the Congress to do a better job in assessing the need for new courthouses.

Finally, and perhaps most importantly, the bill will solve what I see as a major problem with the courthouse construction program. That is, the standards for courthouse design seem to be ever changing. And, of course, the changes always seem to lead to more expensive projects, not cheaper ones.

To fix that problem, this bill will require GSA, along with the Courts, to rewrite the courthouse construction Design Guide and develop fair, responsible standards for courthouse construction. GSA then will be in charge of making sure that all courthouses constructed in this country do not deviate from the standards contained in the Design Guide.

Why should this be done? One reason was cited by the GSA Inspector General in a report issued on September 27, 1995. The report said the ''Courts Design Guide is a document which provides specifications, requirements, and standards for constructing and outfitting courthouses. It has evolved over the years and has produced larger, more grandly appointed courtrooms and chambers. As a result, costs related to implementing the design standards written by and interpreted by the Courts have escalated. The language and requirements in the Courts Design Guide help explain some of the perceived excesses in new courthouse projects.''

This does not mean courthouses will be drab—they will continue to be appropriate to the dignity of the Courts. But they will not be palaces. It means that we will have an effective checks and balances on the design of courthouses.

Mr. President, it is important for judges to understand that this is not their money. It is the taxpayers money. And the taxpayers demand and deserve to know that their tax dollars are not being thrown away on extravagances like marble floors and brass doorknobs.

In Montana, our judges do not have palatial courthouses. In fact, many of our judges are not even housed in a federally-owned courthouse—they are in leased space. But they are able to provide due process of the law without these extras.

As Congress looks to make deep cuts in many important social and domestic programs, it is only fair that we make sure that tax dollars are not needlessly wasted in the construction of federal buildings.

Again, Mr. President, I thank Senators CHAFEE and WARNER for their support of this bill.

Mr. CHAFEE. Mr. President, today the Senate will consider S. 1005, the Public Building Reform Act of 1996. This legislation, which will improve the way we construct, acquire and lease public buildings, was introduced on June 29, 1995. It is cosponsored by Senators Warner and Baucus, the chairman and ranking member of the Committee on Environment and Public Works Subcommittee on Transportation and Infrastructure. The full committee approved S. 1005, with amendments, on December 19, 1995.

Before I go on, Mr. President, I would like to recognize the efforts of Senator BAUCUS and Senator WARNER. They have worked together over the last year on the Transportation and Infrastructure Subcommittee to shape this important and necessary set of reforms.

As I will discuss further in my remarks today, the issue of Federal building and courthouse construction has received a tremendous amount of critical commentary in the media and here on Capitol Hill. I believe that S. 1005 responds to the important problems in a thoughtful and measured way.

Over the last three to four years, we have witnessed an endless stream of General Accounting Office (GAO) reports, newspaper stories and congressional investigations citing excessive General Services Administration (GSA) spending for Federal building projects.

These reports and investigations have discussed management failures at GSA, insufficient project prioritization, the inclusion of unneeded and ''luxurious'' facility features, and inappropriate congressional influence upon the selection of projects as causes for wasteful and excessive spending. The courthouse construction projects, in particular, have been a source of great controversy.

Members of the Committee on Environment and Public Works have worked hard over the last three years, in particular to reform the public buildings process and to achieve significant taxpayer savings. Some here might recall that in the fiscal year 1996 Concurrent Resolution on the Budget, the Congress called for a 30 percent reduction in new construction funding at GSA over seven years.

Last year, in the first year of the seven-year period, we achieved that budget goal, The Committee cut a number of new construction projects and authorized less than 70 percent of the $1.022 billion requested by the administration. The Committee has recently received and is reviewing the administration's fiscal year 1997 budget request. Like last year, we will be looking to authorize an overall funding level that is significantly below the levels authorized in previous years.

While thorough review of the annual project requests must and will continue, there is also the need for fundamental reform of the process by which these new construction projects are identified, designed, submitted to the Congress, authorized and finally approved for funding. We believe that the reforms contained in S. 1005 will: improve the quality of the projects submitted for congressional approval; improve and enhance congressional oversight; and ultimately, save the taxpayers millions of dollars.

The bill addresses four major issues. The first issue is priority-setting. As I stated previously, the fiscal year 1996 Budget Resolution called for a 30 percent reduction in GSA construction funding over seven years.

To achieve this target in a reasonable fashion, we must be aware of what GSA and its tenant agencies consider to be the top priorities. S. 1005 requires a clear prioritization of all GSA projects submitted to the Congress for approval. With regard to courthouse projects, I might note that the Judiciary and GSA have already begun to comply with this important requirement.

Next is the issue of long-range planning. The idea here is to know, in advance, what projects are likely to be requested in future years. Our experience has been that too many worthwhile projects—which have gone through all of the steps—get bumped out of GSA's annual request to accommodate other projects which are politically driven.

This legislation requires GSA to submit to Congress—as part of its annual authorization requests—a list of the projects it intends to request for the subsequent two years. This way, the Congress will be able to identify and plainly judge the merit of projects which might have been ''hurried through the process.''

The third major issue addressed by the bill is the need for specific information on project requests. If GSA is to establish project rankings or ''priorities'' under this bill, they must do so after following a sensible set of criteria. When did the project reach its maximum space capacity? Are there time-sensitive lease circumstances associated with the project request?

In the case of courthouse projects; how many judgeships are authorized and what is the appropriate number of courtrooms? Or, what is the security situation? The bill requires that all of this essential information be included in the prospectuses sent to Congress.

Again, with respect to courthouses, this legislation addresses the issue of design standards. While the Congress cannot and should not dictate the exact parameters of courtroom ceiling heights and judges' chambers—I am convinced that we need a consistent set of guidelines or standards. The bill before us establishes a partnership between GSA and the Judiciary on design guidelines. It is my hope that these two entities can work together to establish design guidelines which will put an end to the controversy that has followed some of these projects.

In closing, Mr. President, let me say that I am glad to be a part of this reform effort and wish to again commend Senators BAUCUS and WARNER for their leadership. I strongly urge my colleagues to support this sensible reform measure.

AMENDMENT NO. 3983

(Purpose: To make a technical correction.)

Mr. FRIST. Mr. President, I send an amendment to the desk on behalf of Senator BAUCUS and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Tennessee [Mr. FRIST], for Mr. BAUCUS, proposes an amendment numbered 3983.

Mr. FRIST. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 21, line 3, strike ''1995'' and insert ''1996''.

Mr. FRIST. Mr. President, I ask unanimous consent that the amendment be agreed to, the committee amendment be agreed to, the bill, as amended, be deemed read the third time, and passed, the title be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the bill be placed at the appropriate place in the RECORD.

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

The amendment (No. 3983) was agreed to.

The committee amendment was agreed to.

The bill (S. 1005), as amended, was deemed read the third time, and passed, as follows:

S. 1005

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 ''Public Buildings Reform Act of 1996''.

SEC. 2. SITE SELECTION.

Section 5 of the Public Buildings Act of 1959 (40 U.S.C. 604) is amended by adding at the end the following:

''(d) CONSIDERATION OF COSTS.—In selecting a site for a project to construct, alter, or acquire a public building, or to lease office or any other type of space, under this Act, the Administrator shall consider the impact of the selection of a particular site on the cost and space efficiency of the project.''.

SEC. 3. CONGRESSIONAL OVERSIGHT OF PUBLIC BUILDINGS PROJECTS.

(a) IN GENERAL.—Section 7 of the Public Buildings Act of 1959 (40 U.S.C. 606) is amended—

(1) in subsection (a)—

(A) by striking the last sentence;

(B) in the first sentence, by striking ''In order'' and inserting the following:

''(2) PREREQUISITES TO OBLIGATION OF FUNDS.—

''(B) APPROVAL REQUIREMENTS.—

''(i) CONSTRUCTION, ALTERATION, AND ACQUISITION.—In order'';

(C) in the second sentence, by striking ''No'' and inserting the following:

''(ii) LEASE.—No'';

(D) in the third sentence, by striking ''No'' and inserting the following:

''(iii) ALTERATION.—No'';

(E) by striking ''SEC. 7. (a)'' and inserting the following:

''SEC. 7. SUBMISSION AND APPROVAL OF PROPOSED PROJECTS.

''(a) IN GENERAL.—

''(1) PUBLIC BUILDINGS PLAN.—

''(A) IN GENERAL.—Not later than 15 days after the President submits to Congress the budget of the United States Government under section 1105 of title 31, United States Code, the Administrator shall submit to Congress a public buildings plan (referred to in this subsection as the 'triennial plan') for the first 3 fiscal years that begin after the date of submission. The triennial plan shall specify such projects for which approval is required under paragraph (2)(B) relating to the construction, alteration, or acquisition of public buildings, or the lease of office or any other type of space, as the Administrator determines are necessary to carry out the duties of the Administrator under this Act or any other law.

''(B) CONTENTS.—The triennial plan shall include—

''(i) a 5-year strategic management plan for capital assets under the control of the Administrator that—

''(I) provides for accommodating the office space and other public building needs of the Federal Government; and

''(II) is based on procurement mechanisms that allow the Administrator to take advantage of fluctuations in market forces affecting building construction and availability;

''(ii) a list—

''(I) in order of priority, of each construction or acquisition (excluding lease) project described in subparagraph (A) for which an authorization of appropriations is—

''(aa) requested for the first of the 3 fiscal years of the triennial plan referred to in subparagraph (A) (referred to in this paragraph as the 'first year');

''(bb) expected to be requested for the second of the 3 fiscal years of the triennial plan referred to in subparagraph (A) (referred to in this paragraph as the 'second year'); or

''(cc) expected to be requested for the third of the 3 fiscal years of the triennial plan referred to in subparagraph (A) (referred to in this paragraph as the 'third year'); and

''(II) that includes a description of each such project and the number of square feet of space planned for each such project;

''(iii) a list of each lease or lease renewal described in subparagraph (A) for which an authorization of appropriations is—

''(I) requested for the first year; or

''(II) expected to be requested for the second year or third year;

''(iv) a list, in order of priority, of each planned repair or alteration project described in subparagraph (A) for which an authorization of appropriations is—

''(I) requested for the first year; or

''(II) expected to be requested for the second year or third year;

''(v) an explanation of the basis for each order of priority specified under clauses (ii) and (iv);

''(vi) the estimated annual and total cost of each project requested in the triennial plan;

''(vii) a list of each public building planned to be wholly vacated, to be exchanged for other property, or to be disposed of during the period covered by the triennial plan; and

''(viii) requests for authorizations of appropriations necessary to carry out projects listed in the triennial plan for the first year.

''(C) PRESENTATION OF INFORMATION IN PLAN.—

''(i) FIRST YEAR.—In the case of a project for which the Administrator has requested an authorization of appropriations for the first year, information required to be included in the triennial plan under subparagraph (B) shall be presented in the form of a prospectus that meets the requirements of paragraph (2)(C).

''(ii) SECOND YEAR AND THIRD YEAR.—

''(I) IN GENERAL.—In the case of a project for which the Administrator expects to request an authorization of appropriations for the second year or third year, information required to be included in the triennial plan under subparagraph (B) shall be presented in the form of a project description.

''(II) GOOD FAITH ESTIMATES.—

''(aa) IN GENERAL.—Each reference to cost, price, or any other dollar amount contained in a project description referred to in subclause (I) shall be considered to be a good faith estimate by the Administrator.

''(bb) EFFECT.—A good faith estimate referred to in item (aa) shall not bind the Administrator with respect to a request for appropriation of funds for a fiscal year other than a fiscal year for which an authorization of appropriations for the project is requested in the triennial plan.

''(cc) EXPLANATION OF DEVIATION FROM ESTIMATE.—If the request for an authorization of appropriations contained in the prospectus for a project submitted under paragraph (2)(C) is different from a good faith estimate for the project referred to in item (aa), the prospectus shall include an explanation of the difference.

''(D) REINCLUSION OF PROJECTS IN PLANS.—If a project included in a triennial plan is not approved in accordance with this subsection, or if funds are not made available to carry out a project, the Administrator may include the project in a subsequent triennial plan submitted under this subsection.'';

(F) in paragraph (2) (as designated by subparagraph (B))—

(i) by inserting after ''(2) PREREQUISITES TO OBLIGATION OF FUNDS.—'' the following:

''(A) IN GENERAL.—Notwithstanding any other provision of law, the Administrator may not obligate funds that are made available for any project for which approval is required under subparagraph (B) unless—

''(i) the project was included in the triennial plan for the fiscal year; and

''(ii) a prospectus for the project was submitted to Congress and approved in accordance with this paragraph.''; and

(ii) by adding at the end the following:

''(C) PROSPECTUSES.—For the purpose of obtaining approval of a proposed project described in the triennial plan, the Administrator shall submit to Congress a prospectus for the project that includes—

''(i) a brief description of the public building to be constructed, altered, or acquired, or the space to be leased, under this Act;

''(ii) the location of the building to be constructed, altered, or acquired, or the space to be leased, and an estimate of the maximum cost, based on the predominant local office space measurement system (as determined by the Administrator), to the United States of the construction, alteration, or acquisition of the building, or lease of the space;

''(iii) in the case of a project for the construction of a courthouse or other public building consisting solely of general purpose office space, the cost benchmark for the project determined under subsection (d); and

''(iv) in the case of a project relating to a courthouse—

''(I) as of the date of submission of the prospectus, the number of—

''(aa) Federal judges for whom the project is to be carried out; and

''(bb) courtrooms available for the judges;

''(II) the projected number of Federal judges and courtrooms to be accommodated by the project at the end of the 10-year period beginning on the date;

''(III) a justification for the projection under subclause (II) (including a specification of the number of authorized positions, and the number of judges in senior status, to be accommodated);

''(IV) the year in which the courthouse in use as of the date of submission of the prospectus reached maximum capacity by housing only courts and court-related agencies;

''(V) the level of security risk at the courthouse in use as of the date of submission of the prospectus, as determined by the Director of the Administrative Office of the United States Courts; and

''(VI) the termination date of any lease, in effect as of the date of submission of the prospectus, of space to carry out a court-related activity that will be affected by the project.''; and

(G) by adding at the end the following:

''(3) EMERGENCY AUTHORITY.—

''(A) OVERRIDING INTEREST.—If the Administrator, in consultation with the Commissioner of the Public Buildings Service, determines that an overriding interest requires emergency authority to construct, alter, or acquire a public building, or lease office or storage space, and that the authority cannot be obtained in a timely manner through the triennial planning process required under paragraph (1), the Administrator may submit a written request for the authority to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives. The Administrator may carry out the project for which authority was requested under the preceding sentence if the project is approved in the manner described in paragraph (2)(B).

''(B) DECLARED EMERGENCIES.—

''(i) LEASE AUTHORITY.—Notwithstanding any other provision of this section, the Administrator may enter into an emergency lease during any period of emergency declared by the President pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) or any other law, or declared by any Federal agency pursuant to any applicable law, except that no such emergency lease shall be for a period of more than 5 years.

''(ii) REPORTING.—As part of each triennial plan, the Administrator shall describe any emergency lease for which a prospectus is required under paragraph (2) that was entered into by the Administrator under clause (i) during the preceding fiscal year.'';

(2) in subsection (b)—

(A) by striking ''(b) The'' and inserting the following:

''(b) INCREASES IN COSTS OF PROJECTS.—

''(1) INCREASE OF 10 PERCENT OR LESS.—The''; and

(B) by adding at the end the following:

''(2) GREATER INCREASES.—If the Administrator increases the estimated maximum cost of a project in an amount greater than the increase authorized by paragraph (1), the Administrator shall, not later than 30 days after the date of the increase, notify the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives of the amount of, and reasons for, the increase.'';

(3) in subsection (c), by striking ''(c) In the case'' and inserting the following:

''(c) RESCISSION OF APPROVAL.—In the case''; and

(4) by striking subsection (d) and inserting the following:

''(d) DEVELOPMENT OF COST BENCHMARKS.—

''(1) IN GENERAL.—The Administrator shall develop standard cost benchmarks for projects for the construction of courthouses, and other public buildings consisting solely of general purpose office space, for which a prospectus is required under subsection (a)(2). The benchmarks shall consist of the appropriate cost per square foot for low-rise, mid-rise, and high-rise projects subject to the various factors determined under paragraph (2).

''(2) FACTORS.—In developing the benchmarks, the Administrator shall consider such factors as geographic location (including the necessary extent of seismic structural supports), the tenant agency, and necessary parking facilities, and such other factors as the Administrator considers appropriate.''.

(b) REPORTS TO CONGRESS.—Section 11 of the Public Buildings Act of 1959 (40 U.S.C. 610) is amended—

(1) by striking ''SEC. 11. (a) Upon'' and inserting the following:

''SEC. 11. REPORTS TO CONGRESS.

''(a) REPORTS ON UNCOMPLETED PROJECTS.—Upon''; and

(2) in subsection (b)—

(A) by striking ''(b) The Administrator'' and inserting the following:

''(b) BUILDING PROJECT SURVEYS AND REPORTS.—

''(1) IN GENERAL.—The Administrator'';

(B) in the second sentence of paragraph (1) (as so designated), by inserting before the period at the end the following: '', and shall specify whether the project is included in a 5-year strategic capital asset management plan required under section 7(a)(1)(B)(i) or a prioritized list required under section 7(a)(1)(B)''; and

(C) by adding at the end the following:

''(2) INCLUSION OF REQUESTED BUILDING PROJECTS IN TRIENNIAL PLAN.—The Administrator may include a prospectus for the funding of a public building project for which a report is submitted under paragraph (1) in a triennial public buildings plan required under section 7(a)(1).''.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) Section 7 of the Act (40 U.S.C. 606) is amended by striking ''Committee on Public Works and Transportation'' each place it appears and inserting ''Committee on Transportation and Infrastructure''.

(2) Section 11(b)(1) of the Act (as amended by subsection (b)(2)) is further amended by striking ''Committee on Public Works and Transportation'' and inserting ''Committee on Transportation and Infrastructure''.

SEC. 4. FEDERAL GOVERNMENT ASSET MANAGEMENT.

Section 12 of the Public Buildings Act of 1959 (40 U.S.C. 611) is amended—

(1) by striking ''SEC. 12. (a) The Administrator'' and inserting the following:

''SEC. 12. FEDERAL GOVERNMENT ASSET MANAGEMENT.

''(a) DUTIES OF ADMINISTRATOR.—

''(1) IN GENERAL.—The Administrator'';

(2) in subsection (a), by adding at the end the following:

''(2) REPOSITORY FOR ASSET MANAGEMENT INFORMATION.—The Administrator shall use the results of the continuing investigation and survey required under paragraph (1) to establish a central repository for the asset management information of the Federal Government.'';

(3) in subsection (b)—

(A) by striking ''(b) In carrying'' and inserting the following:

''(b) COOPERATION AMONG FEDERAL AGENCIES.—

''(1) BY THE ADMINISTRATOR.—In carrying'';

(B) by striking ''Each Federal'' and inserting the following:

''(2) BY THE AGENCIES.—Each Federal''; and

(C) by adding at the end the following:

''(3) IDENTIFICATION AND DISPOSITION OF UNNEEDED REAL PROPERTY.—

''(A) IDENTIFICATION.—Each Federal agency shall—

''(i) identify real property that is or will become unneeded, obsolete, or underutilized during the 5-year period beginning on the date of the identification; and

''(ii) annually report the information on the real property described in clause (i) to the Administrator.

''(B) DISPOSITION.—The Administrator shall analyze more cost-effective uses for the real property identified under subparagraph (A) and make recommendations to the Federal agency concerning the more cost-effective uses.'';

(4) in subsection (c), by striking ''(c) Whenever'' and inserting the following:

''(c) IDENTIFICATION OF BUILDINGS OF HISTORIC, ARCHITECTURAL, AND CULTURAL SIGNIFICANCE.—Whenever''; and

(5) in subsection (d), by striking ''(d) The Administrator'' and inserting the following:

''(d) REGARD TO COMPARATIVE URGENCY OF NEED.—The Administrator''.

SEC. 5. ADDRESSING LONG-TERM GOVERNMENT HOUSING NEEDS.

(a) REPORT ON LONG-TERM HOUSING NEEDS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act and the end of each 2-year period thereafter, the head of each Federal agency (as defined in section 13(3) of the Public Buildings Act of 1959 (40 U.S.C. 612(3))) shall review and report to the Administrator of General Services (referred to in this Act as the ''Administrator'') on the long-term housing needs of the agency. The Administrator shall consolidate the agency reports and submit a consolidated report to Congress.

(2) ASSISTANCE AND UNIFORM STANDARDS.—The Administrator shall—

(A) assist each agency in carrying out the review required under paragraph (1); and

(B) prepare uniform standards for housing needs for—

(i) executive agencies (as defined in section 13(4) of the Public Buildings Act of 1959 (40 U.S.C. 612(4))); and

(ii) establishments in the judicial branch of the Federal Government.

(b) REDUCTION IN AGGREGATE OFFICE AND STORAGE SPACE.—By the end of the third fiscal year that begins after the date of enactment of this Act, the Federal agencies referred to in subsection (a)(1) shall, to the maximum extent practicable, collectively reduce by not less than 10 percent the aggregate office and storage space used by the agencies (regardless of whether the space is leased or owned) on the date of enactment of this Act.

SEC. 6. DESIGN GUIDES AND STANDARDS FOR COURT ACCOMMODATIONS.

(a) REPORT.—Not later than 60 days after the date of enactment of this Act, the Administrator, in consultation with the Director of the Administrative Office of the United States Courts, shall submit a report to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that specifies the characteristics of court accommodations that are essential to the provision of due process of law and the safe, fair, and efficient administration of justice by the Federal court system.

(b) DESIGN GUIDES AND STANDARDS.—

(1) DEVELOPMENT.—Not later than 180 days after the date of enactment of this Act, the Administrator, in consultation with the Director of the Administrative Office of the United States Courts and after notice and opportunity for comment, shall develop design guides and standards for Federal court accommodations based on the report submitted under subsection (a). In developing the design guides and standards, the Administrator shall consider space efficiency and the appropriate standards for furnishings.

(2) USE.—Notwithstanding section 462 of title 28, United States Code, the design guides and standards developed under paragraph (1) shall be used in the design of court accommodations.

SEC. 7. DESIGN OF FEDERAL COURTHOUSES.

The Act entitled ''An Act establishing a Commission on Fine Arts'', approved May 17, 1910 (36 Stat. 371, chapter 243; 40 U.S.C. 104), is amended by inserting after the second sentence the following: ''It shall be the duty of the commission, not later than 60 days after submission of a conceptual design to the commission for a Federal courthouse at any place in the United States, to provide advice on the design, including an evaluation of the ability of the design to express the dignity, enterprise, vigor, and stability of the American Government appropriately and within the accepted standards of courthouse design.''.

ORDERS FOR FRIDAY, MAY 17, 1996

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until the hour of 9:30 a.m. on Friday, May 17; further, that immediately following the prayer, the Journal of the proceedings be deemed approved to date, no resolutions come over under the rule, the call of the calendar be dispensed with, the morning hour be deemed to have expired, and the Senate then resume consideration of Senate Concurrent Resolution 57, the budget resolution.

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

PROGRAM

Mr. FRIST. Mr. President, tomorrow the Senate will resume consideration of the budget resolution. Senators are expected to offer amendments to the resolution on Friday and Monday. Any votes ordered on those amendments on those days will be ordered to occur on Tuesday.

Therefore, for the information of all Senators, no rollcall votes will occur on Friday or Monday. However, Senators are encouraged to offer their amendments prior to Tuesday, in that it is the intention of the leadership to complete action on the budget on Tuesday.

APPOINTMENT BY THE VICE PRESIDENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to 10 U.S.C. 4355(a), appoints the Senator from Wisconsin [Mr. KOHL], from the Committee on Appropriations, to the Board of Visitors of the U.S. Military Academy, vice the Senator from Nevada [Mr. REID].

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. FRIST. Mr. President, if there is no further business to come before the Senate, I now ask that the Senate stand in adjournment as under the previous order.

Thereupon, the Senate, at 11:18 p.m., adjourned until Friday, May 17, 1996, at 9:30 a.m..

NOMINATIONS

Executive nominations received by the Senate May 16, 1996:

DEPARTMENT OF JUSTICE

J. RENÉ JOSEY, OF SOUTH CAROLINA, TO BE U.S. ATTORNEY FOR THE DISTRICT OF SOUTH CAROLINA FOR THE TERM OF FOUR YEARS VICE J. PRESTON STROM, JR., RESIGNED.

CONFIRMATIONS

Executive Nominations Confirmed by the Senate May 16, 1996:

IN THE AIR FORCE

AIR FORCE NOMINATIONS BEGINNING BRIAN H. BENEDICT, AND ENDING DANIEL K. ROBERTS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 20, 1996.

AIR FORCE NOMINATIONS BEGINNING MICHAEL G. COLANGELO, AND ENDING JOHN J. BARLETTANO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 20, 1996.

AIR FORCE NOMINATIONS BEGINNING RYAN C. BERRY, AND ENDING GERALD T. YAP, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 19, 1996.

IN THE ARMY

ARMY NOMINATIONS BEGINNING RALPH G. BENSON, AND ENDING JESSE L. THORNTON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 1, 1996.

ARMY NOMINATIONS BEGINNING WESLEY S. ASHTON, AND ENDING VALERIE E. HOLMES, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 25, 1996.

ARMY NOMINATIONS BEGINNING ANDRE B. ABADIE, AND ENDING STEVEN PAUL ZYNDA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 26, 1996.

ARMY NOMINATION OF MARK H. LAUBER, WHICH NOMINATION WAS RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 15, 1996.

ARMY NOMINATIONS BEGINNING JEFFERY DOOTSON, AND ENDING JON E. SCHIFF, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 15, 1996.

ARMY NOMINATIONS BEGINNING DANIEL BOLAS, AND ENDING PAUL S. DARBY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 15, 1996.

ARMY NOMINATIONS BEGINNING RICHARD R. ECKERT, AND ENDING ROBERT S. KNAPP, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 15, 1996.

ARMY NOMINATIONS BEGINNING ERNEST R. ADKINS, AND ENDING JAMES C. ROBERTSON, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 15, 1996.

ARMY NOMINATIONS BEGINNING RAYMOND A. CONSTABILE, AND ENDING NEIL W. AHLE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 15, 1996.

ARMY NOMINATIONS BEGINNING WILLIAM E. ACKERMAN, AND ENDING MYRNA E. ZAPATA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 15, 1996.

IN THE MARINE CORPS

MARINE CORPS NOMINATIONS BEGINNING MICHAEL C. ALBANO, AND ENDING RICHARD C. ZILMER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 20, 1996.

MARINE CORPS NOMINATIONS BEGINNING WILLIAM S. AITKEN, AND ENDING DOUGLAS P. YUROVICH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 20, 1996.

MARINE CORPS NOMINATIONS BEGINNING JOEL H. BERRY, III, AND ENDING WAYNE R. STEELE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 15, 1996.

MARINE CORPS NOMINATIONS BEGINNING CRAIG R. ABELE, AND ENDING PAUL E. ZAMBELLI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 9, 1996.

MARINE CORPS NOMINATIONS BEGINNING CARLTON W. ADAMS, AND ENDING DONALD C. PROGRAIS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 9, 1996.

IN THE NAVY

NAVY NOMINATIONS BEGINNING DAVID L. AAMODT, AND ENDING SCHON M. ZWAKMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 15, 1996.