in the suit to inform the Senate that this action has commenced—as specifically provided for in the Line-Item Veto Act. Section 3(a) of the act provides that:

> Any Member of Congress or any individual adversely affected . . . may bring an action, in the United States District Court for the District of Columbia, for declaratory judgment and injunctive relief on the ground that any provision of this part violates the Constitution.

Six Members of Congress, led by our distinguished colleague from West Virginia, Senator ROBERT C. BYRD, have joined together to bring this suit, which is captioned *Byrd et al.* v. *Raines et al.*, Civil Action No. 97–001. The other plaintiffs are the Senator from New York, the Senator from Michigan, Mr. LEVIN; the former Senator from Oregon, Mr. Hatfield; Representative WAXMAN of California and Representative SKAGGS of Colorado.

I will simply restate for the RECORD what I said during our debates on this legislation during the last Congress. The Line-Item Veto Act effectuated an unprecedented and unconstitutional allocation of power from the legislative branch to the executive.

The law—Public Law 104–130—which took effect on January 1 of this year, gives the President the authority to cancel any specific appropriation, any item of new direct spending, or any limited tax benefit contained in a bill that the President has just signed into law.

Senators BYRD, Hatfield, LEVIN, and Congressmen WAXMAN and SKAGGS and I have filed this suit because we believe the act violates article I of the Constitution, which requires that a bill be passed by a majority vote in both houses of Congress and either approved or vetoed in its entirety by the President. The line-item veto gives the President the power to unilaterally repeal, without congressional approval, portions of laws which he has already signed.

In 1983, the Supreme Court declared in *INS* v. *Chadha* [462 U.S. 919, 954] that, and I quote:

> It emerges clearly that the prescription for legislative action in Article I, Section 7, represents the Framers' decision that the legislative power of the Federal government be exercised in accord with a single finely wrought and exhaustively considered procedure.

The Line-Item Veto Act departs dramatically from that ''single, finely wrought and exhaustively considered procedure'' for making or changing Federal law. The Constitution could not be more clear on this point. The presentment clause of article I, section 7 states:

> Every Bill which shall have passed the House of Representatives and the Senate, shall, before it becomes a Law, be presented to the President of the United States; If he approve he shall sign it, but if not he shall return it. . . .

The Line-Item Veto Act unconstitutionally expands the President's power by authorizing him to approve a bill and sign it into law and, from an instant up to 5 days later, disapprove and return parts of the bill, so that the parts of the bill disapproved by the President do not have the force and effect of law. The act also violates the requirements of bicameral passage and presentment by granting to the President, acting alone, the authority to cancel and thus repeal provisions of law.

Even if, as some have argued, the President will exercise this power sparingly, his ability to do so will forever shift the balance of power. A balance the Framers deemed fragile, and necessary for the proper functioning of the American Government. The Framers gave the power of the purse to Congress and Congress alone; Madison made the reason abundantly clear in Federalist No. 58:

> This power over the purse may, in fact, be regarded as the most complete and effectual weapon with which any constitution can arm the immediate representatives of the people, for obtaining a redress of every grievance, and for carrying into effect every just and salutary measure.

Whether the Line-Item Veto Act is viewed as granting the President a unilateral power of line-item revision of bills that have been presented for his signature, or as granting him a unilateral power to repeal portions of duly enacted laws, the act grants powers to the President that contravene the constitutional process for making Federal law. I might understand if the President were trying to seize this power. But why have we given it to him? The lawsuit filed earlier this month will allow the judiciary to review this issue under an expedited schedule. We hope to have a decision in the case by the Supreme Court in the next October term, and I will provide periodic updates on the progress of the case for the RECORD.●

CONGRESS-BUNDESTAG EXCHANGE

● Mr. LIEBERMAN. Mr. President, since 1983, the United States Congress and the German Parliament, the Bundestag, have conducted an annual exchange program for staff members from both countries. The program gives professional staff the opportunity to observe and learn about each other's political institutions and convey Members' views on issues of mutual concern.

A staff delegation from the United States Congress will be chosen to visit Germany April 12 to April 26 of this year. During the 2-week exchange, the delegation will attend meetings with Bundestag members, Bundestag party staff members, and representatives of numerous political, business, academia, and media agencies. Cultural activities and a weekend visit in a Bundestag member's district will complete the schedule.

A comparable delegation of German staff members will visit the United States for 3 weeks this summer. They will attend similar meetings here in Washington and visit the districts of congressional Members.

The Congress-Bundestag exchange is highly regarded in Germany, and is one of several exchange programs sponsored by public and private institutions in the United States and Germany to foster better understanding of the politics and policies of both countries.

The U.S. delegation should consist of experienced and accomplished Hill staff members who can contribute to the success of the exchange on both sides of the Atlantic. The Bundestag sends senior staff professionals to the United States. The United States endeavors to reciprocate.

Applicants should have a demonstrable interest in events in Europe. Applicants need not be working in the field of foreign affairs, although such a background can be helpful. The composite United States delegation should exhibit a range of expertise in issues of mutual concern in Germany and the United States such as, but not limited to, trade, security, the environment, immigration, economic development, health care, and other social policy issues.

In addition, U.S. participants are expected to help plan and implement the program for the Bundestag staff members when they visit the United States. Participants are expected to assist in planning topical meetings in Washington, and are encouraged to host one or two Bundestag staffers in their Member's district over the Fourth of July break, or to arrange for such a visit to another Member's district.

Participants will be selected by a committee composed of U.S. Information Agency personnel and past participants of the exchange.

Senators and Representatives who would like a member of their staff to apply for participation in this year's program should direct them to submit a résumé and cover letter in which they state why they believe they are qualified, and some assurances of their ability to participate during the time stated. Applications may be sent to Kathie Scarrah, in my office at 316 Hart Senate Building, by Friday, February 14.●

RETIREMENT OF PROCTOR JONES

● Mr. HOLLINGS. Mr. President, on the Appropriations Committee we have always prided ourselves for having the best and most professional staff in the Senate. We maintain a team of staff who are experts on budget and finance and a group of professionals who know these agency programs inside and out. In a few days we will be losing one of our very best staff members to have ever served this body. Proctor Jones, the minority staff director for the Energy and Water Development Subcommittee will be retiring from the Senate to take a position in the private sector.

Proctor Jones hails from Twin City, GA. He came to the Senate way back in

1960 as a special assistant to one of the greatest legislators to ever serve this institution, Senator Richard B. Russell. At that time Senator Russell was chairman of the Armed Services Committee and Proctor served as a special assistant working on military issues. From 1966 to 1968, Proctor took a leave of absence and served on active duty with the U.S. Marine Corps. In 1968, Proctor returned to the Senate and was assigned by Chairman Russell to work on the Appropriations Committee. In 1971, he was assigned to what was then known as the Subcommittee on Labor—Health, Education and Welfare. So, Proctor Jones and I have something in common. We both were close to Senator Richard B. Russell and considered him to be our mentor, and, like Proctor, Senator Russell also advised me that the only committee to be on is the Appropriations Committee.

In 1973, Proctor took over as staff director for the Subcommittee on Public Works for Water and Power Development, and Atomic Energy Commission and Related Agencies. In 1978, this subcommittee was given its current name, Energy and Water Development. Since that time Proctor has served as staff director or minority staff director of that subcommittee. Simply put, Proctor Jones has been the Senate's go-to man on issues regarding Army Corps of Engineers' civil works, defense nuclear weapons development and environmental cleanup, scientific research, power marketing administrations, and other energy issues. Whether it was the Appalachian Regional Commission or biomedical research, the Members of the Senate could trust Proctor Jones to understand the impact that the energy and water development bill had in their States. Proctor understood that these programs affected real people, communities, and institutions.

Of course, it is difficult to speak about Proctor Joines without also referring to Senator J. Bennett Johnston. In 1978, Senator Johnston took over as chairman of the Energy and Water Development Subcommittee. I am a member of that subcommittee. I can tell you that Senator Johnston and Proctor Jones have made an unbeatable team. They really mastered that bill and have run it in a straightforward and fair manner.

Mr. President, we do not acknowledge often enough the staff people who make this institution run day in and day out. In Proctor Jones we have had a superb individual who has dedicated over three decades to this Senate. I, for one, would like to express my appreciation for his hard work and his outstanding record. I wish him well and thank him for a job well done.●

SECOND ANNUAL PLAN TO BALANCE THE BUDGET

Mr. MOYNIHAN. Mr. President, last January, I outlined a brief two-step plan to balance the budget by the year 2002. I proposed that we correct for overindexation of Government programs resulting from using the Consumer Price Index [CPI], and that we postpone tax cuts. Starting with the President's budget proposals, and using CBO scoring, these two steps would have produced a balanced budget by 2002.

I now present my second, and if we act quickly my last, annual plan to balance the budget. As under the first plan, balancing the budget is relatively easy if we correct for overindexation and forgo tax cuts.

The Congressional Budget Office is expected to estimate the baseline deficit in 2002 at about $200 billion. If Congress acts now to balance the budget by 2002, interest rates will fall, economic growth will increase, and CBO will declare a fiscal dividend in 2002 of about $50 billion. So Congress need only find $150 billion in 2002.

Here is how to get that $150 billion:

[In billions of dollars]

Correct Indexation of Government Programs and Tax Laws by 1.1 Percentage Points (The Boskin Commission Estimate)	55
Reduce Growth in Medicare and Medicaid by at least amount in President's FY 1997 budget	45
Slow Annual Growth in Discretionary (both defense and non defense) by about 1.0 to 1.5 percentage points	50
Total Savings in 2002	150

These steps can be modified; for example, revenues from reinstating expired excise taxes can be used to finance high priority investments or avoid reductions in important domestic discretionary programs. But the point remains. With the correction for overindexation a balanced budget is within sight. Without the correction, we will have a protracted fiscal crisis.

FOREIGN CURRENCY REPORTS

In accordance with the appropriate provisions of law, the Secretary of the Senate herewith submits the following report(s) of standing committees of the Senate, certain joint committees of the Congress, delegations and groups, and select and special committees of the Senate, relating to expenses incurred in the performance of authorized foreign travel:

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON APPROPRIATIONS FOR TRAVEL FROM MAR. 31 TO APR. 9, 1996

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Mark O. Hatfield:									
Costa Rica	Dollar		280.00						280.00
Brazil	Dollar		770.00						770.00
Chile	Dollar		628.00						628.00
Dr. Thomas Lovejoy:									
Costa Rica	Dollar		368.00						368.00
Brazil	Dollar		949.00						949.00
Chile	Dollar		267.00						267.00
Bruce Evans:									
Costa Rica	Dollar		220.00						220.00
Brazil	Dollar		530.00						530.00
Chile	Dollar		426.00						426.00
Virginia James:									
Costa Rica	Dollar		368.00						368.00
Brazil	Dollar		949.00						949.00
Chile	Dollar		801.00						801.00
Sue Masica:									
Costa Rica	Dollar		368.00						368.00
Brazil	Dollar		949.00						949.00
Chile	Dollar		801.00						801.00
Delegation expenses: [1]									
Costa Rica	Dollar						4,003.93		4,003.93
Brazil	Dollar						11,861.00		11,861.00
Chile	Dollar						14,071.92		14,071.92
Total			8,674.00				29,936.85		38,610.85

[1] The following individuals traveled under the authorization of the Republican and Democratic Leaders: Senator Claiborne Pell, Senator Alan Simpson, Senator Howell Heflin, Senator Frank Murkowski, and Ms. Julia Hart. Their reports appear under the authorizing source. Delegation expenses include direct payments and reimbursements to the Department of State and the Department of Defense under authority of Section 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of Public Law 95–384, and Senate Resolution 179, agreed to May 25, 1977.

MARK O. HATFIELD,
Chairman, Committee on Appropriations, Sept. 10, 1996.