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Senate

(Legislative day of Friday, October 2, 1998)

The Senate met at 12 noon, on the expiration of the recess, and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

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

Gracious God, You provide strength in our struggles and courage for contentious days of conflict. We thank You for consensus out of conflict and creative decisions out of discord. In the midst of the concluding discussion and debate over crucial issues in the completion of the budget, we need Your divine intervention and inspiration. Overcome party spirit; make us party to Your Spirit. Give the Senators strength to communicate with mutual respect and without rancor. Keep them focused more on winning what is best

for our Nation, than defeating political opponents. May the motivation of brave patriotism overcome the manipulation of bartered partisanship. The time for greatness is now; the place for greatness is here. Grant it, Father. Through our Lord and Savior. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The able majority leader, Senator LOTT of Mississippi, is recognized.

Mr. LOTT. Thank you very much, Mr. President.

THE CHAPLAIN'S PRAYER

Mr. LOTT. I thank the Chaplain again for his prayer. Over the past few days, as we have tried to negotiate in

good faith, it has been so important we try to maintain respect for each other. Yesterday morning I had reached the point where I had lost that. But I referred to the Chaplain's book "One Quiet Moment," and there was a passage in there, I believe from Proverbs, that said you must respect your fellow human beings. And I thought about that, and I thought from the unborn child in late term, they have a right to respect for human life, or a young man in Wyoming who is killed, for whatever horrible motives, they have a right to respect, and also for strong action against those who caused this problem. So the admonition to negotiate in good faith and have respect for each other has certainly been a source of strength to me during the last 48 hours.

NOTICE

If the 105th Congress adjourns sine die on or before October 16, 1998, a final issue of the Congressional Record for the 105th Congress will be published on October 28, 1998, in order to permit Members to revise and extend their remarks.

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If the 105th Congress does not adjourn until a later date in 1998, the final issue will be printed at a date to be announced.

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By order of the Joint Committee on Printing.

JOHN W. WARNER, *Chairman.*

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



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SCHEDULE

Mr. LOTT. Mr. President, the Senate will begin a period of morning business until 1 p.m. Following morning business, we may consider any legislation that can be cleared by unanimous consent.

 OMNIBUS APPROPRIATIONS
 NEGOTIATIONS

Mr. LOTT. Mr. President, negotiations are still ongoing with respect to the omnibus appropriations bill, but I think I can say that it is in its very final stages, and we should have a final conclusion before 2 o'clock so that all of the drafting can be carried out. I emphasize, though, there are a few minor issues that have not been finally cleared, and there are a couple of big issues that are still being debated about exactly what the effective date would be, for instance, with regard to the census issue.

I think it is a very important issue. The census is in the Constitution. And the Constitution says that the census shall be taken by enumeration; that means count, head count. No amount of modern manipulation or technology can replace what the Constitution says. Twice Federal courts have ruled 3-0 that the census must be done by enumeration.

But rather than fight this out on and on and on, I think the logical order to do business is, let the Supreme Court rule, which they will do in March, and then we will proceed from there. That issue has not been finally resolved, but it will be in the next couple of hours, and then every Senator and House Member will have an opportunity to ask questions, to look at the language.

There are hundreds—thousands—of issues that are in this legislation. But the legislation will be available. There will be staff and Senators and Congressmen who have been involved, who can answer questions about things as varied as education and agriculture and defense and the drug war and missile defense. It is all in this bill.

I must say that while there are some great disappointments on my part about what is not in the bill and some disappointments about some things that are in the bill, on balance this is going to be good for America. I had a question a moment ago about who is the winner and who is the loser. The only question should be: Is America the winner? Are our children going to be better off, safer? Will there be a greater effort to fight the scourge of drugs in our schools and in our society? The answer is yes.

We will have a stronger defense. For the first time since 1985, we have stopped the free-fall in spending for the necessary readiness and equipment for our men and women in uniform. We added some \$9 billion in this legislation for the drug war, for defense of our country, for intelligence, and for missile defense.

We also agreed to \$690 million for a greater effort in the drug area. We did agree to the President's request for more funds for education. A lot of time has been spent this year in the education area, and we have made some progress. We have a better higher education bill. We are going to have a stronger vocational education bill. And that is an area where I think we should put a lot more emphasis.

We did improve on some of the programs connected to Head Start, and we are going to have more teachers in our schools in America, smaller class sizes. But the decision of how it is going to be done will be made at the local level in the individual school districts; it will not be dictated by and run by bureaucrats here in Washington, DC. So I think that was a significant achievement on both sides of the issue.

I will not go down the list of all the areas in this bill, but when you look at them all and you consider what we have done and what this can lead to next year, I think it is progress, and I hope the Members will believe that they can support it.

There will be time for Members to review its content. If a rollcall is requested, it is expected to occur at either 10 o'clock in the morning on Friday or 5 o'clock in the afternoon, to accommodate the maximum number of Senators and give them time to review the language that is included in the final agreement. Certainly, we will make Members aware of any specific time for votes, if necessary. I will be consulting with Senator DASCHLE on that.

I thank my colleagues for their attention and for their cooperation throughout the year.

I do have a number of issues that we would like to do in terms of some tributes and resolutions on travel and other issues. So I would like to do that now.

 ORDER FOR PRINTING OF
 INDIVIDUAL SENATE DOCUMENTS

Mr. LOTT. Mr. President, I ask unanimous consent that there be printed as individual Senate documents a compilation of materials from the CONGRESSIONAL RECORD in tribute to Senators DAN COATS of Indiana, DIRK KEMPTHORNE of Idaho, DALE BUMPERS of Arkansas, WENDELL FORD of Kentucky, and JOHN GLENN of Ohio.

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

Mr. LOTT. These clearly are five great Senators who have served their States and their country so well. And I am sure they will continue to do so, albeit in a different arena. Of course, I have said here, DAN COATS has been one of my closest friends for the past 20 years. I will miss him here but I will be with him in other areas.

And, of course, JOHN GLENN makes history once again flying off into space. And many Senators and their spouses will be there to see that event.

 ELECTION OF SERGEANT AT ARMS
 AND DOORKEEPER OF THE SENATE

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 300, which is at the desk, and I ask that the resolution be read.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 300) electing James W. Ziglar, of Mississippi, as the Sergeant at Arms and Doorkeeper of the Senate.

Resolved, That James W. Ziglar, of Mississippi, be, and he is hereby, elected Sergeant at Arms and Doorkeeper of the Senate effective November 9, 1998.

There being no objection, the Senate proceeded to consider the resolution.

Mr. LOTT. I ask unanimous consent that the resolution be agreed to and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 300) was agreed to.

 RULE XXXIX AUTHORIZATION

Mr. LOTT. I ask unanimous consent that the Senate now proceed to Senate Resolution 301, introduced earlier today.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 301) relative to Rule XXXIX.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. LOTT. I ask unanimous consent the resolution be agreed to and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 301) was agreed to as follows:

S. RES. 301

Resolved, That if a Member who is precluded from foreign travel by the provisions of Rule 39 is appointed as a delegate to an official conference to be attended by Members of the Senate, then the appointment of that individual shall constitute an authorization by the Senate and the individual will not be deemed in violation of Rule 39.

SEC. 2. This resolution shall be applicable only until November 21, 1998.

 RULE XXXIII AUTHORIZATION

Mr. LOTT. I ask unanimous consent that the Senate now proceed to Senate Resolution 302, introduced earlier today.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 302) relative to Rule XXXIII.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?