

SENATE—Saturday, October 28, 2000*(Legislative day of Friday, September 22, 2000)*

The Senate met at 9:31 a.m., 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, we thank You for a different kind of continuing resolution. You resolve to continue to be with us, to bless us with Your grace and Your goodness. You have promised Your continued providential care for us as a beloved Nation. You have guided us through the years. We resolve to trust You to help us now when we need to overcome our differences and unite to lead the Nation. So our real continuing resolution is to call on You, seek Your solutions, end the power struggle, and complete the business of this Congress. So I sense that Republicans and Democrats would express their yeas and nays to a continuing resolution to praise You for being sovereign of our beloved Nation. Amen.

PLEDGE OF ALLEGIANCE

The Honorable CHUCK HAGEL, a Senator from the State of Nebraska, led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. HAGEL). Under the previous order, the leadership time is reserved.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDING OFFICER. The acting Senate majority leader.

SCHEDULE

Mr. CRAIG. Mr. President, today the Senate will vote on a continuing resolution that funds Government through tomorrow. I understand that the House will be voting on that resolution at approximately 10 or 10:30. However, it was our hope that we would have the Senate vote on the joint resolution immediately this morning. We will be unable to reach an agreement to allow that to occur earlier. Therefore, the Senate will vote as soon as the continuing resolution is received from the House.

The Senate will also convene on Sunday at 4 p.m. to consider another continuing resolution with a vote scheduled to occur at 7 p.m. A vote will also occur on Monday to continue Government funding and the vote will occur at a time to be determined. Senators will be notified as Monday votes are scheduled.

I thank my colleagues for their consideration as we work these different issues out.

The PRESIDING OFFICER. The assistant minority leader.

Mr. REID. Mr. President, the House is right now voting on approval of the Journal. They should vote on the CR momentarily. We should have that shortly. I know a number of people have asked when we will complete that.

On Sunday, they are supposed to vote on their CR at 6 o'clock that night. I hope that is the case. Senator STEVENS and a number of the members of the Appropriations Committee are meeting. They met yesterday, hoping to wind up negotiations on Labor-HHS, which will be the last train moving out of the station. With the compromise that is in the air, I hope we can wrap up the tax package and the Labor-HHS bill maybe as early as Monday and Tuesday at the latest. I hope that is the case.

The PRESIDING OFFICER. The acting majority leader.

Mr. CRAIG. Mr. President, we had put the continuing resolution on the desk hoping we could get agreement with the other side to move immediately to accommodate Senators' schedules. That is not going to happen. As I have said, we will wait for the House to vote.

MORNING BUSINESS

Mr. CRAIG. Mr. President, I ask unanimous consent that the Senate now be in a period of morning business until 10 a.m. and the time be divided in the usual form.

Mr. REID. Reserving the right to object, if the CR gets here sooner than that, would the Senator agree that we should begin the vote before 10, because there are people who have come to me indicating they have schedules to meet. I am sure he has the same on his side.

Mr. CRAIG. I see no objection to that. I think we are here purely dependent on the House's ability to act as quickly as they can. When it arrives at the desk, my guess is there is going

to be a large number on our side who would wish the same consideration.

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

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

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

TRIBUTE TO THE HONORABLE DANIEL PATRICK MOYNIHAN

Mr. BENNETT. Mr. President, the session is winding down. We are at a point where we are doing pro forma things.

I have neglected to do something I think is important to do and that I have wanted to do. I will take the time available to us at the moment to fulfill my obligation.

I wish to pay appropriate tribute to the senior Senator from New York, Mr. MOYNIHAN, on the occasion of his retirement. I have already done this within the committee on which we jointly sit, but I think at a more formal setting it is also appropriate.

I first met PAT MOYNIHAN when I was serving in the Nixon administration. He was then a member of the White House staff. I was serving in the Department of Transportation. He was the President's primary enforcer, if you will, of improvements and efficiencies in the executive branch, particularly in domestic departments. We at the Department of Transportation were a little bit in awe, if not in terror, of the thought of PAT MOYNIHAN showing up and checking on us to make sure we were doing things right.

I remember one meeting in the White House where we were outlining what we wanted to do, that which I considered to be fairly bold, and listening to MOYNIHAN saying: Well, in a Republican administration, this is probably about the best you could expect. He wanted us to be considerably bolder than we were. He wanted to go into directions of new initiatives that would have been very good for the country.

In addition to this, he was one of the architects of Nixon's program of family maintenance which, had it been enacted over the objections of the Democrats, probably would have solved many of our welfare problems.

Mr. MOYNIHAN was well respected then. President Nixon later used him as Ambassador to the United Nations and Ambassador to India. When he was running for a seat in the Senate, even though he was a Democrat, I, for one, was rooting for him to win.

I have just finished reading a book called "The Trust," which is the history of New York City. I was interested to find that the editorial board of the New York Times almost unanimously decided that in that primary they were going to endorse Bella Abzug for the Senate seat in New York. Fortunately, the publisher of the New York Times, Punch Sulzberger, came to his senses long enough to dictate a New York Times endorsement of PAT MOYNIHAN, and this body was spared the experience of having Mrs. Abzug as the Senator from New York.

Senator MOYNIHAN and I have disagreed about a number of issues since we have been here. We have debated on many issues and clashed many times, but we have served together in many areas. He was a member of the Senate Y2K committee, a committed, active member who scheduled hearings in his home State of New York. We went there often. I was always impressed and uplifted by the amount of bipartisan support he gave to that effort. He was always well informed and completely without guile or without bitterness.

He now goes on to a career he loves, which is teaching. I have read some of his books and wish I could be one of his students.

This country will hang on to PAT MOYNIHAN as a major resource and a national treasure for the remainder of his life. But we in the Senate have been well served by having him here as our colleague.

One last thing I will say about PAT MOYNIHAN, which is little known but which demonstrates the man, there is a story going around in Washington that says when John F. Kennedy went down Pennsylvania Avenue in his inaugural parade, he saw how shabby the avenue was, and with that vision often attributed to the Kennedy clan, he said we must do something to clean up Pennsylvania Avenue, and the restoration of Pennsylvania Avenue then occurred. Well, in fact, from the scholarly writings of PAT MOYNIHAN, we find that it was not John F. Kennedy at all; it was Arthur Goldberg, who was in that parade and saw that shabbiness of Pennsylvania Avenue, who pointed it out to President Kennedy and, to his credit, the President said, "Yes, let's do something about it." But he probably gave it no more thought than that.

The assignment of seeing that something was done to the Nation's most monumental avenue ultimately fell to a young staffer named PAT MOYNIHAN. It was he who drove the effort to see to

it that Pennsylvania Avenue was cleaned up from the pawnshops and the other shabby architectural edifices that were there to the monumental avenue that it is today. Interestingly enough, it was while he was chairman of the Senate Environment and Public Works Committee, leaning on the public works side of that environment, where he led the effort within the Congress to see to it that the necessary money was appropriated to build the monumental buildings of which we are all so proud.

So we have a lasting architectural legacy to the public career of PAT MOYNIHAN right here in the District of Columbia. I, for one, shall miss him. But I look forward to staying in touch with him as he tells me that he is going to stay in the Washington area and teach. I hope that at some point, when my career in the Senate ends, he is still teaching and I can take one of his classes. It has been a great privilege to serve in the Senate with the senior Senator from New York.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

THE WORK OF CONGRESS

Mr. SPECTER. Mr. President, I have sought recognition to comment on the pending status of the work of the Congress. Yesterday, Senator STEVENS took the floor and outlined the work of the Appropriations Committee, making it plain that nothing could be done on the last bill on appropriations for Labor, Health, Human Services, and Education, until Tuesday because there had to be a reading of the bill and the other procedural matters which had to be attended to, even if the conferees came to agreement on Friday.

Senator STEVENS suggested that there was no point in having the Senate and the House in session on Saturday and Sunday and Monday. Notwithstanding that, and notwithstanding Senator STEVENS' contacts with the President and the President's men, we are here. We are here for absolutely no reason. I chair the subcommittee which has jurisdiction over that appropriations bill and we have been in negotiations with the White House for weeks. We have not been able to come to an agreement because of the intransigence of the White House. They may say it is the intransigence of the Congress. We have a way of saying the other party is intransigent. But there is no doubt that they are at least 50 percent responsible for the fact that we have not been able to come to terms on this bill.

On this bill, the subcommittee that I chair met the President's figure of \$106 billion. It was hard to do. My colleagues in this body and the Republicans in the House didn't like that figure; they thought it was too much money. But the chairman of the House committee and I prevailed to meet the

President's figure so we can come to terms and have an accommodation and get the bill passed. We put \$600 million in that bill—more for education than the President did. And the President asked for \$2.7 billion for school construction and teachers. It was the view of many colleagues that that was not a Federal responsibility, but we gave this figure. We put an addendum on that if the local school boards decided they wanted it for something else, they could use it for something else, so that there would be local control, which is the essence of education in America, contrasted with the Washington, DC, bureaucratic straitjacket.

Notwithstanding that, the White House, his negotiators, wanted every semicolon their own way. So that bill is still languishing in negotiations. But it is certainly not the fault of the Congress.

We are here today and we will be here tomorrow. The Members—535 of us—had thought we would have concluded our business a long time ago. I can tell the American people—if anybody watches C-SPAN II—that the fault is not that of the Congress that we are still here. The President has decided that we will be in session on 1-day continuing resolutions, as his way of trying to make a political point. He is not making a governmental point, he is making a political point. He is making a political point to try to blame the Congress as a "do-nothing" Congress, when that is not the fact. He is trying to blame the Congress for a situation the White House is really responsible for—at least 50 percent responsible.

We have come to a situation where the quality and parity between the Congress and the executive branch has long since evaporated. When the Government was closed down at the end of 1995, that was an enormous shift of power, so that now the Congress is really over a barrel to yield to whatever the President has to say.

Being aware of that, we structured this final bill on Labor, Health, Human Services, and Education to finish it so that it could be presented to the President in September. The Senate acted on it on June 30, which established a record, going back to 1976 for the earlier set of action on this bill. Then we finished the conference report on July 27. It should have been presented to the President in September, and that projection was made so that we would be able to present it to the President and, if he vetoed it, have a national debate; and we thought we would be in a position to make our priorities stand up because the Constitution does give the Congress the responsibility and authority to establish the priorities.

Mr. President, the essential point that I am coming to is that if we were not over a barrel in our relations with the President, we would submit to the President a continuing resolution for 3