HOUSE OF REPRESENTATIVES—*Thursday, June 6, 1996*

The House met at 10 a.m.

The Reverend Travis Barrick, Koinonia Christian Fellowship, El Cajon, CA, offered the following prayer:

Dear Heavenly Father, there are many in this room who pray for illumination, that they might answer the sacred trust bestowed upon them. May You grant them the mercy of Your wisdom.

Dear Lord, we pray for this wonderful class of pages on their last day here, who have so faithfully served in the Halls of a government that is by, of, and for the people.

Dear God, answer the weakness of our covenant with You, that we may make the whole Earth a little more like heaven in our day, and to protect it from the hell that would be brought upon us by the adversary.

Earnestly we pray, Thy kingdom come, Thy will be done. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Texas [Mr. DOGGETT] come forward and lead the House in the Pledge of Allegiance.

Mr. DOGGETT 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.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed a bill and concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 1406. An act to authorize the Secretary of the Army to convey to the city of Eufaula, Oklahoma, a parcel of land located at the Eufaula Lake project, and for other purposes; and

S. Con. Res. 63. Concurrent resolution to express the sense of Congress that the Secretary of Agriculture should dispose of all remaining commodities in the disaster reserve maintained under the Agricultural Act of 1970 to relieve the distress of livestock producers whose ability to maintain livestock is adversely affected by disaster conditions existing in certain areas of the United States, such as prolonged drought or flooding, and for other purposes.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain ten 1-minutes on each side.

TRIBUTE TO THE GEORGIA SCHOOL FOR THE DEAF

(Mr. BARR of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARR of Georgia. Mr. Speaker, the Georgia School for the Deaf in Cave Spring, GA, this year celebrates a 150-year heritage of service and education to deaf and hard-of-hearing children from all across Georgia. This exceptional school serves children aged 3 through 21, and strives to meet the needs of deaf students through an atmosphere that reflects their self-worth, their integrity, and their ability to communicate.

The teachers and staff at Georgia School for the Deaf are among the most dedicated and caring people you will find anywhere; in any community; in any State. You only have to talk with them for a minute to feel the love they have for these young people. We must do everything we can to foster and preserve the environment they and their predecessors have built and nurtured at this fine facility in Cave Spring, GA.

It is an honor for me to represent this community, this school, and these people, in this Congress. I salute Georgia School for the Deaf on 150 years of service to our children, and wish them well in the coming years.

To 16-year-old Erickson Young, who daily focuses his attention on this assembly, my hope is that you will stand before this body someday, supported by a solid foundation of education and encouragement found at the Georgia School for the Deaf, in Cave Spring, GA.

CHINESE-AMERICAN RELATIONS

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, China arrested American businessman William Chen. Chinese spokesmen said, "We suspect this American of illegal imports and his actions were not honorable."

Honorable, Mr. Speaker? China steals American products, China violates every trade law we have. China illegally ships guns to this country for our streets and they talk about honor?

Beam me up, Mr. Speaker. Is it any wonder we have a $40 billion trade deficit with China? What is our program? When it comes to trade, China puts Americans in jail and the White House rewards China with most-favored-nation trade status. If this is the way to run a country, someone tell me what the secret plan is.

DAY 53

(Mr. BALLENGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BALLENGER. Mr. Speaker, small business continues to get the cold shoulder from the Clinton administration.

Recently, I introduced the Small Business OSHA Relief Act. Seventy-five of my colleagues have cosponsored the bill. The bill is entirely made up of provisions that the Clinton administration at one point or another claimed to support. And it would give some needed relief to small business from an agency which is too often unnecessarily adversarial and lacking in common sense.

I wrote the Secretary of Labor on April 15 asking for his comments on the bill. I hoped that he would support it, since it is entirely taken from his and the President's statements of relief they claimed to support for small business.

Well, here we are on June 5 and we still have not even received a response from the Secretary of Labor. I realize that relief for small business from OSHA's excesses does not rank very high on the priority list of the Secretary of Labor. In fact, I don't think that small business concerns are on his priority list at all.

But I guess I shouldn't be surprised that the Secretary of Labor shows no interest and support for legislation to help small business. After all, this administration talks a good line, but does not back up its words with action.

INCREASED OUT-OF-POCKET LIABILITY FOR SENIORS

(Mr. PALLONE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PALLONE. Mr. Speaker, I wanted to point out that the Republican

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Medicare plan would drastically increase out of pocket costs for seniors citizens. Basically, it is the same thing we had last year. Last year the Medicare bill the Republicans passed doubled the Medicare part B premium from $46.10 in 1995 to about $89 in 2002. It would have increased the Medicare premium by $440 per couple per year. Well, that did not work so now the Republican leadership comes up with another proposal.

This year the new Republican proposal would allow doctors to overcharge seniors for standard medical procedures. According to the Physician Payment Review Commission, a nonpartisan panel of experts that advises Congress, this could leave beneficiaries exposed to substantial out-of-pocket liability in the range of 40 percent of their Medicare bill.

Under the Republican plan, a senior needing major surgery, for example, could end up facing thousands of dollars in medical bills which neither Medicare nor Medigap policies would cover. So once again the Republicans are substantially increasing out-of-pocket expenses for seniors. That is what their Medicare plan is.

SAVE MEDICARE

(Mr. DELAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DELAY. Mr. Speaker, Medicare needs to be rescued, yet the President and the Democrats prefer to save their own political futures. Millions of seniors will lose their health care benefits if the Medicare system goes bankrupt, yet Bill Clinton and the Democrats would rather scare seniors about plans to protect it.

The Medicare trustees have concluded that Medicare is going broke faster than previously thought, yet Bill Clinton has done nothing to save it. Medicare would not be around for the next generation, yet Bill Clinton runs millions of dollars of ads attacking the Republicans for trying to find ways to preserve it.

Mr. Speaker, who is being responsible when it comes to Medicare, and who is being irresponsible? The answer, to me, is obvious. The White House has taken demagoguery to a new level. They have scared seniors to secure their own political futures.

Mr. Speaker, that is wrong. I urge the White House to change their tactics and join with the Republicans in saving Medicare.

SAVE MEDICARE ONCE AGAIN

(Mr. VOLKMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VOLKMER. Mr. Speaker, in answer to the gentleman from Texas, I would like to know why the radical Republicans under the Speakership of NEWT GINGRICH still are proposing to cut Medicare in order to give big tax breaks to the wealthy? Yes, they lost last year. The President vetoed the bill. Now they are trying again.

Look at their budget. We can see what NEWT GINGRICH says right here. He said it publicly, we are going to let it wither on the vine. We will not cut it this year, but in 7 years it is going to be gone.

Not only NEWT GINGRICH, but what about the Presidential nominee, BOB DOLE? BOB DOLE is very proud of the fact: I was there fighting the fight, voting against Medicare 1 out of 12 because we knew it would not work in 1965.

Yes, they want to get rid of Medicare. That is their whole proposal, and it is not just to get rid of it, it is to give tax breaks for the wealthy. That is where they will get their money.

I say to the American public and I say to the Members of this House, we are not going to do it this year either.

IT IS TIME FOR ACTION TO SAVE MEDICARE

(Mr. DOOLITTLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOOLITTLE. Mr. Speaker, yesterday the Medicare Board of Trustees, made up entirely of Clinton administration appointees, reported that Medicare is going bankrupt sooner than expected, now projected to be by early in the year 2001.

Last year the Republicans led the fight to save this system with a Medicare Preservation Act. This act increased benefits, attacked waste and preserved Medicare for future generations, and it put the program in sound financial condition.

In that plan we proposed increasing per-person spending by over $2,000 per year over the course of the next 7 years. But the President vetoed the plan.

Yesterday, Mr. Speaker, the trustees showed yet again it is time for action to save Medicare. Let us hope that the Congress and the President will act cooperatively to save Medicare while there is still time. As the trustees write in their own report, "prompt, effective and decisive action is necessary."

IMPACT OF MEDICARE AND MEDICAID CUTS ON HOSPITALS

(Ms. SLAUGHTER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SLAUGHTER. Mr. Speaker, I rise today to send a warning to my colleagues who believe that Medicare and Medicaid reductions will not reduce the availability of affordable quality health care for millions of low-income children, senior citizens and the disabled.

I would direct all of my colleagues to an article in the June 4 New York Times which illustrates the impact on private hospitals of Medicaid reductions and the explosion of managed care. The result is that many hospitals are in serious financial danger and will ultimately close.

My warning to other Members is to think about their own districts and States. If hospitals in New York can close even before the full implementation of a $158 billion reduction in Medicare and a $72 billion reduction in Medicaid, what are the implications for the other States? New York has always taken pride in the level of investment in health care. Can other States make the same claim?

I recognize the need to control Medicare and Medicaid spending, but the Republican budget proposal goes well beyond fiscal responsibility and will result in a reduction in health care services. We can help encourage greater efficiency in hospital operations, we can help encourage the lack of overutilization in hospitals and we can encourage savings, but New York hospitals closing should sound a warning bell to all Members of Congress.

TOP 10

(Mr. HEFLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HEFLEY. Mr. Speaker, we have been desperately trying to find out what the Democrat plan to save Medicare was. I have it in my hands here. I have discovered it, the 10 top ways the Democrats plan to save Medicare.

First of all, No. 10: Blame it on the Republicans. No. 9: If at first you don't succeed, raise taxes. No. 8: Mediscare and don't worry about the truth while you are doing it. No. 7: Don't ask, don't tell. No. 6: Blame Ken Starr. No. 5: Deny, deny, deny. No. 4: Check the fingerprints on the trustees' report. No. 3: Blame the rich. No. 2: Charge it. And the No. 1 solution of the Democrats to saving Medicare is: Let it go broke, no one will notice.

CUTS IN MEDICARE FOR TAX BREAK FOR THE WEALTHY

(Mr. MILLER of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MILLER of California. Mr. Speaker, we have seen the Republicans do everything they can to divert the public's attention for what their plan would do to Medicare. In order to save Medicare, the Republicans tell us they

have to take away senior citizens' choice of doctors; they have to force them into managed care, where they do not want to go, where they lose control of their health care for themselves and for their spouse. They want them to pay the overcharges for doctors who charge them too much for medical procedures. They want to take away their right to have a Medigap insurance policy so they will not have to pay out-of-pocket charges to those same doctors and hospitals, maybe now forcing them to pay as much as 40 percent in out-of-pocket charges.

And they want to do all that for simply one reason, and that is to gather up the resources of Medicare and give a tax break to the wealthy, not gathering up the resources of Medicare to shore up the system, to bolster the system, to make it solvent, but to take away these resources, to take away the money of the senior citizens, to charge them more, to simply transfer that to a tax cut.

□ 1015

There is another way. The other way is the way President Clinton proposed, which is to shore this system up for 10 years.

MEDICARE TRUSTEES REPORT

(Mr. GOSS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GOSS. Mr. Speaker, the Medicare trustees, including three Clinton Cabinet officials, have released their annual report. It is 3 months late and the diagnosis is not good. The part A trust fund is going to be bankrupt in 2001, a full year earlier than was reported last year. Those are the facts. Interestingly enough, this report came just days after the Senate minority leader and a top Clinton Cabinet official accused Republicans of playing politics with Medicare.

It is serious, folks. We have a problem. Mr. Speaker, during my work on the Kerry commission I saw firsthand the consequences of failing to reform Medicare. I was also pleased to work in a bipartisan fashion with colleagues on both sides of the aisle trying to find a long-term solution for this problem. Responsible people did.

Last year Congress sent that responsible solution of real Medicare reform to the President, and the President vetoed it. I say that it is time for the President to stop the mediscare, stop the medigoguery, encourage the people in his party on that side of the aisle to stop doing it and get to responsible solutions. We have one. We need to identify it and we need it now.

DEGRADING ACCUSATION

(Mr. FRANK of Massachusetts asked and was given permission to address the House for 1 minute.)

Mr. FRANK of Massachusetts. Mr. Speaker, we should be discussing Medicare, but sometimes decency requires us to deal with unpleasantness. The unpleasantness in this case is an outrageous, inaccurate, degrading accusation by Speaker GINGRICH about the late Ron Brown. Speaker GINGRICH, in what is apparently an organized Republican effort to divert this campaign from discussing the real issues into the kind of negative attacks that maybe they think is the only way they can win, outrageously suggested to a Republican campaign gathering that the President and others delayed the announcement of Secretary Brown's death so that they could engage in some manipulations at his office. It is a lie. The Speaker, when asked, could provide no justification for it.

In fact, we are told in today's paper by the Speaker's press secretary that the justification is that there might be subsequent facts. That is a fairly outrageous standard. Make a terrible accusation and then look and hope for subsequent facts.

Mr. Speaker, I know it is a tough year for the Republican Party. But nothing justifies libeling the dead. Please apologize to the Ron Brown family.

MEDICARE TRUSTEES REPORT

(Mr. BAKER of California asked and was given permission to address the House for 1 minute.)

Mr. BAKER of California. Mr. Speaker, in this fantasy land known as Washington, the truth is rarely heard. As the little rabbit said in "Alice in Wonderland," things are not as they appear. So when the Medicare trustees, these well-known conservatives such as Labor Secretary Reich, Health Secretary Shalala and Treasury Secretary Rubin got up and said Medicare is going broke, an advanced copy went to the gentleman from Missouri [Mr. GEPHARDT]. He stood up and said, it is all the Republicans' fault. How could that be? How could that possibly be when we have not passed it?

One of the speakers earlier said today hospitals in my area are closing, in anticipation of our plan which has not even gotten out of the House and has not been signed by the President.

What does Medicare really need? This is the Medicare report from the trustees. One year ago they said it was going to go broke in 2002. The top line. Now they are saying it is going to go broke in 2000. Folks, by the year 2001, it will be $85 billion under water. That is not because somebody has given somebody a tax break.

What does the Republican plan do? It allows doctors and hospitals to directly provide services. It allows HMO's to provide services, allows people to have a medical savings account. It eliminates waste, fraud, and abuse through tort reform and allows seniors to stay where it is. Let us pass reform. Let us stop blaming each other. Let us save Medicare.

ACCUSATIONS AGAINST THE LATE RON BROWN

(Mr. BONIOR asked and was given permission to address the House for 1 minute.)

Mr. BONIOR. Mr. Speaker, it was 2 months ago this week that Ron Brown and 34 others were killed in a tragic plane crash in Bosnia. For 2 awful days the world waited to hear the word of their fate. Most of us spent that time praying for a miracle. When word of the tragedy came, the outpouring of love and affection across this country was absolutely breathtaking.

But now the Speaker of the House has weighed in with words of venom. Where most people see tragedy, the Speaker sees only coverup. His press secretary backed his words up by calling for an investigation. During times of tragedy, we should respect each other, not tear each other apart. Only someone who loses the public debate would stoop to desperation tactics like this. This is beneath the dignity of the House and the dignity of this great country.

If NEWT GINGRICH has even a shred of decency left, he should apologize not only to the friends and family of those who were killed but to the American people.

MEDICARE IS GOING BROKE

(Mr. SCARBOROUGH asked and was given permission to address the House for 1 minute.)

Mr. SCARBOROUGH. Mr. Speaker, here we go again. Absolutely amazing. Medicare is going bankrupt, and the Democrats are doing absolutely nothing about it. They come up behind the podium just like they did last year, telling us that the Republicans are cutting Medicare when they know it is not the truth. The Washington Post spells it out. Last year during the demagoguery, the Washington Post accused the Democrats of shameless demagoguery to try to scare seniors because "they know that is where the votes are."

Then, Washington Post columnist Robert Samuelson took it a step forward and called the President of the United States and the Democrats liars on Medicare. Why? Because it is clear. Medicare is going bankrupt and the Democrats are doing nothing about it.

They do not care about my 93-year-old grandmother. They do not care about my parents. They do not care about the millions of seniors who will be without Medicare in 5 years if we do not do something about it today.

They do not care. John Lennon wrote a song called "How Do You Sleep at

Night." I think it should be their theme song for the 1996 election.

LEGISLATION OF THE 104TH CONGRESS

(Mr. DOGGETT asked and was given permission to address the House for 1 minute.)

Mr. DOGGETT. Mr. Speaker, this House Republican leadership has turned over the job of writing much of our legislation to special interest lobbyists. They gather here at the Capitol weekly to write the Nation's business. So, it is little wonder that now with the election approaching, they have begun a corruption search to cover their own misdeeds.

The latest chapter in this is this callous act of raising these accusations about the death of Ron Brown at the very time his family still grieves. The Speaker said yesterday, Reagan was teflon, Clinton is flypaper, this stuff is going to start to stick.

The only thing stuck around here is this Republican leadership. It is stuck in the gutter because of its own misdeeds and now these callous accusations.

WELFARE REFORM

(Mr. CHABOT asked and was given permission to address the House for 1 minute.)

Mr. CHABOT. Mr. Speaker, today, once again, we will try to take the President at his word on welfare reform. Only 3 weeks ago President Clinton endorsed the Wisconsin works plan which substitutes work and responsibility for dependence and despair. It was adopted by sweeping bipartisan majorities in the Wisconsin State Legislature. Yet Federal roadblocks still prevent that plan from going into effect.

President Clinton said he endorsed the plan just a couple of weeks ago. He said we should get it done. Now we get hemming and hawing from the administration. In fact, some administration officials signaled that the President did not mean what he said. But maybe they are not being fair to their boss.

The cynics point this out, after saying that he wanted to end welfare as we know it, remember that, the President vetoed welfare reform. Then he vetoed it again. The cynics say that we have to be a bit skeptical of the President's words. But heck with those cynics.

Mr. Speaker, let us give the President what he says he wants and what the people of Wisconsin really do want. To quote the President, "We should get it done."

Let us overhaul the terrible welfare system that we have in this country and let us do it in Wisconsin for the folks there who want to overhaul the welfare system.

COMMERCE SECRETARY RON BROWN

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, once again House Speaker NEWT GINGRICH has gone too far. He is alleging that the Commerce Department workers might have shredded documents after Secretary Brown's fatal crash in Croatia and that the staff delayed reporting this airplane crash with 26 incredible Americans on board. According to Gingrich's staff, the Speaker is, and I quote, "Suggesting there might have been a coverup to get rid of Brown's papers after he died."

This is extreme. It is irresponsible. It is not the behavior of a congressional leader.

When questioned about it, the Speaker's office responded, and I again quote, "I think they are serious allegations, if subsequent facts support them, if subsequent facts support them, I think it is something other news outlets ought to look at and other agencies."

In other words, we are going to make an outrageous allegation and then we are going to hope that eventually someone comes up with the facts to support it.

Has not the family of Commerce Secretary Ron Brown suffered enough? Speaker GINGRICH, who did not even attend the funeral, owes the Brown family a public apology for making this irresponsible and fictional allegation.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. INGLIS of South Carolina). The Chair admonishes Members not to refer to the President in terms personally offensive, as occurred during the remarks of the gentleman from Florida.

A BALANCED BUDGET

(Mr. LINDER asked and was given permission to address the House for 1 minute.)

Mr. LINDER. Mr. Speaker, the last 20 minutes discussion on Medicare is only a symbol of what has been wrong in this town for 30 years. This body and the other has been voting benefits to America's citizens and said do not worry, you are not going to have to pay for them. We are going to pass this bill on to your grandchildren. That is why we must have a balanced budget and a balanced budget amendment and it makes sense.

But more than just common sense. It is a promise to our children and grandchildren that we will not continue runaway government spending at their expense. When my grandsons are old enough to ask me, I do not want to have to explain to them why they are paying $3,500 every year in taxes just for interest on the national debt and why over their lifetime they will pay $187,000 in taxes just to pay interest on the debt.

I refuse to say to them, your future is mortgaged and your country is bankrupt. That is why House Republicans have kept their promise to the American people and passed the balanced budget amendment. Now the Senate can do the same. All we need is for President Clinton to keep his word.

Governor Clinton supported a balanced budget, but last year President Clinton persuaded six Democrat Senators to change their vote and defeat the amendment. I hope the President will begin to get his actions in step with his words.

BASELESS ALLEGATIONS

(Mr. LEWIS of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LEWIS of Georgia. Mr. Speaker, I read with disbelief an article in the Washington Post this morning. It reported that the Speaker of this House has made baseless, unsubstantiated allegations about our late Secretary of Commerce, Ron Brown.

Ron Brown died in service to his country just 2 short months ago when his plane crashed during a trade mission to Bosnia. The Brown family is still in mourning, but for the Speaker of the House the death of this great man is something to be exploited for political gain.

Mr. Speaker, how low will you go? Is there a shred of decency left in your body? Is there anything you would not say for partisan political gain. You bring disrespect to yourself and to this institution by making such outrageous and baseless charges.

You owe us all an apology. You owe the Brown family an apology. You owe this Congress an apology and you owe this Nation an apology.

Mr. Speaker, you might not be the most unpopular public figure in history if you started showing a little common decency and respect.

□ 1030

PERMISSION FOR SUNDRY COMMITTEES AND THEIR SUBCOMMITTEES TO SIT TODAY DURING THE 5-MINUTE RULE

Mr. SOLOMON. Mr. Speaker, I ask unanimous consent that the following committees and their subcommittees be permitted to sit today while the House is meeting in the Committee of the Whole House under the 5-minute rule: the Committee on Agriculture; the Committee on Banking and Financial Services; the Committee on Commerce; the Committee on Economic

and Educational Opportunities; the Committee on Government Reform and Oversight; the Committee on International Relations; the Committee on the Judiciary; the Committee on National Security; the Committee on Resources; the Committee on Science; the Committee on Small Business; the Committee on Transportation and Infrastructure; and the Permanent Select Committee on Intelligence.

It is my understanding that the minority has been consulted and there is no objection to these requests.

The SPEAKER pro tempore (Mr. INGLIS of South Carolina). Is there objection to the request of the gentleman from New York?

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 3562, WISCONSIN WORKS WAIVER APPROVAL ACT

Mr. SOLOMON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 446 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 446

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 3562) to authorize the State of Wisconsin to implement the demonstration project known as "Wisconsin Works". The amendment printed in section 2 of this resolution shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto final passage without intervening motion except: (1) one hour of debate on the bill, as amended, which shall be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means or their respective designees; (2) one motion to amend by Representative Kleczka of Wisconsin or his designee, which shall be considered as read and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

SEC. 2. The amendment to the bill considered as adopted pursuant to the first section of this resolution is as follows:

In section 1(d) of the bill, strike "subsection (b)(2) exceeds the amount described in subsection (b)(1)" and insert in lieu thereof "subsection (b)(1) exceeds the amount described in subsection (b)(2)".

The SPEAKER pro tempore. The gentleman from New York [Mr. SOLOMON] is recognized for 1 hour.

Mr. SOLOMON. Mr. Speaker, for purposes of debate only, I yield 30 minutes to my good friend, the gentleman from Boston, MA [Mr. MOAKLEY], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for purposes of debate only.

Mr. Speaker, House Resolution 446 is a modified closed rule providing for consideration of H.R. 3562, the Wisconsin Works Waiver Approval Act. The rule provides 1 hour of debate, equally divided and controlled by the chairman and ranking member of the Committee on Ways and Means or their respective designees. The rule allows one amendment to be offered by the gentleman from Wisconsin [Mr. KLECZKA] and provides 1 hour of debate on the amendment, to be equally divided and controlled by the proponent and an opponent. The rule provides that an amendment contained in section 2 of the resolution shall be considered as adopted. This change to the bill is necessary to correct a technical drafting error which has been cleared with the minority.

Finally, this rule provides one motion to recommit, with or without instructions. The rule before the House is abundantly fair. It makes in order a minority substitute and provides adequate debate time. It was reported by the Committee on Rules yesterday by a voice vote, noncontroversial.

Mr. Speaker, the legislation before the House this morning is proceeding on an admittedly hurried timetable, out of sincere desire to accommodate the President of the United States. On May 19, 1996, President Clinton announced his support for Wisconsin's landmark welfare reform plan and suggested it be implemented immediately. He said, "The plan has the makings of a solid, bold welfare reform plan." He intoned that to his radio listeners. He said further, "We should get it done now."

Mr. Speaker, if someone who had not followed this issue had heard the President's radio address, they might easily come away with the impression that this is a man who supports real welfare reform. As with all things, he sounded perfectly convincing. The record, Mr. Speaker, is quite another story. The President has vetoed genuine and compassionate welfare reform on two separate occasions, once in the context of a bill to balance the budget in 7 years, a terribly important bill; another, the stand-alone welfare bill, he vetoed in the middle of the night, during a huge snowstorm here in Washington.

Mr. Speaker, the Wisconsin Works plan ironically contains many of the features of the two welfare reform bills that President Clinton has already vetoed. It requires, and this is so, so important, it requires work, contains a time limit on benefits, and it ends the auto pilot spending that has busted Federal and State budgets for the past two decades, and even more.

Mr. Speaker, over the next few hours, we will hear Members on the other side of the aisle suggest that we should let the waiver process work and allow for adequate time for Federal officials to study this. They are going to say that in just a few minutes. This is essentially, Mr. Speaker, a defense of the status quo, and that is not good enough. It is essentially a defense of the convoluted and failed national welfare system. We all know what that has done.

Mr. Speaker, the present waiver process, in which innovative Governors trudge to Washington to receive a blessing to implement new welfare reforms, is an absolute sham. Mr. Speaker, if the States received block grants of the sort envisioned in our welfare reform bills, rejected by the President, Governors would not need to make this embarrassing pilgrimage here to Washington.

Under the present system, after a State legislature and a Governor have approved a measure which requires Federal waivers, Federal bureaucrats then are free to change those requests, to stall them, to deny them completely, and they often do. These bureaucrats view the requests for waivers from Federal rules as a negotiation in which details could be changed.

Mr. Speaker, this is how the White House Deputy Chief of Staff, Harold Ickes, described the process just 3 days after the President endorsed the Wisconsin Works plan. Evidently, they were not working together or seeing eye to eye or something.

Members of the House yesterday in the Committee on Rules, we heard testimony that several States, including California, including the State of the gentleman from Florida [Mr. GOSS], have waivers pending for welfare reform before this President.

If Congress takes no action this year in the direction of welfare reform, my State of New York will be forced to present a lengthy list of waivers necessary in order to implement proposed welfare changes from Governor Pataki's budget, which is already busted and has to be fixed.

Mr. Speaker, the way to ensure that this is not necessary is to pass yet another comprehensive welfare reform bill, which we will do in just a few weeks, and for President Clinton to courageously sign it, not to veto it and talk different each time.

This waiver process for Wisconsin and the debate it has engendered is in itself an argument for our larger welfare reform bill. We have to get it out here and get it passed as soon as possible. If the President sees fit to approve these necessary and very compassionate policy decisions for one State in the country, why not sign a comprehensive national program of welfare reform?

The debate today will range to classic issues of federalism: How much control should the Federal Government have over local and State policies to assist the underprivileged in America? That is what this debate is going to be all about here today. The Congress has committed on two occasions to a policy of block grants for the States, to allow them to utilize their resources as they see fit to grapple with the problem of poverty, but the argument that we

should reject this fast track approval of Wisconsin's welfare plan because we need more time for Federal officials to study this program which has been going on for 40 years reflects a lack of compassion toward the families who are trapped in the current welfare system and its cycles of dependency. We have to stop that.

The way to do it is to test this pilot program in Wisconsin, which has already reduced under the first plan by Governor Tommy Thompson, has already reduced the caseload by 39 percent. If we can do that in New York State, my goodness, what that would mean to the taxpayers that have to support county and local taxes by their property taxes? Let us get on with it. Let us pass this rule and pass this bill.

Mr. Speaker, I include for the RECORD a document entitled "The Amendment Process Under Special Rules Reported by the Rules Committee, 103rd Congress versus 104th Congress."

The information referred to is as follows:

THE AMENDMENT PROCESS UNDER SPECIAL RULES REPORTED BY THE RULES COMMITTEE,[1] 103D CONGRESS V. 104TH CONGRESS

[As of June 5, 1996]

Rule type	103d Congress		104th Congress	
	Number of rules	Percent of total	Number of rules	Percent of total
Open/Modified-open [2]	46	44	71	59
Structured/Modified Closed [3]	49	47	32	27
Closed [4]	9	9	17	14
Total	104	100	120	100

[1] This table applies only to rules which provide for the original consideration of bills, joint resolutions or budget resolutions and which provide for an amendment process. It does not apply to special rules which only waive points of order against appropriations bills which are already privileged and are considered under an open amendment process under House rules.

[2] An open rule is one under which any Member may offer a germane amendment under the five-minute rule. A modified open rule is one under which any Member may offer a germane amendment under the five-minute rule subject only to an overall time limit on the amendment process and/or a requirement that the amendment be preprinted in the Congressional Record.

[3] A modified closed rule is one under which the Rules Committee limits the amendments that may be offered only to those amendments designated in the special rule or the Rules Committee report to accompany it, or which preclude amendments to a particular portion of a bill, even though the rest of the bill may be completely open to amendment.

[4] A closed rule is one under which no amendments may be offered (other than amendments recommended by the committee in reporting the bill).

SPECIAL RULES REPORTED BY THE RULES COMMITTEE, 104TH CONGRESS

[As of June 5, 1996]

H. Res. No. (Date rept.)	Rule type	Bill No.	Subject	Disposition of rule
H. Res. 38 (1/18/95)	O	H.R. 5	Unfunded Mandate Reform	A: 350–71 (1/19/95).
H. Res. 44 (1/24/95)	MC	H. Con. Res. 17	Social Security	A: 255–172 (1/25/95).
		H.J. Res. 1	Balanced Budget Amdt	
H. Res. 51 (1/31/95)	O	H.R. 101	Land Transfer, Taos Pueblo Indians	A: voice vote (2/1/95).
H. Res. 52 (1/31/95)	O	H.R. 400	Land Exchange, Arctic Nat'l. Park and Preserve	A: voice vote (2/1/95).
H. Res. 53 (1/31/95)	O	H.R. 440	Land Conveyance, Butte County, Calif	A: voice vote (2/1/95).
H. Res. 55 (2/1/95)	O	H.R. 2	Line Item Veto	A: voice vote (2/2/95).
H. Res. 60 (2/6/95)	O	H.R. 665	Victim Restitution	A: voice vote (2/7/95).
H. Res. 61 (2/6/95)	O	H.R. 666	Exclusionary Rule Reform	A: voice vote (2/7/95).
H. Res. 63 (2/8/95)	MO	H.R. 667	Violent Criminal Incarceration	A: voice vote (2/9/95).
H. Res. 69 (2/9/95)	O	H.R. 668	Criminal Alien Deportation	A: voice vote (2/10/95).
H. Res. 79 (2/10/95)	MO	H.R. 728	Law Enforcement Block Grants	A: voice vote (2/13/95).
H. Res. 83 (2/13/95)	MO	H.R. 7	National Security Revitalization	PQ: 229–100; A: 227–127 (2/15/95).
H. Res. 88 (2/16/95)	MC	H.R. 831	Health Insurance Deductibility	PQ: 230–191; A: 229–188 (2/21/95).
H. Res. 91 (2/21/95)	O	H.R. 830	Paperwork Reduction Act	A: voice vote (2/22/95).
H. Res. 92 (2/21/95)	MC	H.R. 889	Defense Supplemental	A: 282–144 (2/22/95).
H. Res. 93 (2/22/95)	MO	H.R. 450	Regulatory Transition Act	A: 252–175 (2/23/95).
H. Res. 96 (2/24/95)	MO	H.R. 1022	Risk Assessment	A: 253–165 (2/27/95).
H. Res. 100 (2/27/95)	O	H.R. 926	Regulatory Reform and Relief Act	A: voice vote (2/28/95).
H. Res. 101 (2/28/95)	MO	H.R. 925	Private Property Protection Act	A: 271–151 (3/2/95).
H. Res. 103 (3/3/95)	MO	H.R. 1058	Securities Litigation Reform	
H. Res. 104 (3/3/95)	MO	H.R. 988	Attorney Accountability Act	A: voice vote (3/6/95).
H. Res. 105 (3/6/95)	MO			A: 257–155 (3/7/95).
H. Res. 108 (3/7/95)	Debate	H.R. 956	Product Liability Reform	A: voice vote (3/8/95).
H. Res. 109 (3/8/95)	MC			PQ: 234–191 A: 247–181 (3/9/95).
H. Res. 115 (3/14/95)	MO	H.R. 1159	Making Emergency Supp. Approps	A: 242–190 (3/15/95).
H. Res. 116 (3/15/95)	MC	H.J. Res. 73	Term Limits Const. Amdt	A: voice vote (3/28/95).
H. Res. 117 (3/16/95)	Debate	H.R. 4	Personal Responsibility Act of 1995	A: voice vote (3/21/95).
H. Res. 119 (3/21/95)	MC			A: 217–211 (3/22/95).
H. Res. 125 (4/3/95)	O	H.R. 1271	Family Privacy Protection Act	A: 423–1 (4/4/95).
H. Res. 126 (4/3/95)	O	H.R. 660	Older Persons Housing Act	A: voice vote (4/6/95).
H. Res. 128 (4/4/95)	MC	H.R. 1215	Contract With America Tax Relief Act of 1995	A: 228–204 (4/5/95).
H. Res. 130 (4/5/95)	MC	H.R. 483	Medicare Select Expansion	A: 253–172 (4/6/95).
H. Res. 136 (5/1/95)	O	H.R. 655	Hydrogen Future Act of 1995	A: voice vote (5/2/95).
H. Res. 139 (5/3/95)	O	H.R. 1361	Coast Guard Auth. FY 1996	A: voice vote (5/9/95).
H. Res. 140 (5/9/95)	O	H.R. 961	Clean Water Amendments	A: 414–4 (5/10/95).
H. Res. 144 (5/11/95)	O	H.R. 535	Fish Hatchery—Arkansas	A: voice vote (5/15/95).
H. Res. 145 (5/11/95)	O	H.R. 584	Fish Hatchery—Iowa	A: voice vote (5/15/95).
H. Res. 146 (5/11/95)	O	H.R. 614	Fish Hatchery—Minnesota	A: voice vote (5/15/95).
H. Res. 149 (5/16/95)	MC	H. Con. Res. 67	Budget Resolution FY 1996	PQ: 252–170 A: 255–168 (5/17/95).
H. Res. 155 (5/22/95)	MO	H.R. 1561	American Overseas Interests Act	A: 233–176 (5/23/95).
H. Res. 164 (6/8/95)	MC	H.R. 1530	Nat. Defense Auth. FY 1996	PQ: 225–191 A: 233–183 (6/13/95).
H. Res. 167 (6/15/95)	O	H.R. 1817	MilCon Appropriations FY 1996	PQ: 223–180 A: 245–155 (6/16/95).
H. Res. 169 (6/19/95)	MC	H.R. 1854	Leg. Branch Approps. FY 1996	PQ: 232–196 A: 236–191 (6/20/95).
H. Res. 170 (6/20/95)	O	H.R. 1868	For. Ops. Approps. FY 1996	PQ: 221–178 A: 217–175 (6/22/95).
H. Res. 171 (6/22/95)	O	H.R. 1905	Energy & Water Approps. FY 1996	A: voice vote (7/12/95).
H. Res. 173 (6/27/95)	C	H.J. Res. 79	Flag Constitutional Amendment	PQ: 258–170 A: 271–152 (6/28/95).
H. Res. 176 (6/28/95)	MC	H.R. 1944	Emer. Supp. Approps	PQ: 236–194 A: 234–192 (6/29/95).
H. Res. 185 (7/11/95)	O	H.R. 1977	Interior Approps. FY 1996	PQ: 235–193 D: 192–238 (7/12/95).
H. Res. 187 (7/12/95)	O	H.R. 1977	Interior Approps. FY 1996 #2	PQ: 230–194 A: 229–195 (7/13/95).
H. Res. 188 (7/12/95)	O	H.R. 1976	Agriculture Approps. FY 1996	PQ: 242–185 A: voice vote (7/18/95).
H. Res. 190 (7/17/95)	O	H.R. 2020	Treasury/Postal Approps. FY 1996	PQ: 232–192 A: voice vote (7/18/95).
H. Res. 193 (7/19/95)	C	H.J. Res. 96	Disapproval of MFN to China	A: voice vote (7/20/95).
H. Res. 194 (7/19/95)	O	H.R. 2002	Transportation Approps. FY 1996	PQ: 217–202 (7/21/95).
H. Res. 197 (7/21/95)	O	H.R. 70	Exports of Alaskan Crude Oil	A: voice vote (7/24/95).
H. Res. 198 (7/21/95)	O	H.R. 2076	Commerce, State Approps. FY 1996	A: voice vote (7/25/95).
H. Res. 201 (7/25/95)	O	H.R. 2099	VA/HUD Approps. FY 1996	A: 230–189 (7/25/95).
H. Res. 204 (7/28/95)	MC	S. 21	Terminating U.S. Arms Embargo on Bosnia	A: voice vote (8/1/95).
H. Res. 205 (7/28/95)	O	H.R. 2126	Defense Approps. FY 1996	A: 409–1 (7/31/95).
H. Res. 207 (8/1/95)	MC	H.R. 1555	Communications Act of 1995	A: 255–156 (8/2/95).
H. Res. 208 (8/1/95)	O	H.R. 2127	Labor, HHS Approps. FY 1996	A: 323–104 (8/2/95).
H. Res. 215 (9/7/95)	O	H.R. 1594	Economically Targeted Investments	A: voice vote (9/12/95).
H. Res. 216 (9/7/95)	MO	H.R. 1655	Intelligence Authorization FY 1996	A: voice vote (9/12/95).
H. Res. 218 (9/12/95)	O	H.R. 1162	Deficit Reduction Lockbox	A: voice vote (9/13/95).
H. Res. 219 (9/12/95)	O	H.R. 1670	Federal Acquisition Reform Act	A: 414–0 (9/13/95).
H. Res. 222 (9/18/95)	O	H.R. 1617	CAREERS Act	A: 388–2 (9/19/95).
H. Res. 224 (9/19/95)	O	H.R. 2274	Natl. Highway System	PQ: 241–173 A: 375–39–1 (9/20/95).
H. Res. 225 (9/19/95)	MC	H.R. 927	Cuban Liberty & Dem. Solidarity	A: 304–118 (9/20/95).

SPECIAL RULES REPORTED BY THE RULES COMMITTEE, 104TH CONGRESS—Continued

[As of June 5, 1996]

H. Res. No. (Date rept.)	Rule type	Bill No.	Subject	Disposition of rule
H. Res. 226 (9/21/95)	O	H.R. 743	Team Act	A: 344–66–1 (9/27/95).
H. Res. 227 (9/21/95)	O	H.R. 1170	3-Judge Court	A: voice vote (9/28/95).
H. Res. 228 (9/21/95)	O	H.R. 1601	Internatl. Space Station	A: voice vote (9/27/95).
H. Res. 230 (9/27/95)	C	H.J. Res. 108	Continuing Resolution FY 1996	A: voice vote (9/28/95).
H. Res. 234 (9/29/95)	O	H.R. 2405	Omnibus Science Auth	A: voice vote (10/11/95).
H. Res. 237 (10/17/95)	MC	H.R. 2259	Disapprove Sentencing Guidelines	A: voice vote (10/18/95).
H. Res. 238 (10/18/95)	MC	H.R. 2425	Medicare Preservation Act	PQ: 231–194 A: 227–192 (10/19/95).
H. Res. 239 (10/19/95)	C	H.R. 2492	Leg. Branch Approps	PQ: 235–184 A: voice vote (10/31/95).
H. Res. 245 (10/25/95)	MC	H. Con. Res. 109	Social Security Earnings Reform	PQ: 228–191 A: 235–185 (10/26/95).
		H.R. 2491	Seven-Year Balanced Budget	
H. Res. 251 (10/31/95)	C	H.R. 1833	Partial Birth Abortion Ban	A: 237–190 (11/1/95).
H. Res. 252 (10/31/95)	MO	H.R. 2546	D.C. Approps.	A: 241–181 (11/1/95).
H. Res. 257 (11/7/95)	C	H.J. Res. 115	Cont. Res. FY 1996	A: 216–210 (11/8/95).
H. Res. 258 (11/8/95)	MC	H.R. 2586	Debt Limit	A: 220–200 (11/10/95).
H. Res. 259 (11/9/95)	O	H.R. 2539	ICC Termination Act	A: voice vote (11/14/95).
H. Res. 261 (11/9/95)	C	H.J. Res. 115	Cont. Resolution	A: 223–182 (11/10/95).
H. Res. 262 (11/9/95)	C	H.R. 2586	Increase Debt Limit	A: 220–185 (11/10/95).
H. Res. 269 (11/15/95)	O	H.R. 2564	Lobbying Reform	A: voice vote (11/16/95).
H. Res. 270 (11/15/95)	C	H.J. Res. 122	Further Cont. Resolution	A: 229–176 (11/15/95).
H. Res. 273 (11/16/95)	MC	H.R. 2606	Prohibition on Funds for Bosnia	A: 239–181 (11/17/95).
H. Res. 284 (11/29/95)	O	H.R. 1788	Amtrak Reform	A: voice vote (11/30/95).
H. Res. 287 (11/30/95)	O	H.R. 1350	Maritime Security Act	A: voice vote (12/6/95).
H. Res. 293 (12/7/95)	C	H.R. 2621	Protect Federal Trust Funds	PQ: 223–183 A: 228–184 (12/14/95).
H. Res. 303 (12/13/95)	O	H.R. 1745	Utah Public Lands.	
H. Res. 309 (12/18/95)	C	H.Con. Res. 122	Budget Res. W/President	PQ: 230–188 A: 229–189 (12/19/95).
H. Res. 313 (12/19/95)	O	H.R. 558	Texas Low-Level Radioactive	A: voice vote (12/20/95).
H. Res. 323 (12/21/95)	C	H.R. 2677	Natl. Parks & Wildlife Refuge	Tabled (2/28/96).
H. Res. 366 (2/27/96)	MC	H.R. 2854	Farm Bill	PQ: 228–182 A: 244–168 (2/28/96).
H. Res. 368 (2/28/96)	O	H.R. 994	Small Business Growth	
H. Res. 371 (3/6/96)	C	H.R. 3021	Debt Limit Increase	A: voice vote (3/7/96).
H. Res. 372 (3/6/96)	MC	H.R. 3019	Cont. Approps. FY 1996	PQ: voice vote A: 235–175 (3/7/96).
H. Res. 380 (3/12/96)	MC	H.R. 2703	Effective Death Penalty	A: 251–157 (3/13/96).
H. Res. 384 (3/14/96)	MC	H.R. 2202	Immigration	PQ: 233–152 A: voice vote (3/21/96).
H. Res. 386 (3/20/96)	C	H.J. Res. 165	Further Cont. Approps	PQ: 234–187 A: 237–183 (3/21/96).
H. Res. 388 (3/20/96)	C	H.R. 125	Gun Crime Enforcement	A: 244–166 (3/22/96).
H. Res. 391 (3/27/96)	C	H.R. 3136	Contract w/America Advancement	PQ: 232–180 A: 232–177, (3/28/96).
H. Res. 392 (3/27/96)	MC	H.R. 3103	Health Coverage Affordability	PQ: 229–186 A: Voice Vote (3/29/96).
H. Res. 395 (3/29/96)	MC	H.J. Res. 159	Tax Limitation Const. Amdmt.	PQ: 232–168 A: 234–162 (4/15/96).
H. Res. 396 (3/29/96)	O	H.R. 842	Truth in Budgeting Act	A: voice vote (4/17/96).
H. Res. 409 (4/23/96)	O	H.R. 2715	Paperwork Elimination Act	A: voice vote (4/24/96).
H. Res. 410 (4/23/96)	O	H.R. 1675	Natl. Wildlife Refuge	A: voice vote (4/24/96).
H. Res. 411 (4/23/96)	O	H.J. Res. 175	Further Cont. Approps. FY 1996	A: voice vote (4/24/96).
H. Res. 418 (4/30/96)	O	H.R. 2641	U.S. Marshals Service	PQ: 219–203 A: voice vote (5/1/96).
H. Res. 419 (4/30/96)	O	H.R. 2149	Ocean Shipping Reform	A: 422–0 (5/1/96).
H. Res. 421 (5/2/96)	O	H.R. 2974	Crimes Against Children & Elderly	A: voice vote (5/7/96).
H. Res. 422 (5/2/96)	O	H.R. 3120	Witness & Jury Tampering	A: voice vote (5/7/96).
H. Res. 426 (5/7/96)	O	H.R. 2406	U.S. Housing Act of 1996	PQ: 218–208 A: voice vote (5/8/96).
H. Res. 427 (5/7/96)	O	H.R. 3322	Omnibus Civilian Science Auth	A: voice vote (5/9/96).
H. Res. 428 (5/7/96)	MC	H.R. 3286	Adoption Promotion & Stability	A: voice vote (5/9/96).
H. Res. 430 (5/9/96)	S H.R. 3230	DoD Auth. FY 1997	A: 235–149 (5/10/96).	
H. Res. 435 (5/15/96)	MC	H. Con. Res. 178	Con. Res. on the Budget, 1997	PQ: 227–196 A: voice vote (5/16/96).
H. Res. 436 (5/16/96)	C	H.R. 3415	Repeal $43 cent fuel tax	PQ: 221–181 A: voice vote (5/21/96).
H. Res. 437 (5/16/96)	MO	H.R. 3259	Intell. Auth. FY 1997	A: voice vote (5/21/96).
H. Res. 438 (5/16/96)	MC	H.R. 3144	Defend America Act	
H. Res. 440 (5/21/96)	MC	H.R. 3448	Small Bus. Job Protection	A: 219–211 (5/22/96).
		H.R. 1227	Employee Commuting Flexibility.	
H. Res. 442 (5/29/96)	O	H.R. 3517	Mil. Const. Approps. FY 1997	A: voice vote (5/30/96).
H. Res. 445 (5/30/96)	O	H.R. 3540	For. Ops. Approps. FY 1997	A: voice vote (6/5/96).
H. Res. 446 (6/5/96)	MC	H.R. 3562	WI Works Waiver Approval	

Codes: O-open rule; MO-modified open rule; MC-modified closed rule; C-closed rule; A-adoption vote; D-defeated; PQ-previous question vote. Source: Notices of Action Taken, Committee on Rules, 104th Congress.

Mr. SOLOMON. Mr. Speaker, I reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as four members of the Wisconsin delegation said yesterday in the Committee on Rules, these waivers have absolutely no business in the House of Representatives. Although I will not oppose this rule, I urge my colleagues to support the Obey substitute, which will allow the people of Wisconsin 30 days to comment on the waivers.

The substitute of the gentleman from Wisconsin [Mr. OBEY] says quite simply that if the Wisconsin welfare bill does what Governor Thompson says it will, then grant the waivers and let them get on with the business of helping people get off welfare and into jobs. If the bill does not do what the Governor says it will, then change it until it does.

Mr. Speaker, unfortunately, it is really not that simple. Unfortunately for the entire country, this issue, the issue of how the State of Wisconsin reforms its welfare system, has reached the level of Presidential politics, and heaven help Wisconsin. Now that the Presidential race has been swept up in the issue of Wisconsin welfare, we will not hear the end of it for a while.

It is not enough, Mr. Speaker, that this welfare bill overwhelmingly passed the Wisconsin State legislature. It is not enough, Mr. Speaker, that Democrats and Republicans have supported it. It is not enough, Mr. Speaker, that President Clinton supported the goals of the plan in his radio address, despite its being offered by a Republican Governor. Now my Republican colleagues are smarting politically and they want revenge.

Mr. Speaker, the entire House of Representatives, all 434 or 435 Members who represent 50 States, have to vote on a 600-page waiver request for a bill which will affect only one State, and not, and I want to make this very clear, and not until October 1997. As far as I am concerned, Mr. Speaker, since 60 percent of this money to fund this program will come from the Federal taxpayers, it should have to go through the same approval system that all other waivers do; incidentally, the same approval system that has never denied a waiver from the State of Wisconsin, the same approval system that has already approved waivers from 40 States.

As far as I am concerned, Mr. Speaker, it is politics. It should be reviewed and approved by the staff people at the Department of Health and Human Services, whose only job is to make sure that the Federal tax dollars are not spent in violation of Federal law. This department has already approved, as I said, waivers for 40 States. I expect there will be no problem with the Wisconsin waivers, especially since President Clinton says he supports the goals of the plan.

The Wisconsin plan, and I would like people to listen to this, this Wisconsin plan that we have before us today was submitted to the White House on May 29, 1996, 2 weeks ago. The Governor of Wisconsin at that time asked that the waivers be granted by August 1, 1996, which gives us plenty of time. We do not need legislation. The waivers will not go into effect again until October 1997.

I have no idea what this plan is doing here, Mr. Speaker, unless it is pure partisan politics. It should not be before the Congress when the White House as yet does not even have it for 3 weeks. But my Republican colleagues, in order to help the Dole Presidential campaign, are going to shove these waivers down the throat of Congress, even when the Governor of Wisconsin himself has said he does not need them until October 1, 1996.

Mr. Speaker, I urge my colleagues, I am not going to oppose the rule, but I urge my colleagues to support the Obey substitute. Let us make sure that this plan does what it is supposed to do. Let us make sure that the American people are given their promised 30-day comment period. Let us not blindly waive 88 Federal laws just to help the Dole Presidential campaign.

Mr. Speaker, I reserve the balance of my time.

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me assure the members, we are not doing this to help the Dole campaign. I wish it were New York State applying for these waivers. We need it desperately in our State. Let us do it.

Mr. Speaker, I yield such time as he may consume to the gentleman from Florida, Mr. PORTER GOSS, a very valuable member of the Committee on Rules.

Mr. GOSS. Mr. Speaker, I commend my good friend, the gentleman from Glens Falls, NY [Mr. SOLOMON], the distinguished chairman of the Committee on Rules, for his very diligent work in seeking cooperation and receiving it from the minority in crafting this rule. In fact, Mr. Speaker, this is an extremely fair rule, providing the minority with a substitute, as was requested, along with a traditional motion to recommit, in effect giving those opposed to this measure two opportunities to propose changes. I think anybody would agree that is exceedingly fair.

Mr. Speaker, welfare reform is one of the most challenging and overdue matters pending before this Congress and this country. The welfare state, for all the social engineering and the trillions, in excess of $5 trillion of taxpayers' dollars over the past 40 years, has failed to bring people out of poverty or to break the cycle of dependency that we all see and are upset about.

On the contrary, the policies of Big Brother government have indisputably contributed to the very problems they were originally built to solve. Even our President recognizes the need to fix this failure of big government. He made it a celebrated campaign issue 4 years ago.

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But unfortunately, his campaign rhetoric has yet to translate into concrete action at the White House, even though Congress has twice passed real welfare reform.

I say again, President Clinton, the man who, while in search of the White House 4 years ago, promised to end welfare as we know it, has rebuffed workable welfare reform that we have passed. Now States such as my home State of Florida are anxiously left hanging, awaiting reform at the national level. The wages program in Florida that passed through both the Florida House and Senate without a single "no" vote is predicated on action by President Clinton, action that was promised and action that has never happened.

Florida's approach was designed to fit the unanimously passed National Governors' Association plan, which closely resembles our H.R. 4, which is the true reform plan that President Clinton vetoed.

The bill before us today focuses on the State of Wisconsin's Wisconsin Works Program, which has taken tremendous steps toward restoring the work ethic and emphasizing the American values of responsibility and opportunity.

What the people of Wisconsin have done by an overwhelming vote, and I congratulate them, is create a system that reinforces the importance of a job. A remarkable thing about the Wisconsin plan is that it will eliminate the cycle of dependency that our current system regrettably fosters.

By requiring recipients to work, whether in a transitional job, a community service job, or a minimum- or low-wage job, the system will help individuals become productive members of our society. This is a bipartisan program that has the endorsement of the President of the United States by his own publicly spoken words. Yet, despite this extraordinary accomplishment, Wisconsin finds itself stymied by the old entrenched Federal regulation and redtape that have bound so much in Washington, and that is why we are here today. This bill will cut away the Federal shackles and let Wisconsin Works work.

Wisconsin's experience and Florida's experience and those of many other States raise the question of why this process is necessary in the first place.

My Republican colleagues and I favor ending the centralized, Washington-knows-best system that requires States to get Federal blessing when they attempt to solve the real problems in their State or to end the status quo that is killing them. That is what our comprehensive welfare reform proposals are all about, sending decision-making power back home to the States, closer to home, closer to the people.

In the next few weeks, we will be sending President Clinton another welfare reform bill. This time America will be watching ever more closely to see if he honors his campaign promises and actually signs the bill. In the meantime, I urge support for this rule and this bill because at least it allows one of our great 50 States to get on with the job of reform.

Mr. MOAKLEY. Mr. Speaker, will the gentleman yield?

Mr. GOSS. I yield to the gentleman from Massachusetts.

Mr. MOAKLEY. Mr. Speaker, the gentleman alluded to the bureaucratic redtape. Will the gentleman yield that this proposal has only been before the White House less than 2 weeks?

Mr. GOSS. Mr. Speaker, reclaiming my time, I take the gentleman at his word. We are trying to expedite a good idea, and I have seen 2 weeks stretch into many years at the White House. Let us hope that we can preclude that.

Mr. MOAKLEY. Mr. Speaker, if the gentleman will yield further, would the gentleman also agree that every waiver that Wisconsin asked for has been granted in the past?

Mr. GOSS. I have no idea about that. I am sure we will hear it in the debate.

Mr. MOAKLEY. Mr. Speaker, I yield such time as he may consume to the gentleman from Wisconsin [Mr. BARRETT], who testified very well before the Committee on Rules.

Mr. BARRETT of Wisconsin. Mr. Speaker, welcome to Presidential politics, 1996, Wisconsin style. We are fortunate today to have the Presidential campaign brought to my home State and most particularly the district that I represent, because I represent the most people in this country that are going to be affected by this legislation. But I think it will be interesting just to give you a little history about how this came about, why this issue is here before us.

Wisconsin has been working on welfare reform for some time. They held many hearings, they passed a bill, and they asked the presumptive nominee, Senator DOLE, if he would attend the signing of this bill. They thought it would be a good opportunity to get his name in front of the American people on welfare reform.

Well, he did not show up, and they were frustrated, because he did not come to our State, the Governor asked him to come, and he was not there when they signed this bill into law.

A couple of weeks later, President Clinton announced that he was going to be attending a summit with Chancellor Kohl in the city of Milwaukee. It was going to happen on a Thursday. No doubt, the Dole campaign heard about this and thought, How can we upstage the President in Wisconsin? They said, I know what we will do, we will go to Wisconsin 2 days before the President is going to be there and we will blast him on welfare reform.

So they set up the entourage, and they were all set to blast the President on welfare reform. Well, the President,

of course, got wind of this and thought, Why should I let him get in front of me on this issue when I support the welfare program and the welfare changes in Wisconsin as well? So in his Saturday evening address, he told the American people that he supports the aims and the goals of the Wisconsin welfare program.

Once again, the Dole campaign was just sputtering, they were so frustrated that the President of the United States supports an issue that they support, that he is actually attempting to take an issue that they consider to be a Republican issue and take it as his issue. They just, their frustration, you could almost see it in their eyes, because now here is the President of the United States, the leader of the entire country, saying that he favors welfare reform.

Well, now, this is not an issue that came out of the blue, especially as it relates to President Clinton, and especially as it relates to the State of Wisconsin, because nine times the State of Wisconsin has come to President Clinton and asked him for a waiver. Has he turned them down? Not a single time. Every single time the State of Wisconsin has come to President Clinton and asked him for a waiver, he has granted it.

Never before have we had to have this expedited process on the floor of the House of Representatives to grant the waiver by Congress. Why have we not? Because we were not in the middle of a Presidential campaign then. Now, we are in the middle of a Presidential campaign. Now, the Republicans have to take this issue, which is essentially a bipartisan issue, and they go back to their room and they sit down and they say, all right, darn it, he has got us on this one. He is in favor of this plan in Wisconsin. How can we take this bipartisan issue and make it a partisan issue? How can we try to drive a wedge in this process? So the solution is, let us not let the American public comment on this waiver request at all. Let us shut them out entirely.

Now, you will hear from my colleagues on the other side that there were 18 months of hearings that the legislature acted on this, they acted on it on a bipartisan basis, and every one of those statements is true, that is exactly what happened.

But what happened next? Next, Governor Thompson took out his partial-veto pen. He has the largest partial-veto power of any Governor in this Nation, and 97 times he went through this document and used his partial-veto pen; 97 times he crossed out words or phrases or sections that affected 27 different topics. Since that date, since Governor Thompson exercised his item veto power 97 times, we have not had a single opportunity for public input on this measure.

So the measure that is before us is not exactly the measure that was before the Wisconsin Legislature where you had all of those hearings, no. What we have before us is a product that was molded by one person in this country, one person, the Governor of the State of Wisconsin.

So what do the Republicans decide to do? They say well, let us go and let us try to embarrass the President. Let us take the olive branch that he has extended to us, let us break it in half and shove it in his eye. Let us try to make this bipartisan issue a partisan issue.

How do they do it? For the first time in our Nation's history, this House of Representatives is considering a stand-alone bill that will grant a waiver.

Now, you would think if this is the first time in our Nation's history that we are going to do this, that at least you would have some public hearings, at least it would be referred to a committee, but no, not on your life. This is the plan that Governor Thompson says is going to be a model for the Nation. You would think that they would want to have a lot of sunshine placed on this plan, that a lot of people would want to see what is in this great waiver request. Exactly the opposite of what is happening here.

Instead, Governor Thompson delivers it to the White House last Thursday, 1 week ago today. My office received its copy from the State of Wisconsin 2 days ago, 48 hours ago. I would bet there is not a single Member of this body who has read this waiver request, yet the House of Representatives today is going to be asked to approve this, 600 pages of waivers, without a single bit of public input.

Mr. Speaker, that is not the way we should be doing business in this Congress, that is not the way we should do doing business for the American people. The American people have a right to be heard.

At his press conference, Governor Thompson said, yes, there are going to be speed bumps along the way in this program. Well, Mr. Speaker, those speed bumps just happen to be real people in some instances, real people. Women with infants 4 months old. I do not refer to women with infants 4 months old as speed bumps, and I think that we have an obligation here to try to listen to the concerns that we hear from the American people and the people of the State of Wisconsin.

Mr. MOAKLEY. Mr. Speaker, will the gentleman yield?

Mr. BARRETT of Wisconsin. I yield to the gentleman from Massachusetts.

Mr. MOAKLEY. Mr. Speaker, is it true that Governor Thompson just asked that this be acted on by August 1, 1996, to take effect in October 1997?

Mr. BARRETT of Wisconsin. Mr. Speaker, that is correct. In his waiver request, Governor Thompson asks that the administration act on this by August 1.

Mr. MOAKLEY. All right. To take effect in October of 1997.

Mr. BARRETT of Wisconsin. To take effect in October of 1997, that is correct.

Mr. MOAKLEY. So there is no reason for expedited procedures at this time?

Mr. BARRETT of Wisconsin. Oh, no. There is a reason. Presidential politics, that is the only reason.

Mr. MOAKLEY. That is what it is. I am sorry. I overlooked that.

Mr. SOLOMON. Mr. Speaker, I yield 4 minutes to the gentleman from Wisconsin [Mr. NEUMANN], who will be carrying this legislation.

Mr. NEUMANN. Mr. Speaker, I thank the chairman, and I certainly would like to commend the chairman on developing a rule here that recognizes the right of minority and respects the rights of the minority so all may be heard on this issue.

I am a new Member of this Congress, this is my first term, and one thing I have learned since coming to Washington is that once I get out in the city, things that seem so logical back home in Wisconsin get tipped right upside down. I thought partisan politics is when one side of the aisle develops something and, because they were in the majority, forced it on the other side.

Here we have a situation where a Democrat President came into the State of Wisconsin and said, I support this plan, let us get it done. You have a freshman Republican here on the floor of the House of Representatives presenting a bill that literally gives the President, that Democrat President, exactly what he asked for. This is not partisan politics; this is bipartisan politics.

In Wisconsin, when the Democrats and the Republicans work together to craft legislation and to get a job done, such as they have done in the Wisconsin Works Program under Gov. Tommy Thompson, when the Democrats and the Republicans get together for the same purpose to get a job done, we call that bipartisan, not partisan, and that is in fact what is going on here.

But this bill is not about Presidential politics. This bill is about giving the people in the State of Wisconsin the right to implement the program that they have debated for 18 months. Somebody out here just said that there was no debate on this. It has been debated for 18 months, by public input by the very people who are going to be affected by this program; 18 months of debate in the State of Wisconsin.

What came out of that 18 months of debate in the State of Wisconsin? Well, they passed it. They did not pass it with Republicans all voting one way and the Democrats all voting another way. They passed it with a two-thirds vote in their assembly and a three-quarter vote in their Senate. As a matter of fact, even the majority of the Democrats voted for this bill in the State of Wisconsin.

I do not see what we are all out here debating. We have a bill that has been debated for 18 months in the State of Wisconsin, received a two-thirds vote, more than a two-thirds vote in both Houses of the State. The President of the United States, who supports the bill, I do not see why in the world we would not just say to Wisconsin, go ahead and do it. That is what this is all about, it is about common sense.

Mr. KLUG. Mr. Speaker, will the gentleman yield?

Mr. NEUMANN. I yield to the gentleman from Wisconsin.

Mr. KLUG. Mr. Speaker, let me make a fundamental point in all of this, and that is the fact that even though Washington occasionally promises us that they are going to get waivers, they wait. This is an indication that right now there are 28 welfare waivers involving 19 States, 5 of them involving Democratic Governors, where we are waiting for Washington to act.

That is why it is necessary to come to the floor today. And the sense that somehow this is a ginned-up Republican operation, the fact is that the President said he was in favor of the Wisconsin plan, and we are trying to expedite the process. In fact, we have some applications pending back to September 20, 1993, and that is the Democratic Governors of Maryland and Florida and Hawaii, who are simply waiting for Washington to act.

My colleague from Wisconsin is absolutely right, that we want to get these waivers done and we want to get them done as quickly as possible. If the promise is just turn them over to Labor-HHS and we will get them done, well, fine, we will be back here in 1998 asking where they are.

Mr. NEUMANN. Mr. Speaker, reclaiming my time, I would just like to point out that this is about more than that too. It is about the people in Wisconsin being asked to pass this legislation and then coming hat in hand and asking the bureaucrats in Washington, DC, 900 miles from the State of Wisconsin. I have to tell my colleagues, I have a lot of faith in the people of Wisconsin.

My colleague who just spoke in opposition to this from Wisconsin, I have to ask the gentleman, do you not have confidence in Representative Tim Carpenter, a Democrat from your district who voted for this bill, and Representative Dave Cullen, Democrat in your district who voted for this bill, Representative Jeanette Bell in your district, another Democrat?

□ 1100

The point here is that both the Democrats and the Republicans in the State of Wisconsin want this to happen. I see absolutely nothing that would lead me to believe that the people here in Washington, DC can Washingtonize this Wisconsin plan and make it better than the people in the State of Wisconsin. I believe the people in the State of Wisconsin have the knowledge, the wisdom, and the compassion to pass a good welfare reform plan for the State of Wisconsin.

Mr. MOAKLEY. Mr. Speaker, I yield 30 seconds to the gentleman from Wisconsin [Mr. BARRETT].

Mr. BARRETT of Wisconsin. Mr. Speaker, in response to the gentleman who asked me a question but did not give me time to respond, I have tremendous confidence in them. I have tremendous confidence in every elected official in the State of Wisconsin. That does not mean I have tremendous confidence in every elected official in the State.

Here we see this horrible chart about 28 waiver requests currently pending back to September 1993. There is not a single Wisconsin waiver request that is more than a week old. So if this is your concern, then we should have a bill before us dealing with all those waiver requests. But, no, this is not about waiver requests. This is 100 percent about Presidential politics and sticking it to the President.

Mr. MOAKLEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, much has been said about the President's statement here, how he is in favor of the Wisconsin plan, he is in favor of the makings of this plan, but let me read what he actually said. He says, "All in all, Wisconsin has the makings of a solid, bold welfare reform plan. We should get it done. I pledge that my administration will work with Wisconsin to make an effective transition to a new vision of welfare based on work that protects children and does right by working people and their families."

So he did not say he is going to rubber stamp anything that Wisconsin comes in with. That is why it is so important that HHS have this, to go over it and make sure that it is the proper thing.

Mr. Speaker, I yield 3 minutes to the gentlewoman from California [Ms. WOOLSEY].

Ms. WOOLSEY. Mr. Speaker, the goal of welfare reform is to move recipients into permanent jobs and make their families stronger. Will the Wisconsin plan do that? How can we know?

The Republicans are rushing through these waiver requests without giving the administration or Members of Congress time for review. Even worse, they are not giving the citizens of Wisconsin time to comment on the plan.

In the 1 week since the Governor of Wisconsin delivered the request for these waivers to the White House, the administration has received more than 300 letters commenting on the effects of the waivers, letters that will not be considered. I received a letter from the Wisconsin Conference of Churches. Their letter expressed strong opposition to any bill which bypasses the normal 30-day comment period.

Could it be that the Governor of Wisconsin and some of my colleagues on the other side of the aisle do not feel the Wisconsin plan will hold up under normal scrutiny? Do they share the concern of the Children's Defense Fund, the Wisconsin Conference of Churches and others that a timely review of the Wisconsin welfare plan will reveal that this plan will weaken the safety net for poor children?

I do not know the answer to this question. The truth is that no one does. There has not been enough time to review the waiver requests, to fully understand their effect on poor children in Wisconsin.

Mr. KLECZKA. Mr. Speaker, will the gentlewoman yield?

Ms. WOOLSEY. I yield to the gentleman from Wisconsin.

Mr. KLECZKA. Mr. Speaker, shortly the gentlewoman will be asked and 434 other Members of Congress will be asked to vote for and to approve 88 waivers for this welfare plan. Has she had an opportunity or has her office received a copy of these waivers?

Ms. WOOLSEY. No; we have not.

Mr. KLECZKA. Does the gentlewoman mean to tell me that she is going to be asked to vote on a major, major piece of legislation today and she has never read what she is voting on?

Ms. WOOLSEY. That is the case. That is not fair to the children of Wisconsin. Let us vote against this bill. Let us take time to shed light on the Wisconsin plan. Let us be sure that the children of Wisconsin have a chance to grow into healthy, responsible adults. Therefore, I urge my colleagues to support the Obey substitute.

Mr. MOAKLEY. Mr. Speaker, would you inform the gentleman from New York [Mr. SOLOMON] and myself about the remaining time?

The SPEAKER pro tempore (Mr. INGLIS of South Carolina). The gentleman from Massachusetts [Mr. MOAKLEY] has 14 minutes remaining and the gentleman from New York [Mr. SOLOMON] has 13½ minutes remaining.

Mr. MOAKLEY. Mr. Speaker, I yield 11 minutes to the gentleman from Wisconsin [Mr. KLECZKA] who presented a great case at the Rules Committee yesterday.

Mr. KLECZKA. I thank the ranking member of the Rules Committee for yielding me the time.

Mr. Speaker, what I would like to do is first of all talk about the rule, since we are on the rule, for a brief time, and then we will talk about some other things.

We were not accused, but it was noted at the Rules Committee yesterday that the Democrats who were there asking for a substitute amendment were very animated and there was pounding and clapping, and one of the

Republican senior Members made note of that. My response was that for the Democrats to get an opportunity to offer a substitute amendment comes so infrequently and is so rare that we thought if we did a lot of animation, we would have a rule that would provide for a substitute amendment. I want to thank the gentleman because it worked.

Mr. SOLOMON. Mr. Speaker, will the gentleman yield?

Mr. KLECZKA. I yield to the gentleman from New York.

Mr. SOLOMON. The gentleman knows that the minority, whether it be Republican in the past, Democrat now, they always get their substitute. We do everything we can to bend over backwards 90 percent of the time, and the gentleman knows that.

Mr. KLECZKA. Let me reclaim my time and indicate to the membership, who know better than I do, that substitute amendments to legislation coming before the House are rare this session under Republican control. The best we can do is a motion to recommit, and there are not 3 people sitting out there watching C-Span who know what the heck that is, but it is good cover.

But as far as the rule goes, I do want to thank my good friend from New York, Mr. SOLOMON, for permitting a substitute amendment which we will offer in a short time before this body. But let us review and try to set straight what is at issue here. What are we doing?

Well, the Governor of the State of Wisconsin has asked the President and the administration to approve 88 separate and distinct waivers so Wisconsin can implement a welfare change, a change which I should add that I support for the most part. But the issue today, Mr. Speaker, is not welfare reform, and it is not welfare reform because we are going to have that debate within a couple of weeks on this floor.

There is a product being developed as I speak in the Committee on Ways and Means, where I serve, that will provide for a radical change in the welfare laws of this country. It is a redo of a product that has been vetoed, and as far as I am concerned, and as my Republican colleagues know, I supported the last welfare reform bill and I will probably be supporting this one.

So the issue before us is not whether or not we should reform welfare. That is not the issue today. Let us not make it the issue today. The issue today is nothing other than process.

The Governor a week ago has asked the administration to approve 88 distinct waivers. Normal process would be that there is a 30-day comment period. For what reason? So the public, who is paying the tab, can come forward and have their opinions noted.

If in fact we pass what the Republican majority has put before us today, what is going to happen is Congress, or the House of Representatives, will rubber stamp all 88 waivers. As I asked the gentlewoman from California a few minutes ago, has she read the waivers? She said no. The simple fact, Mr. Speaker, is there is not anyone in here except maybe four or five from Wisconsin who have read the waivers.

Let me show what has been passed out for today's debate. Here is a copy of the rule, a short one-paragraph. That provides for the consideration of the rule. Then here is the actual resolution, which is 2½ pages, which indicates that Congress knows all, we are going to rubberstamp this, we are going to deem this done, the rubber stamp this, we are going to deem this done, the public be damned. Then here is a resolution that accompanies the rule report, and that is it.

So for the Members from California, the one Member from Alaska, the good Members who represent the State of Florida, they do not know what we are doing. Oh, a copy has just been handed out right now to the gentleman from Wisconsin, but it is not made available to the Members with the documentation that is available in the back room for all of us to decipher.

Mr. MOAKLEY. Mr. Speaker, will the gentleman yield?

Mr. KLECZKA. I yield to the gentleman from Massachusetts.

Mr. MOAKLEY. Does the gentleman know of any waiver from Wisconsin that was sent to the administration on welfare that was ever denied?

Mr. KLECZKA. No. In fact there have been, I believe, nine submitted for approval and all nine have been expedited. So the question before us is not whether or not these waivers are going to be granted or whether or not they are going to be expedited. The main issue before us today is to cut off any public comment like a letter I received from the Catholic bishops, who asked that they be heard on this issue. They will not be heard.

Mr. SENSENBRENNER. Mr. Speaker, will the gentleman yield?

Mr. KLECZKA. I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. For the gentleman's edification, a listing of the waivers that were requested by Governor Thompson appeared in the CONGRESSIONAL RECORD of June 4, 1996, at page E992. So every Member of the House of Representatives, and for that matter the public at large, by 9 a.m. yesterday morning had the list of the waivers that were requested. I am sorry that many of the Members, including the gentlewoman from California, decided not to look at them before making her speech.

Mr. KLECZKA. Reclaiming my time, let me indicate that usually the calendars are in the back of the hall here. I did not see any there. But to contend that the general public have all received a copy of the CONGRESSIONAL RECORD of yesterday is totally ludicrous.

Mr. MOAKLEY. Mr. Speaker, will the gentleman yield further?

Mr. KLECZKA. I yield to the gentleman from Massachusetts.

Mr. MOAKLEY. In referring to the gentleman from Wisconsin who just took a seat, I think if he looks, and unless I am mistaken, the matter that appeared in the CONGRESSIONAL RECORD of June 4, was just listing the title of the waivers. There was no explanation of what they were. So that really informs people a lot, so they can just look at the title of 88 waivers but does not say one thing about what those waivers are.

Mr. NEUMANN. Mr. Speaker, will the gentleman yield?

Mr. KLECZKA. I yield to the gentleman from Wisconsin.

Mr. NEUMANN. Mr. Speaker, we seem to be radically off track in this debate. Those waivers were developed and debated. The program was developed in Wisconsin for 18 months and was debated for 18 months in the State of Wisconsin.

Mr. MOAKLEY. I am just talking about statements made here that are not completely true. To say that the waivers are listed in the CONGRESSIONAL RECORD and all you find when you look are titles of waivers and no explanation, I just think that is not debating this matter the way it should be debated.

Mr. KLECZKA. Mr. Speaker, if I might continue, when we get into general debate on the bill, I will read through a whole bunch of these waivers and then I will see if any Member of the House can explain it to me, or since a contention has been made that the general public is totally knowledgeable on this, let me maybe call some of my constituents, or better yet maybe I will call some from Racine and see if they can inform me and the other Members what some of these one-liners mean. But nevertheless, the whole issue today is not welfare reform. It is one of process, whether or not we are going to have the public come forward and make their views known on 88 specific waivers. The contention has been made, "Well, the legislature passed the bill." They sure did. But also there were 27 vetoes that were made to the bill by the Governor. It took him 5 or 6 weeks after the legislature passed the legislation to sign it, if we are talking about rush, but as far as the legislature, they do not know to this day what any of the 88 waivers are.

I served in the legislature. I know a little bit about State legislative enactments. My colleague, TOM BARRETT, served in the legislature, as well as JIM SENSENBRENNER.

Mr. Speaker, in the legislation which is now chapter, law, something or other, State of Wisconsin, there was no

listing of the waiver. The legislators who voted for this do not know what waivers are being requested. So let us clean up the nonsense that we are trying to redo the legislation. That is totally not the case.

Let me talk about a couple of other things. The President does support the initiative by the State of the Wisconsin. But never in his radio comments did he say, "And I will sign without reading all 88 waivers." It was not said. I think he should have an opportunity to digest them, also.

Let me talk about the rush here. The rush is that this program does not go into effect in the State of Wisconsin until October 1, 1997, a year and a half from now. And to show how ludicrous the rush job is that we are being told to engage in, that was one of the vetoes. The legislature said to the Governor, "We want this on line and running September 1, 1977." The Governor vetoed that September 1 date, making it September 30, so he delayed it by his own pen some 30 days.

□ 1115

We have to do this within 3 days, without reading it, with no Member knowing what is in the waivers.

Why is this before the Federal Government? That was asked and we talked about that at the Committee on Rules. Welfare in this program, Mr. Speaker, is a national program. If the State of Wisconsin was putting 100 percent of their dollars, raised from the taxpayers, into the program, they should have complete say, and no one would disagree with that on this floor. But the taxpayers of this country pay 60 percent of this program, and so I think that the taxpayers from Georgia and Arizona and New Mexico have a say in this, and that is why we have this public process, so if, in fact, they are so moved they will have a say in it.

This is not a rewriting of the State legislative enactment. That is the law in Wisconsin. This is the next step, because 60 percent of it is paid for by the national taxpayers. And if we are going to advantage the State of Wisconsin or give them more money, I think the other States should have a say in it, and that is why these waivers do come here for approval.

Again, is someone dragging their feet? Clearly not. The Governor indicates he wants this approved August 1 of this year. The substitute amendment which I will be producing with my colleagues, the gentlemen from Wisconsin, Mr. OBEY and Mr. BARRETT, will do exactly that. The substitute amendment is, instead of rubber stamping it sight unseen, like the Republicans want to do, the substitute is very common-sensical. What it says is we sill print the waivers in the Federal Register, and not just one line, the whole thing; and then we will give the public, the people of the country who pay the tab, 30 days to be heard.

I ask my Republican colleagues, why do they fear the public coming out and saying something on this? They are paying for it. They have a right. And then the resolution that expedites consideration and provides July 31, it will be done.

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I may consume so that, for the record, I can inform my friend, the gentleman from Wisconsin [Mr. KLECZKA], that we have had 120 bills brought to the floor under rules in this Congress; 85 percent of them were given substitutes for the minority. And when we subtract the continued resolutions that do not have substitutes, it runs over 90 percent. That is very fair, and I appreciate the gentleman for commending us for it.

Mr. Speaker, I yield 30 seconds to the gentleman from Wisconsin [Mr. NEUMANN].

Mr. NEUMANN. Mr. Speaker, I thank the gentleman for yielding me this time. I want to bring the debate back to where it belongs. This debate is about whether we want Washington interference in the Wisconsin plan. The Wisconsin plan was debated for 18 months, it was passed by a two-thirds majority, and the question is do we really want the Washington bureaucrats, 900 miles from the State of Wisconsin, to now Washingtonize the Wisconsin plan? That is what this debate is about.

Mr. SOLOMON. Mr. Speaker, I yield 4 minutes to the gentleman from Menomonee Falls, WI [Mr. SENSENBRENNER], a gentleman that came here with me back in 1978. He is one of the most respected Members of this body.

Mr. SENSENBRENNER. Mr. Speaker, I thank the gentleman from Glens Falls, NY, for yielding me this time, and I rise in support of the rule and also the legislation.

The previous speaker, the gentleman from Wisconsin [Mr. KLECZKA], I think has put a lot of red herrings into this debate. There are some very fundamental and core issues here. First is where should the real decisions be made on what type of welfare reform we have in the State of Wisconsin. Should they be made by Washington bureaucrats in dealing with these waivers or should they be made by the people of the State of Wisconsin and their elected legislators dealing with this issue in Wisconsin?

This issue has probably gotten more public debate in the State of Wisconsin than any other issue in the history of the State. From the time the legislation was first formulated, the State legislature had 30 public hearings or town hall meetings in Wisconsin on the issue of W-2. There were 120 hours of public debate in sites all throughout the State on the legislation and over 2,000 residents of Wisconsin participated in these hearings.

Now, what the gentleman from Wisconsin [Mr. KLECZA] says is let us forget all about that, that does not count at all. Let us end up having some public hearings out here in Washington and then let us have the Secretary of Health and Human Services or the bureaucrats under her control rewrite these waivers and pick and choose which waivers we want to grant and in what form. And the fact is that very few of the waivers that have been submitted by Wisconsin or other States have been approved in the form in which the Governors have submitted them.

It is an extensive process of negotiation between the State and the Department of Health and Human Services, and we do not want that to happen here.

I do not see why we ought to ask the 2,000 people who participated in the public debate on W-2 to have to figure out a way to make their voice heard in Washington, DC, 900 miles away, when they were able to give their input in places like Madison and Milwaukee, Oshkosh, Appleton, Beloit, Wausau, and LaCrosse.

The second red herring that the gentleman from Wisconsin [Mr. KLECZA] decided to throw into this debate is about the cost of the program. We all know that the Federal Government spends about 60 percent of AFDC costs. Granting these waivers is not going to cost the Federal taxpayers one additional dime, because there is a provision in this bill, for anybody that decides to read it, that says very plainly that the total grant of the State of Wisconsin shall not exceed the amount of the grant that Wisconsin would have gotten had these waivers not been approved at all.

Now, the President has come on board in saying that he is in favor of W-2. In his radio address, which was after Governor Thompson issued his line vetoes and signed the bill, he said in conclusion, "In all, Wisconsin has the makings of a solid, bold welfare reform bill. We should get it done."

Today, we are getting it done here, and I would hope that this issue would not be obfuscated and not be clouded. Wisconsin is leading the way in welfare reform, Washington should not stand in the way, and that is why this bill should be enacted.

Mr. SOLOMON. Mr. Speaker, I yield 3½ minutes to the gentleman from Wisconsin, Mr. TOBY ROTH. I mentioned that the other gentleman from Wisconsin [Mr. SENSENBRENNER], had come to this Congress with me back in 1978. This is another Member from Wisconsin who came here at the same time, and he has been really one of the most dynamic Members of this body. He is going to be retiring this year at a very young age, of his own volition, and we just commend him for it. He is a great man.

Mr. ROTH. Mr. Speaker, I thank my friend for yielding me this time, and

may I say this, the gentleman from New York has done a super job as chairman of the Committee on Rules and we appreciate his dedication and service. In fact, he was working on this legislation way into the night last night and we want him to know we appreciate it.

I think it is important to focus in on the issues rather than to draw off to one tangent or another. Basically, the reason we are here, as has been said so many times, is that the President has said in his radio address to the American people that he is in favor of the Wisconsin plan. And I think when the President says that in a nationwide address, I think we should be able to take the President of the United States at his word, that he is not just making these Saturday pronouncements as a political campaign speech, that he is talking to the American people and he is talking to them about vital issues that face our country.

Now, when we called the White House this morning, we asked what was their position. They have no position. Now, we have to have some intellectual integrity in this place. And if the President of the United States is not going to supply the intellectual integrity, then we, as the board of directors of this country, have to supply that integrity.

Our answer to the White House basically is this: Lead, follow, or get out of the way. We have a job to do and we are going to do that job.

Everyone here on this side of the aisle and on that side of the aisle always says we have to give more power back to the States. We are living in a transition. We are living in change. We have to have the States have more responsibility. My friends, that is exactly what we are doing here, is we are giving the people of the State of Wisconsin that power, and rightly so, not only because of the issue but historically.

Seventy-five years ago the great debate on the floor of this House was what is Wisconsin doing? Because Wisconsin was and is one of the great laboratories for historical change in legislation in this body and in this country.

We moved from the agricultural society into the industrial society. Today, we are moving from the industrial society to the information age. And what Bob LaFollette and other progressives had said at that time, Tommy Thompson and the Republicans are doing today. So we are again in our historic mode of doing what is necessary, not only for the State of Wisconsin but for this country.

What we are doing basically is saying that the welfare office is going to become an employment office. By the year 2000 we will not have welfare offices in the State of Wisconsin. We want to restore some dignity back to the people again. And all of our futurists are saying this: That the individual is more empowered today than he or she has ever been. And we are funneling that information, that power back into the individual again.

The people of this country have a right to have some dignity. Welfare has destroyed the family, has destroyed the dignity of the individual, and what we are saying is we want to restore that esteem again.

The big issue here, and the reason it is being fought so much, is not because of Wisconsin or is not because of all the reasons that have been mentioned; the big issue here is are we seeing the death knell of the liberal welfare state. Because when we destroy welfare as we know it in America today, we are changing the Government of America.

So this is a very basic issue. It goes beyond what is said of the rules or process. What we are saying here today is we are changing the way we are governing. We are changing the way the people of America are living. That is why this is such a deep issue.

Mr. SOLOMON. Mr. Speaker, I yield 2 minutes to the very fine gentleman from Williamsville, NY [Mr. PAXON], one of my colleagues.

Mr. PAXON. Mr. Speaker, it was just 3 weeks ago that President Clinton said he supported giving States the opportunity to reform their poverty programs, and he said that if the States sent in waivers that he would sign them. Unfortunately, when we take a look at the record, it seems that politics is driving the administration ration than the needs of poor people in our States.

Take a look at the Medicaid waiver requests made by our Nation's Governors. This chart reveals politics and party determine whether or not these reforms will be approved. Eight of the 11 Medicaid waivers approved by the administration went to States with Democrat Governors. Seven Republican Governors are still waiting for their waivers to be approved.

In fact, two of the Republican Governors have been waiting 20 months, Mr. Speaker. My own State of New York has been waiting 14 months for the administration to act. No Democrat Governor ever had to wait longer than 11 months to get their waivers approved.

Now, the President says he is for reform, but, in fact, he is blocking it and making it harder for our States to serve low-income families. I urge the President to stop playing politics and approve these reforms.

We should pass this rule and pass this bill, and send a message, a loud, and clear message, to the White House.

Mr. MOAKLEY. Mr. Speaker, I yield 30 seconds to the gentleman from Wisconsin [Mr. BARRETT].

Mr. BARRETT of Wisconsin. Mr. Speaker, I just have to point out that it is amazing to me that we have speaker after speaker who talk about these waiver requests that have been denied. Why are we not dealing with them now? Why are we dealing with the waiver requests from a State that has had every single waiver granted? It does not make any sense.

The reason is they want to embarrass the President. They want to make a bipartisan issue a partisan issue. That is the only explanation. Otherwise, they would be coming in with a waiver request from the State of Michigan or from the State of New York. But here we have a Republican Governor in the State of Wisconsin, who has had every waiver that he has asked for granted.

Mr. SOLOMON. Mr. Speaker, I yield 1½ minutes to the gentleman from Wisconsin [Mr. KLUG], and I can think of no one better to rebut that last statement than this gentleman.

Mr. KLUG. Mr. Speaker, unfortunately in this case, my colleague from Wisconsin, Mr. BARRETT, is wrong. Actually, in one fairly significant fight with the Clinton administration, Wisconsin originally asked, under the work not welfare waiver request, that every county in the State be covered. By the time Washington got done with it, only two counties in the entire State were covered.

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That is typical, because every time we find ourselves in a waiver application situation, Washington wants to rewrite the rules.

My sense is, what this debate comes down to is, whose judgment do you trust, the people of Wisconsin, two-thirds of the State assembly, three-quarters of the State senate voted for this measure. As you heard from my colleague, the gentleman from Wisconsin [Mr. SENSENBRENNER], countless hours of hearings all across the State.

Here is the bottom line, again, the track record of the Clinton administration on waivers, of the three waivers, Illinois, Massachusetts, Wyoming denied; three States, New Mexico, Ohio, South Carolina, all pulled back their waiver applications because the Clinton administration wanted to rewrite it.

The following States currently have waivers they are waiting for: California, of course, the interesting question, when the gentlewoman from California [Ms. WOOLSEY] was up here criticizing the Wisconsin plan, has she done anything to help California's waiver application which is now pending; Florida; Georgia, Democratic Governor; Hawaii, Democratic Governor; Illinois; Indiana, Democratic Governor; Iowa; Kansas; Maine; Maryland, Democratic governor; Michigan; Minnesota; New Hampshire, waiting since 1993; Oklahoma; Pennsylvania; South Carolina; Tennessee; and Utah.

The fact of the matter is, the administration says, we will grant you these waivers, and we wait 6 months and 1

year and 1½ years and 2 years and 2½ and 3 years.

Mr. MOAKLEY, Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin [Mr. KLECZKA].

Mr. KLECZKA. Mr. Speaker, in response to the gentleman from Madison, WI, SCOTT KLUG. SCOTT, you seem to indicate that in a work not welfare program that the State was asking to have all 72 counties in the State covered. My recollection is the legislature only provided for 2 counties, 2 small counties. When the legislature was debating the issue, many wanted Milwaukee County, the largest county in the State, included in this trial test. The Republican legislature said no. So going for waivers was only the 2 counties that were finally tested. There never was a request from the State legislature for the whole State.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. INGLIS of South Carolina). The Chair advises Members to address their remarks to the Chair and not to Members, particularly in given names.

Mr. MOAKLEY. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, at the beginning of this Congress the Republican majority claimed that the House was going to consider bills under an open process. I would like to point out that 66 percent of the legislation this session has been considered under a restrictive process. At this point I include for the RECORD the following material:

FLOOR PROCEDURE IN THE 104TH CONGRESS 1ST SESSION; COMPILED BY THE RULES COMMITTEE DEMOCRATS

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 1*	Compliance	H. Res. 6	Closed	None.
H. Res. 6	Opening Day Rules Package	H. Res. 5	Closed; contained a closed rule on H.R. 1 within the closed rule	None.
H.R. 5*	Unfunded Mandates	H. Res. 38	Restrictive; Motion adopted over Democratic objection in the Committee of the Whole to limit debate on section 4; Pre-printing gets preference.	N/A.
H.J. Res. 2*	Balanced Budget	H. Res. 44	Restrictive; only certain substitutes; PQ	2R; 4D.
H. Res. 43	Committee Hearings Scheduling	H. Res. 43 (OJ)	Restrictive; considered in House no amendments	N/A.
H.R. 101	To transfer a parcel of land to the Taos Pueblo Indians of New Mexico.	H. Res. 51	Open	N/A.
H.R. 400	To provide for the exchange of lands within Gates of the Arctic National Park Preserve.	H. Res. 52	Open	N/A.
H.R. 440	To provide for the conveyance of lands to certain individuals in Butte County, California.	H. Res. 53	Open	N/A.
H.R. 2*	Line Item Veto	H. Res. 55	Open; Pre-printing gets preference	N/A.
H.R. 665*	Victim Restitution Act of 1995	H. Res. 61	Open; Pre-printing gets preference	N/A.
H.R. 666*	Exclusionary Rule Reform Act of 1995	H. Res. 60	Open; Pre-printing gets preference	N/A.
H.R. 667*	Violent Criminal Incarceration Act of 1995	H. Res. 63	Restrictive; 10 hr. Time Cap on amendments	N/A.
H.R. 668*	The Criminal Alien Deportation Improvement Act	H. Res. 69	Open; Pre-printing gets preference; Contains self-executing provision	N/A.
H.R. 728*	Local Government Law Enforcement Block Grants	H. Res. 79	Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A.
H.R. 7*	National Security Revitalization Act	H. Res. 83	Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference; PQ	N/A.
H.R. 729*	Death Penalty/Habeas	N/A	Restrictive; brought up under UC with a 6 hr. time cap on amendments	N/A.
S. 2	Senate Compliance	N/A	Closed; Put on Suspension Calendar over Democratic objection	None.
H.R. 831	To Permanently Extend the Health Insurance Deduction for the Self-Employed.	H. Res. 88	Restrictive; makes in order only the Gibbons amendment; Waives all points of order; Contains self-executing provision; PQ.	1D.
H.R. 830*	The Paperwork Reduction Act	H. Res. 91	Open	N/A.
H.R. 889	Emergency Supplemental/Rescinding Certain Budget Authority	H. Res. 92	Restrictive; makes in order only the Obey substitute	1D.
H.R. 450*	Regulatory Moratorium	H. Res. 93	Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A.
H.R. 1022*	Risk Assessment	H. Res. 96	Restrictive; 10 hr. Time Cap on amendments	N/A.
H.R. 926*	Regulatory Flexibility	H. Res. 100	Open	N/A.
H.R. 925*	Private Property Protection Act	H. Res. 101	Restrictive; 12 hr. time cap on amendments; Requires Members to pre-print their amendments in the Record prior to the bill's consideration for amendment, waives germaneness and budget act points of order as well as points of order concerning appropriating on a legislative bill against the committee substitute used as base text.	1D.
H.R. 1058*	Securities Litigation Reform Act	H. Res. 105	Restrictive; 8 hr. time cap on amendments; Pre-printing gets preference; Makes in order the Wyden amendment and waives germaneness against it.	1D.
H.R. 988*	The Attorney Accountability Act of 1995	H. Res. 104	Restrictive; 7 hr. time cap on amendments; Pre-printing gets preference	N/A.
H.R. 956*	Product Liability and Legal Reform Act	H. Res. 109	Restrictive; makes in order only 15 germane amendments and denies 64 germane amendments from being considered; PQ.	8D; 7R.
H.R. 1158	Making Emergency Supplemental Appropriations and Rescissions	H. Res. 115	Restrictive; Combines emergency H.R. 1158 & nonemergency 1159 and strikes the abortion provision; makes in order only pre-printed amendments that include offsets within the same chapter (deeper cuts in programs already cut); waives points of order against three amendments; waives cl 2 of rule XXI against the bill, cl 2, XXI and cl 7 of rule XVI against the substitute; waives cl 2(e) of rule XXI against the amendments in the Record; 10 hr time cap on amendments. 30 minutes debate on each amendment.	N/A.
H.J. Res. 73*	Term Limits	H. Res. 116	Restrictive; Makes in order only 4 amendments considered under a "Queen of the Hill" procedure and denies 21 germane amendments from being considered.	1D; 3R
H.R. 4*	Welfare Reform	H. Res. 119	Restrictive; Makes in order only 31 perfecting amendments and two substitutes; Denies 130 germane amendments from being considered; The substitutes are to be considered under a "Queen of the Hill" procedure; All points of order are waived against the amendments.	5D; 26R.
H.R. 1271*	Family Privacy Act	H. Res. 125	Open	N/A.
H.R. 660*	Housing for Older Persons Act	H. Res. 126	Open	N/A.
H.R. 1215*	The Contract With America Tax Relief Act of 1995	H. Res. 129	Restrictive; Self Executes language that makes tax cuts contingent on the adoption of a balanced budget plan and strikes section 3006. Makes in order only one substitute. Waives all points of order against the bill, substitute made in order as original text and Gephardt substitute.	1D.
H.R. 483	Medicare Select Extension	H. Res. 130	Restrictive; waives cl 2(1)(6) of rule XI against the bill; makes H.R. 1391 in order as original text; makes in order only the Dingell substitute; allows Commerce Committee to file a report on the bill at any time.	1D.
H.R. 655	Hydrogen Future Act	H. Res. 136	Open	N/A.
H.R. 1361	Coast Guard Authorization	H. Res. 139	Open; waives sections 302(f) and 308(a) of the Congressional Budget Act against the bill's consideration and the committee substitute; waives cl 5(a) of rule XXI against the committee substitute.	N/A.
H.R. 961	Clean Water Act	H. Res. 140	Open; pre-printing gets preference; waives sections 302(f) and 602(b) of the Budget Act against the bill's consideration; waives cl 7 of rule XVI, cl 5(a) of rule XXI and section 302(f) of the Budget Act against the committee substitute. Makes in order Shuster substitute as first order of business.	N/A.
H.R. 535	Corning National Fish Hatchery Conveyance Act	H. Res. 144	Open	N/A.
H.R. 584	Conveyance of the Fairport National Fish Hatchery to the State of Iowa.	H. Res. 145	Open	N/A.
H.R. 614	Conveyance of the New London National Fish Hatchery Production Facility.	H. Res. 146	Open	N/A.
H. Con. Res. 67	Budget Resolution	H. Res. 149	Restrictive; Makes in order 4 substitutes under regular order; Gephardt, Neumann/Solomon, Payne/Owens, President's Budget if printed in Record on 5/17/95; waives all points of order against substitutes and concurrent resolution; suspends application of Rule XLIX with respect to the resolution; self-executes Agriculture language; PQ.	3D; 1R.
H.R. 1561	American Overseas Interests Act of 1995	H. Res. 155	Restrictive; Requires amendments to be printed in the Record prior to their consideration; 10 hr. time cap; waives cl 2(1)(6) of rule XI against the bill's consideration; Also waives sections 302(f), 303(a), 308(a) and 402(a) against the bill's consideration and the committee amendment in order as original text; waives cl 5(a) of rule XXI against the amendment; amendment consideration is closed at 2:30 p.m. on May 25, 1995. Self-executes provision which removes section 2210 from the bill. This was done at the request of the Budget Committee.	N/A.

FLOOR PROCEDURE IN THE 104TH CONGRESS 1ST SESSION; COMPILED BY THE RULES COMMITTEE DEMOCRATS—Continued

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 1530	National Defense Authorization Act; FY 1996	H. Res. 164	Restrictive; Makes in order only the amendments printed in the report; waives all points of order against the bill, substitute and amendments printed in the report. Gives the Chairman en bloc authority. Self-executes a provision which strikes section 807 of the bill; provides for an additional 30 min. of debate on Nunn-Lugar section; Allows Mr. Clinger to offer a modification of his amendment with the concurrence of Ms. Collins; PQ.	36R; 18D; 2 Bipartisan.
H.R. 1817	Military Construction Appropriations; FY 1996	H. Res. 167	Open; waives cl. 2 and cl. 6 of rule XXI against the bill; 1 hr. general debate; Uses House passed budget numbers as threshold for spending amounts pending passage of Budget; PQ.	N/A.
H.R. 1854	Legislative Branch Appropriations	H. Res. 169	Restrictive; Makes in order only 11 amendments; waives sections 302(f) and 308(a) of the Budget Act against the bill and cl. 2 and cl. 6 of rule XXI against the bill. All points of order are waived against the amendments; PQ.	5R; 4D; 2 Bipartisan.
H.R. 1868	Foreign Operations Appropriations	H. Res. 170	Open; waives cl. 2, cl. 5(b), and cl. 6 of rule XXI against the bill; makes in order the Gilman amendments as first order of business; waives all points of order against the amendments; if adopted they will be considered as original text; waives cl. 2 of rule XXI against the amendments printed in the report. Pre-printing gets priority (Hall) (Menendez) (Goss) (Smith, NJ); PQ.	N/A.
H.R. 1905	Energy & Water Appropriations	H. Res. 171	Open; waives cl. 2 and cl. 6 of rule XXI against the bill; makes in order the Shuster amendment as the first order of business; waives all points of order against the amendment; if adopted it will be considered as original text. Pre-printing gets priority.	N/A.
H.J. Res. 79	Constitutional Amendment to Permit Congress and States to Prohibit the Physical Desecration of the American Flag.	H. Res. 173	Closed; provides one hour of general debate and one motion to recommit with or without instructions; if there are instructions, the MO is debatable for 1 hr; PQ.	N/A.
H.R. 1944	Recissions Bill	H. Res. 175	Restrictive; Provides for consideration of the bill in the House; Permits the Chairman of the Appropriations Committee to offer one amendment which is unamendable; waives all points of order against the amendment; PQ.	N/A.
H.R. 1868 (2nd rule)	Foreign Operations Appropriations	H. Res. 177	Restrictive; Provides for further consideration of the bill; makes in order only the four amendments printed in the rules report (20 min. each). Waives all points of order against the amendments; Prohibits intervening motions in the Committee of the Whole; Provides for an automatic rise and report following the disposition of the amendments; PQ.	N/A.
H.R. 1977 *Rule Defeated*	Interior Appropriations	H. Res. 185	Open; waives sections 302(f) and 308(a) of the Budget Act and cl 2 and cl 6 of rule XXI; provides that the bill be read by title; waives all points of order against the Tauzin amendment; self-executes Budget Committee amendment; waives cl 2(e) of rule XXI against amendments to the bill; Pre-printing gets priority; PQ.	N/A.
H.R. 1977	Interior Appropriations	H. Res. 187	Open; waives sections 302(f), 306 and 308(a) of the Budget Act; waives clauses 2 and 6 of rule XXI against provisions in the bill; waives all points of order against the Tauzin amendment; provides that the bill be read by title; self-executes Budget Committee amendment and makes NEA funding subject to House passed authorization; waives cl 2(e) of rule XXI against the amendments to the bill; Pre-printing gets priority; PQ.	N/A.
H.R. 1976	Agriculture Appropriations	H. Res. 188	Open; waives clauses 2 and 6 of rule XXI against provisions in the bill; provides that the bill be read by title; Makes Skeen amendment first order of business, if adopted the amendment will be considered as base text (10 min.); Pre-printing gets priority; PQ.	N/A.
H.R. 1977 (3rd rule)	Interior Appropriations	H. Res. 189	Restrictive; provides for the further consideration of the bill; allows only amendments preprinted before July 14th to be considered; limits motions to rise.	N/A.
H.R. 2020	Treasury Postal Appropriations	H. Res. 190	Open; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; provides the bill be read by title; Pre-printing gets priority; PQ.	N/A.
H.J. Res. 96	Disapproving MFN for China	H. Res. 193	Restrictive; provides for consideration in the House of H.R. 2058 (90 min.) And H.J. Res. 96 (1 hr). Waives certain provisions of the Trade Act.	N/A.
H.R. 2002	Transportation Appropriations	H. Res. 194	Open; waives cl. 3 Of rule XIII and section 401 (a) of the CBA against consideration of the bill; waives cl. 6 and cl. 2 of rule XXI against provisions in the bill; Makes in order the Clinger/Solomon amendment waives all points of order against the amendment (Line Item Veto); provides the bill be read by title; Pre-printing gets priority; PQ. ***RULE AMENDED***.	N/A.
H.R. 70	Exports of Alaskan North Slope Oil	H. Res. 197	Open; Makes in order the Resources Committee amendment in the nature of a substitute as original text; Pre-printing gets priority; Provides a Senate hook-up with S. 395.	N/A.
H.R. 2076	Commerce, Justice Appropriations	H. Res. 198	Open; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; Pre-printing gets priority; provides the bill be read by title..	N/A.
H.R. 2099	VA/HUD Appropriations	H. Res. 201	Open; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; Provides that the amendment in part 1 of the report is the first business, if adopted it will be considered as base text (30 min.); waives all points of order against the Klug and Davis amendments; Pre-printing gets priority; Provides that the bill be read by title.	N/A.
S. 21	Termination of U.S. Arms Embargo on Bosnia	H. Res. 204	Restrictive; 3 hours of general debate; Makes in order an amendment to be offered by the Minority Leader or a designee (1 hr); If motion to recommit has instructions it can only be offered by the Minority Leader or a designee.	ID.
H.R. 2126	Defense Appropriations	H. Res. 205	Open; waives cl. 2(l)(6) of rule XI and section 306 of the Congressional Budget Act against consideration of the bill; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; self-executes a strike of sections 8021 and 8024 of the bill as requested by the Budget Committee; Pre-printing gets priority; Provides the bill be read by title.	N/A.
H.R. 1555	Communications Act of 1995	H. Res. 207	Restrictive; waives sec. 302(f) of the Budget Act against consideration of the bill; Makes in order the Commerce Committee amendment as original text and waives sec. 302(f) of the Budget Act and cl. 5(a) of rule XXI against the amendment; Makes in order the Bliley amendment (30 min.) as the first order of business, if adopted it will be original text; makes in order only the amendments printed in the report and waives all points of order against the amendments; provides a Senate hook-up with S. 652.	2R/3D/3 Bipartisan.
H.R. 2127	Labor/HHS Appropriations Act	H. Res. 208	Open; Provides that the first order of business will be the managers amendments (10 min.), if adopted they will be considered as base text; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; waives all points of order against certain amendments printed in the report; Pre-printing gets priority; Provides the bill be read by title; PQ.	N/A.
H.R. 1594	Economically Targeted Investments	H. Res. 215	Open; 2 hr of gen. debate. makes in order the committee substitute as original text	N/A.
H.R. 1655	Intelligence Authorization	H. Res. 216	Restrictive; waives sections 302(f), 308(a) and 401(b) of the Budget Act. Makes in order the committee substitute as modified by Govt. Reform amend (striking sec. 505) and an amendment striking title VII. Cl 7 of rule XVI and cl 5(a) of rule XXI are waived against the substitute. Sections 302(f) and 401(b) of the CBA are also waived against the substitute. Amendments must also be pre-printed in the Congressional record.	N/A.
H.R. 1162	Deficit Reduction Lock Box	H. Res. 218	Open; waives cl 7 of rule XVI against the committee substitute made in order as original text; Pre-printing gets priority.	N/A.
H.R. 1670	Federal Acquisition Reform Act of 1995	H. Res. 219	Open; waives sections 302(f) and 308(a) of the Budget Act against consideration of the bill; bill will be read by title; waives cl 5(a) of rule XXI and section 302(f) of the Budget Act against the committee substitute. Pre-printing gets priority.	N/A.
H.R. 1617	To Consolidate and Reform Workforce Development and Literacy Programs Act (CAREERS).	H. Res. 222	Open; waives sections 302(f) and 401(b) of the Budget Act against the substitute made in order as original text (H.R. 2332). cl. 5(a) of rule XXI is also waived against the substitute. Provides for consideration of the managers amendment (10 min.) If adopted, it is considered as base text.	N/A.
H.R. 2274	National Highway System Designation Act of 1995	H. Res. 224	Open; waives section 302(f) of the Budget Act against consideration of the bill; Makes H.R. 2349 in order as original text; waives section 302(f) of the Budget Act against the substitute as well as cl. 5(a) of rule XXI and cl. 1(q)(10) of rule X against the substitute; provides for the consideration of a managers amendment (10 min). If adopted, it is considered as base text; Pre-printing gets priority; PQ.	N/A.
H.R. 927	Cuban Liberty and Democratic Solidarity Act of 1995	H. Res. 225	Restrictive; waives cl 2(l)(2)(B) of rule XI against consideration of the bill; makes in order H.R. 2347 as base text; waives cl 7 of rule XVI against the substitute; Makes Hamilton amendment the first amendment to be considered (1 hr). Makes in order only amendments printed in the report.	2R/2D
H.R. 743	The Teamwork for Employees and managers Act of 1995	H. Res. 226	Open; waives cl 2(l)(2)(b) of rule XI against consideration of the bill; makes in order the committee amendment as original text; Pre-printing get priority.	N/A.
H.R. 1170	3-Judge Court for Certain Injunctions	H. Res. 227	Open; makes in order a committee amendment as original text; Pre-printing gets priority	N/A.
H.R. 1601	International Space Station Authorization Act of 1995	H. Res. 228	Open; makes in order a committee amendment as original text; pre-printing gets priority	N/A.
H.J. Res. 108	Making Continuing Appropriations for FY 1996	H. Res. 230	Closed; Provides for the immediate consideration of the CR; one motion to recommit which may have instructions only if offered by the Minority Leader or a designee.	

FLOOR PROCEDURE IN THE 104TH CONGRESS 1ST SESSION; COMPILED BY THE RULES COMMITTEE DEMOCRATS—Continued

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 2405	Omnibus Civilian Science Authorization Act of 1995	H. Res. 234	Open; self-executes a provision striking section 304(b)(3) of the bill (Commerce Committee request); Pre-printing gets priority.	N/A.
H.R. 2259	To Disapprove Certain Sentencing Guideline Amendments	H. Res. 237	Restrictive; waives cl 2(l)(2)(B) of rule XI against the bill's consideration; makes in order the text of the Senate bill S. 1254 as original text; Makes in order only a Conyers substitute; provides a senate hook-up after adoption.	1D
H.R. 2425	Medicare Preservation Act	H. Res. 238	Restrictive; waives all points of order against the bill's consideration; makes in order the text of H.R. 2485 as original text; waives all points of order against H.R. 2485; makes in order only an amendment offered by the Minority Leader or a designee; waives all points of order against the amendment; waives cl 5(c) of rule XXI (3/5 requirement on votes raising taxes); PQ.	1D
H.R. 2492	Legislative Branch Appropriations Bill	H. Res. 239	Restrictive; provides for consideration of the bill in the House	N/A.
H.R. 2491 H. Con. Res. 109	7 Year Balanced Budget Reconciliation Social Security Earnings Test Reform.	H. Res. 245	Restrictive; makes in order H.R. 2517 as original text; waives all pints of order against the bill; Makes in order only H.R. 2530 as an amendment only if offered by the Minority Leader or a designee; waives all points of order against the amendment; waives cl 5(c) of rule XXI (3/5 requirement on votes raising taxes); PQ.	1D
H.R. 1833	Partial Birth Abortion Ban Act of 1995	H. Res. 251	Closed	N/A.
H.R. 2546	D.C. Appropriations FY 1996	H. Res. 252	Restrictive; waives all points of order against the bill's consideration; Makes in order the Walsh amendment as the first order of business (10 min.); if adopted it is considered as base text; waives cl 2 and 6 of rule XXI against the bill; makes in order the Bonilla, Gunderson and Hostettler amendments (30 min.); waives all points of order against the amendments; debate on any further amendments is limited to 30 min. each.	N/A
H.J. Res. 115	Further Continuing Appropriations for FY 1996	H. Res. 257	Closed; Provides for the immediate consideration of the CR; one motion to recommit which may have instructions only if offered by the Minority Leader or a designee.	N/A
H.R. 2586	Temporary Increase in the Statutory Debt Limit	H. Res. 258	Restrictive; Provides for the immediate consideration of the CR; one motion to recommit which may have instructions only if offered by the Minority Leader or a designee; self-executes 4 amendments in the rule; Solomon, Medicare Coverage of Certain Anti-Cancer Drug Treatments, Habeas Corpus Reform, Chrysler (MI); makes in order the Walker amend (40 min.) on regulatory reform.	5R
H.R. 2539	ICC Termination	H. Res. 259	Open; waives section 302(f) and section 308(a)	
H.J. Res. 115	Further Continuing Appropriations for FY 1996	H. Res. 261	Closed; provides for the immediate consideration of a motion by the Majority Leader or his designees to dispose of the Senate amendments (1hr).	N/A.
H.R. 2586	Temporary Increase in the Statutory Limit on the Public Debt	H. Res. 262	Closed; provides for the immediate consideration of a motion by the Majority Leader or his designees to dispose of the Senate amendments (1hr).	N/A.
H. Res. 250	House Gift Rule Reform	H. Res. 268	Closed; provides for consideration of the bill in the House; 30 min. of debate; makes in order the Burton amendment and the Gingrich en bloc amendment (30 min. each); waives all points of order against the amendments; Gingrich is only in order if Burton fails or is not offered.	2R
H.R. 2564	Lobbying Disclosure Act of 1995	H. Res. 269	Open; waives cl. 2(l)(6) of rule XI against the bill's consideration; waives all points of order against the Istook and McIntosh amendments.	N/A.
H.R. 2606	Prohibition on Funds for Bosnia Deployment	H. Res. 273	Restrictive; waives all points of order against the bill's consideration; provides one motion to amend if offered by the Minority Leader or designee (1 hr non-amendable); motion to recommit which may have instructions only if offered by Minority Leader or his designee; if Minority Leader motion is not offered debate time will be extended by 1 hr.	N/A.
H.R. 1788	Amtrak Reform and Privatization Act of 1995	H. Res. 289	Open; waives all points of order against the bill's consideration; makes in order the Transportation substitute modified by the amend in the report; Bill read by title; waives all points of order against the substitute; makes in order a managers amend as the first order of business, if adopted it is considered base text (10 min.); waives all points of order against the amendment; Pre-printing gets priority.	N/A.
H.R. 1350	Maritime Security Act of 1995	H. Res. 287	Open; makes in order the committee substitute as original text; makes in order a managers amendment which if adopted is considered as original text (20 min.) unamendable; pre-printing gets priority.	N/A.
H.R. 2621	To Protect Federal Trust Funds	H. Res. 293	Closed; provides for the adoption of the Ways & Means amendment printed in the report. 1 hr. of general debate; PQ.	N/A.
H.R. 1745	Utah Public Lands Management Act of 1995	H. Res. 303	Open; waives cl 2(l)(6) of rule XI and sections 302(f) and 311(a) of the Budget Act against the bill's consideration. Makes in order the Resources substitute as base text and waives cl 7 of rule XVI and sections 302(f) and 308(a) of the Budget Act; makes in order a managers' amend as the first order of business, if adopted it is considered base text (10 min).	N/A.
H. Res. 304	Providing for Debate and Consideration of Three Measures Relating to U.S. Troop Deployments in Bosnia.	N/A	Closed; makes in order three resolutions; H.R. 2770 (Dornan), H. Res. 302 (Buyer), and H. Res. 306 (Gephardt); 1 hour of debate on each.	1D; 2R
H. Res. 309	Revised Budget Resolution	H. Res. 309	Closed; provides 2 hours of general debate in the House; PQ	N/A.
H.R. 558	Texas Low-Level Radioactive Waste Disposal Compact Consent Act	H. Res. 313	Open; pre-printing gets priority	N/A.
H.R. 2677	The National Parks and National Wildlife Refuge Systems Freedom Act of 1995.	H. Res. 323	Closed; consideration in the House; self-executes Young amendment	N/A.
		PROCEDURE IN THE 104TH CONGRESS 2D SESSION		
H.R. 1643	To authorize the extension of nondiscriminatory treatment (MFN) to the products of Bulgaria.	H. Res. 334	Closed; provides to take the bill from the Speaker's table with the Senate amendment, and consider in the House the motion printed in the Rules Committee report; 1 hr. of general debate; previous question is considered as ordered. ** NR; PQ.	N/A.
H.J. Res. 134 H. Con. Res. 131	Making continuing appropriations/establishing procedures making the transmission of the continuing resolution H.J. Res. 134.	H. Res. 336	Closed; provides to take from the Speaker's table H.J. Res. 134 with the Senate amendment and concur with the Senate amendment with an amendment (H. Con. Res. 131) which is self-executed in the rule. The rule provides further that the bill shall not be sent back to the Senate until the Senate agrees to the provisions of H. Con. Res. 131. ** NR; PQ.	N/A.
H.R. 1358	Conveyance of National Marine Fisheries Service Laboratory at Gloucester, Massachusetts.	H. Res. 338	Closed; provides to take the bill from the Speaker's table with the Senate amendment, and consider in the House the motion printed in the Rules Committee report; 1 hr. of general debate; previous question is considered as ordered. ** NR; PQ.	N/A.
H.R. 2924	Social Security Guarantee Act	H. Res. 355	Closed; ** NR; PQ	N/A.
H.R. 2854	The Agricultural Market Transition Program	H. Res. 366	Restrictive; waives all points of order against the bill; 2 hrs of general debate; makes in order a committee substitute as original text and waives all points of order against the substitute; makes in order only the 16 amends printed in the report and waives all points of order against the amendments; circumvents unfunded mandates law; Chairman has en bloc authority for amends in report (20 min.) on each en bloc; PQ.	5D; 9R; 2 Bipartisan.
H.R. 994	Regulatory Sunset & Review Act of 1995	H. Res. 368	Open rule; makes in order the Hyde substitute printed in the Record as original text; waives cl 7 of rule XVI against the substitute; Pre-printing gets priority; vacates the House action on S. 219 and provides to take the bill from the Speaker's table and consider the Senate bill; allows Chrmn. Clinger a motion to strike all after the enacting clause of the Senate bill and insert the text of H.R. 994 as passed by the House (1 hr) debate; waives germaneness against the motion; provides if the motion is adopted that it is in order for the House to insist on its amendments and request a conference.	N/A.
H.R. 3021	To Guarantee the Continuing Full Investment of Social security and Other Federal Funds in Obligations of the United States.	H. Res. 371	Closed rule; gives one motion to recommit, which if it contains instructions, may only if offered by the Minority Leader or his designee. ** NR.	N/A.
H.R. 3019	A Further Downpayment Toward a Balanced Budget	H. Res. 372	Restrictive; self-executes CBO language regarding contingency funds in section 2 of the rule; makes in order only the amendments printed in the report; Lowey (20 min), Istook (20 min), Crapo (20 min), Obey (1 hr); waives all points of order against the amendments; give one motion to recommit, which if contains instructions, may only if offered by the Minority Leader or his designee. ** NR.	2D/2R.
H.R. 2703	The Effective Death Penalty and Public Safety Act of 1996	H. Res. 380	Restrictive; makes in order only the amendments printed in the report; waives all points of order against the amendments; gives Judiciary Chairman en bloc authority (20 min.) on en blocs; provides a Senate hook-up with S. 735. ** NR.	6D; 7R; 4 Bipartisan.
H.R. 2202	The Immigration and National Interest Act of 1995	H. Res. 384	Restrictive; waives all points of order against the bill and amendments in the report except for those arising under sec. 425(a) of the Budget Act (unfunded mandates); 2 hrs. of general debate on the bill; makes in order the committee substitute as base text; makes in order only the amends in the report; gives the Judiciary Chairman en bloc authority (20 min.) of debate on the en blocs; self-executes the Smith (TX) amendment re: employee verification program; PQ.	12D; 19R; 1 Bipartisan.

FLOOR PROCEDURE IN THE 104TH CONGRESS 1ST SESSION; COMPILED BY THE RULES COMMITTEE DEMOCRATS—Continued

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.J. Res. 165	Making further continuing appropriations for FY 1996	H. Res. 386	Closed; provides for the consideration of the CR in the House and gives one motion to recommit which may contain instructions only if offered by the Minority Leader; the rule also waives cl 4(b) of rule XI against the following: an omnibus appropriations bill, another CR, a bill extending the debt limit. ** NR.	N/A.
H.R. 125	The Gun Crime Enforcement and Second Amendment Restoration Act of 1996.	H. Res. 388	Closed; self-executes an amendment; provides one motion to recommit which may contain instructions only if offered by the Minority Leader or his designee. ** NR.	N/A.
H.R. 3136	The Contract With America Advancement Act of 1996	H. Res. 391	Closed; provides for the consideration of the bill in the House; self-executes an amendment in the Rules report; waives all points of order, except sec. 425(a) (unfunded mandates) of the CBA, against the bill's consideration; orders the PQ except 1 hr. of general debate between the Chairman and Ranking Member of Ways and Means; one Archer amendment (10 min.); one motion to recommit which may contain instructions only if offered by the Minority Leader or his designee; Provides a Senate hookup if the Senate passes S. 4 by March 30, 1996. **NR.	N/A.
H.R. 3103	The Health Coverage Availability and Affordability Act of 1996	H. Res. 392	Restrictive: 2 hrs. of general debate (45 min. split by Ways and Means) (45 split by Commerce) (30 split by Economic and Educational Opportunities); self-executes H.R. 3160 as modified by the amendment in the Rules report as original text; waives all points of order, except sec. 425(a) (unfunded mandates) of the CBA; makes in order a Democratic substitute (1 hr.) waives all points of order, except sec. 425(a) (unfunded mandates) of the CBA, against the amendment; one motion to recommit which may contain instructions only if offered by the Minority Leader or his designee; waives cl 5(c) of Rule XXI (requiring ⅔ vote on any tax increase) on votes on the bill, amendments or conference reports.	N/A.
H.J. Res. 159	Tax Limitation Constitutional Amendment	H. Res. 395	Restrictive; provides for consideration of the bill in the House; 3 hrs of general debate; Makes in order H.J. Res. 169 as original text; allows for an amendment to be offered by the Minority Leader or his designee (1 hr) ** NR; PQ.	1D
H.R. 842	Truth in Budgeting Act	H. Res. 396	Open; 2 hrs. of general debate; Pre-printing gets priority	N/A.
H.R. 2715	Paperwork Elimination Act of 1996	H. Res. 409	Open; Preprinting get priority	N/A.
H.R. 1675	National Wildlife Refuge Improvement Act of 1995	H. Res. 410	Open; Makes the Young amendment printed in the 4/16/96 Record in order as original text; waives cl 7 of rule XVI against the amendment; Preprinting gets priority; **NR.	N/A.
H.J. Res. 175	Further Continuing Appropriations for FY 1996	H. Res. 411	Closed; provides for consideration of the bill in the House; one motion to recommit which, if containing instructions, may be offered by the Minority Leader or his designee. **NR.	N/A.
H.R. 2641	United States Marshals Service Improvement Act of 1996	H. Res. 418	Open; Pre-printing gets priority; Senate hook-up. **PQ	N/A.
H.R. 2149	The Ocean Shipping Reform Act	H. Res. 419	Open; Makes in order a managers amendment as the first order of business (10 min.); if adopted it is considered as base text; waives cl 7 of rule XVI against the managers amendment; Pre-printing gets priority; makes in order an Obestar en bloc amendment.	N/A.
H.R. 2974	To amend the Violent Crime Control and Law Enforcement Act of 1994 to provide enhanced penalties for crimes against elderly and child victims.	H. Res. 421	Open; waives cl 7 of rule XIII against consideration of the bill; makes in order the Judiciary substitute printed in the bill as original text; waives cl 7 of rule XVI against the substitute; Pre-printing gets priority.	N/A.
H.R. 3120	To amend Title 18, United States Code, with respect to witness retaliation, witness tampering and jury tampering.	H. Res. 422	Open; waives cl 7 of rule XIII against consideration of the bill; makes in order the Judiciary substitute printed in the bill as original text; waives cl 7 of rule XVI against the substitute; Pre-printing gets priority.	N/A.
H.R. 2406	The United States Housing Act of 1996	H. Res. 426	Open; makes in order the committee substitute printed in the bill as original text; waives cl 5(a) of rule XXI against the substitute; makes in order a managers amendment as the first order of business (10 min); if adopted it is considered as base text; Pre-printing gets priority; provides a Senate hook-up.	N/A.
H.R. 3322	Omnibus Civilian Science Authorization Act of 1996	H. Res. 427	Open; waives cl 2(l)(2) of rule XI against the bill's consideration; makes in order a managers amendment as the first order of business (10 min); if adopted it is considered as base text; waives cl 5(a) of rule XXI against the bill; pre-printing gets priority.	N/A.
H.R. 3286	The Adoption Promotion and Stability Act of 1996	H. Res. 428	Restrictive; provides consideration of the bill in the House; makes in order the Ways & Means substitute printed in the bill as original text; makes in order a Gibbons amendment to title II (30 min) and a Young amendment (30 min); provides one motion to recommit which may contain instructions only if offered by the Minority Leader or his designee.	1D; 1R
H.R. 3230	Defense Authorization Bill FY 1997	H. Res. 430	Restrictive	41 amends; 20D; 17R; 4 bipartisan
H.R. 3415	Repeal of the 4.3-Cent Increase in Transporation Fuel Taxes	H. Res. 436	Closed	N/A.
H.R. 3259	Intelligence Authorization Act for FY 1997	H. Res. 437	Restrictive	N/A.
H.R. 3144	The Defend America Act	H. Res. 438	Restrictive	1D
H.R. 3448/H.R. 1227	The Small Business Job Protection Act of 1996, and The Employee Commuting Flexibility Act of 1996.	H. Res. 440	Restrictive	2R
H.R. 3517	Military Construction Appropriations FY 1997	H. Res. 442	Open	N/A
H.R. 3540	Foreign Operations Appropriations FY 1997	H. Res. 445	Open	
H.R. 3562	The Wisconsin Works Waiver Approval Act	H. Res. 446	Restrictive.	

*Contract Bills, 67% restrictive; 33% open. ** All legislation 1st Session, 53% restrictive; 47% open. *** All legislation 2d Session, 66% restrictive; 34% open. **** All legislation 104th Congress, 57% restrictive; 43% open. ***** NR indicates that the legislation being considered by the House for amendment has circumvented standard procedure and was never reported from any House committee. ****** PQ Indicates that previous question was ordered on the resolution. ******* Restrictive rules are those which limit the number of amendments which can be offered, and include so-called modified open and modified closed rules as well as completely closed rules and rules providing for consideration in the House as opposed to the Committee of the Whole. This definition of restrictive rule is taken from the Republican chart of resolutions reported from the Rules Committee in the 103d Congress. N/A means not available.

LEGISLATION IN THE 104TH CONGRESS, 2D SESSION

To date 14 out of 35, of the bills considered under rules in the 2d session of the 104th Congress have been considered under an irregular procedure which circumvents the standard committee procedure. They have been brought to the floor without any committee reporting them. They are as follows:

H.R. 1643, to authorize the extension of nondiscriminatory treatment (MFN) to the products of Bulgaria.

H.J. Res. 134, making continuing appropriations for fiscal year 1996.

H.R. 1358, conveyance of National Marine Fisheries Service Laboratory at Gloucester, Massachusetts.

H.R. 2924, the Social Security Guarantee Act.

H.R. 3021, to guarantee the continuing full investment of Social Security and other Federal funds in obligations of the United States.

H.R. 3019, a further downpayment toward a balanced budget.

H.R. 2703, the effective Death Penalty and Public Safety Act of 1996.

H.J. Res. 165, making further continuing appropriations for fiscal year 1996.

H.R. 125, the Crime Enforcement and Second Amendment Restoration Act of 1996.

H.R. 3136, the Contract With America Advancement Act of 1996.

H.J. Res. 159, tax limitation constitutional amendment.

H.R. 1675, National Wildlife Refuge Improvement Act of 1995.

H.J. Res. 175, making further continuing appropriations for fiscal year 1996.

H.R. 3562, the Wisconsin Works Waiver Approval Act.

Mr. MOAKLEY. Mr. Speaker, the President said "Wisconsin has the makings of a solid, bold welfare reform plan."

He did not say he would sign the waivers sight unseen, without a public comment period. This process is wrong, plain and simply. Vote for the Kleczka substitute.

Mr. Speaker, I yield back the balance of my time.

Mr. SOLOMON. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I will just say, it seems with this President there is always a but. In other words, we never get to it. He says, let us get this done, but. And every time we turn around we hear another but.

Mr. Speaker, what this debate is all about, I spent many years in the county legislature before I came to the State legislature and onto this Congress 18 years ago. We used to complain bitterly about the strings attached from Washington. He wanted to solve our own welfare problems.

Later on, after 6 years in county government, I went to the State government and served in the same capacity on the social services committee. We had the same kind of problems. We knew how to solve our problems but Washington would not let us do it.

That is really what this debate is all about.

We have seen time after time where this Federal Government will not give the waivers to the State governments. This debate is about giving the block grant to the State of Wisconsin and letting them decide in a pilot project how to solve these problems. That is what this debate is all about, it is a block grant going to them.

We do not need to have the ifs, ands, and buts. Let us give them the ability to do it, without any strings attached, and then we can decide if the plan worked. Plan one did work in Wisconsin. It reduced the case load by 40 percent. If this will reduce the case load by another 20 percent and we then take that pilot project and enact it throughout the country, giving each of our States that opportunity, we will have solved this status quo mess that we have today in the form of a welfare program.

Let us get on with it. Let us pass this rule and then let us pass this bill and give Wisconsin without any strings attached the ability to try to solve this problem.

Mr. speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MOAKLEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 363, nays 59, not voting 12, as follows:

[Roll No. 219]

YEAS—363

Ackerman
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Beilenson
Bentsen
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blumenauer
Blute
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clement
Clinger
Coble
Coburn
Coleman
Collins (GA)
Combest
Condit
Cooley
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cremeans
Cubin
Danner
Davis
de la Garza
Deal
DeFazio
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Durbin
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Evans
Everett
Ewing
Farr
Fawell
Fazio
Fields (TX)
Flake
Flanagan
Foglietta
Foley
Forbes
Ford
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Gallegly
Ganske
Gejdenson
Gekas
Geren
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Gordon
Goss
Graham
Green (TX)
Greene (UT)
Greenwood
Gunderson
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hinchey
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnston
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Longley
Lowey
Lucas
Luther
Maloney
Manton
Manzullo
Martinez
Martini
Mascara
McCarthy
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
McKinney
McNulty
Meehan
Menendez
Metcalf
Meyers
Mica
Miller (CA)
Miller (FL)
Minge
Moakley
Molinari
Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Myrick
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Ortiz
Orton
Oxley
Packard
Pallone
Parker
Paxon
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Reed
Regula
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Royce
Rush
Salmon
Sanders
Sanford
Saxton
Scarborough
Schaefer
Schroeder
Schumer
Scott
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stockman
Studds
Stump
Stupak
Talent
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torricelli
Traficant
Upton
Vucanovich
Walker
Walsh
Wamp
Ward
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—59

Abercrombie
Andrews
Becerra
Bryant (TX)
Cardin
Chapman
Clay
Clayton
Clyburn
Collins (IL)
Collins (MI)
Conyers
Cummings
Dellums
Fields (LA)
Filner
Frank (MA)
Furse
Gibbons
Gonzalez
Gutierrez
Hilliard
Hoyer
Jackson (IL)
Lewis (GA)
Matsui
McDermott
McHale
Meek
Millender-McDonald
Mink
Nadler
Olver
Owens
Pastor
Payne (NJ)
Pelosi
Rangel
Roybal-Allard
Sabo
Sawyer
Serrano
Skaggs
Slaughter
Stark
Stokes
Tanner
Thompson
Torres
Towns
Velázquez
Vento
Visclosky
Volkmer
Waters
Watt (NC)
Waxman
Wynn
Yates

NOT VOTING—12

Allard
Cunningham
Fattah
Gephardt
Hayes
Jackson-Lee (TX)
Lincoln
Markey
Mollohan
Payne (VA)
Schiff
Williams

□ 1201

Ms. ROYBAL-ALLARD, Mr. BRYANT of Texas, and Mr. OLVER changed their vote from "yea" to "nay."

Mr. BONO and Mr. WISE changed their vote from "nay" to "yea."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1462

Mr. VOLKMER. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor of H.R. 1462.

The SPEAKER pro tempore (Mr. INGLIS of South Carolina). Is there objection to the request of the gentleman from Missouri?

There was no objection.

LIMITING AMENDMENTS AND TIME FOR CONSIDERATION ON CERTAIN AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 3540, FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 1997

Mr. CALLAHAN. Mr. Speaker, I ask unanimous consent that during the further consideration of H.R. 3540 in the Committee of the Whole, pursuant to the House Resolution 445, that no amendments to the bill shall be in order except the following amendments, if offered by the Member specified or his designee:

Amendments numbered 54, 58, and 76 offered by the gentleman from Wisconsin [Mr. OBEY]; amendment No. 10 offered by the gentleman from Massachusetts [Mr. FRANK]; amendment No. 69 offered by the gentleman from Indiana [Mr. SOUDER]; and amendment No. 75 offered by the gentleman from New Jersey [Mr. ZIMMER].

I further ask unanimous consent that debate on each amendment and all amendments thereto shall be limited to 20 minutes, equally divided and controlled by the proponent and an opponent, except that amendments numbered 54 and 10 shall each be debatable for not to exceed 45 minutes, and consideration of these amendments proceed without intervening motion, except one motion to rise, if offered by myself.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

Mr. OBEY. Reserving the right to object, Mr. Speaker, could I simply ask the gentleman, on amendment No. 69, I confess I am not fully familiar with the contents. Is there any intention that there is going to be an amendment to amendment No. 69?

Mr. CALLAHAN. Mr. Speaker, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Speaker, I would tell the gentleman, not to my knowledge. I think the gentleman from Indiana [Mr. SOUDER] had two amendments. The second amendment I think is amendment No. 69, which he intends to offer, an amendment on Mexico that has to do with encouraging them to crack down on drug trafficking. There is no second degree amendment.

Mr. OBEY. There is no amendment? I thank the gentleman, Mr. Speaker.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

WISCONSIN WORKS WAIVER APPROVAL ACT

Mr. ARCHER. Mr. Speaker, pursuant to House Resolution 446, I call up the bill (H.R. 3562) to authorize the State of Wisconsin to implement the demonstration project known as Wisconsin Works, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 446, the amendment printed in section 2 of the resolution is adopted.

The text of H.R. 3562, as amended by the amendment printed in section 2 of House Resolution 446, is as follows:

H.R. 3562

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AUTHORITY TO IMPLEMENT WISCONSIN WORKS DEMONSTRATION PROJECT.

(a) IN GENERAL.—Upon presentation by the State of Wisconsin of the document entitled "Wisconsin Works" (as signed into State law by the Governor of Wisconsin on April 26, 1996) to the appropriate Federal official with respect to any Federal entitlement program specified in such document—

(1) such official is deemed to have waived compliance with the requirements of Federal law with respect to such program to the extent and for the period necessary to enable the State of Wisconsin to carry out the demonstration project described in the document; and

(2) the costs of carrying out the demonstration project which would not otherwise be included as expenditures under such program shall be regarded as expenditures under such program.

(b) LIMITATION OF COSTS.—Subsection (a)(2) shall not apply to the extent that—

(1) the sum of such costs and the expenditures of the State of Wisconsin under all programs to which subsection (a) applies during any testing period exceeds.

(2) the total amount that would be expended under such programs during such testing period in the absence of the demonstration project.

(c) TESTING PERIOD.—For purposes of subsection (b), the testing periods are—

(1) the 5-year period that begins with the date of the commencement of the demonstration project, and

(2) the period of the demonstration project.

(d) RECAPTURE OF EXCESS.—If at the close of any testing period, the Secretary of Health and Human Services determines that the amount described in subsection (b)(1) exceeds the amount described in subsection (b)(2) for such period, such Secretary shall withhold an amount equal to such excess from amounts otherwise payable to the State of Wisconsin under section 403 of the Social Security Act (relating to the program of aid to families with dependent children) for the first fiscal year beginning after the close of such period. The preceding sentence shall not apply to the extent such Secretary is otherwise paid such excess by the State of Wisconsin.

SEC. 2. NO EFFECT ON CERTAIN OTHER WAIVERS GRANTED TO THE STATE OF WISCONSIN.

This Act shall not be construed to affect the terms or conditions of any waiver granted before the date of the enactment of this Act to the State of Wisconsin under section 1115 of the Social Security Act, including earned waiver savings and conditions. The current waivers are considered a precondition and can be subsumed as part of the Wisconsin Works demonstration.

SEC. 3. AUTHORITY TO PARTICIPATE UNDER SUBSEQUENT LEGISLATION.

If, after the date of the enactment of this Act, any Federal law is enacted which modifies the terms of, or the amounts of expenditures permitted under, any program to which section 1 applies, the State of Wisconsin may elect to participate in such program as so modified.

The SPEAKER pro tempore. The gentleman from Texas [Mr. ARCHER] and the gentleman from Wisconsin [Mr. KLECZKA] will each be recognized for 30 minutes.

The Chair recognizes the gentleman from Texas [Mr. ARCHER].

GENERAL LEAVE

Mr. ARCHER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 3562, the bill presently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ARCHER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it has been 8 days since the President formally received the request for Wisconsin waivers from Governor Tommy Thompson. He still has not approved it. As Members will recall, the President endorsed the Governor's request to implement his innovative welfare initiative by waiving the cumbersome and counterproductive Federal rules and regulations that govern welfare.

The American people noted the great speed with which the President went on national radio to endorse the Wisconsin waivers, once he had learned that Senator BOB DOLE would visit Wisconsin to announce his own welfare proposal. But as of today, 8 days after the President's ringing endorsement, the Clinton administration has yet to sign the Wisconsin waivers.

Under the Social Security Act, the Clinton administration has the immediate authority to sign the Wisconsin waivers. Given his radio address, there should be no reason for the Clinton administration to negotiate, study, or otherwise delay the waivers Wisconsin seeks.

To help the President refocus his energy on the Wisconsin waivers, today we initiate this legislative process of sending the President the Wisconsin waivers in legislative form. The President endorsed the Wisconsin proposal, and now we are giving him the opportunity to personally approve it by signing this bill. We eagerly await his signature.

Mr. Speaker, pursuant to the rule, I designate the gentleman from Wisconsin [Mr. KLUG] to hereafter control the time for debate.

Mr. Speaker, I reserve the balance of my time.

Mr. KLECZKA. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin [Mr. OBEY], the dean of the Wisconsin delegation.

Mr. OBEY. Mr. Speaker, the biggest social failure in this country is welfare. I think everybody understands that. It is a mess. It destroys work incentives. It is hated by many of the people on it and it is hated by the taxpayers. I think the No. 1 priority of the country is to see welfare reformed, and I do not believe that the country is going to have much confidence in its Government until the Government demonstrates that it can distinguish between the truly needy and those who take no personal responsibility. The American people deserve to have the welfare issue dealt with in a way that puts their needs first.

Instead, in my view, the issue is being used as a political football by politicians to meet the needs of politicians, in order to help them gain an edge on each other. This bill is part of that circus. It is not real, it will not

become law, it is simply part of a political game to tweak the President of the United States. The problem is that long after President Clinton and would-be President DOLE are gone, my constituents will have to live with the consequences.

We have before us today one-half of Governor Thompson's welfare reform package. Under the Wisconsin welfare reform package, low-income people are going to be taken off welfare in many instances, but the second half of the welfare package in Wisconsin is to put the Milwaukee Brewers and their owner on welfare, making them biggest welfare queen in Wisconsin. I find that interesting.

What we have before us is the fact that the Wisconsin legislature passed a reform bill. The Governor may have had 27 separate changes in it through item vetoes. The normal next step is for the Department of Health and Social Services to allow a 30-day comment period from the public, and then make a decision on the welfare requests. This bill cuts the public out. It simply says that 435 people in the Congress of the United States, at least in the House, who have never read the waiver proposition, who know virtually nothing about it, are going to be voting on it, instead of allowing the department to proceed to do what it has done on every other occasion, which is to grant waiver requests which Wisconsin has made.

The gentleman from Wisconsin [Mr. KLECZKA] and the rest of the Democrats in the Wisconsin delegation are offering a simple substitute. Since, after all, this welfare reform proposal does not go into effect until September 1997, it simply urges the department to approve Wisconsin's request after two conditions are met: Number one, after we have a 30-day comment period, so that the public can be cut in on the deal, and they can finally have a say-so so our constituents can participate, not just the politicians at the State and the Federal level; and second, after the department has determined that the alternative meets each of the seven tests laid down for it by the Governor himself in his document, on page 4.

Unlike the bill, we do not cut out the public, and we do not have the Congress interfering in something it knows nothing about. I want to make very clear, Mr. Speaker, that when the President spoke 2 weeks ago and endorsed the general thrust of the Wisconsin plan, he said that that plan had the makings of a good proposal, and that he wanted to work with the State of Wisconsin to see it accomplished.

That is exactly what ought to happen. We ought to stop inventing differences where there are none. We ought to stop the politics. We ought to get on with the process and get those waivers approved so Wisconsin can proceed with the experiment that the legislature passed, which the Governor changed with his vetoes and which they are now asking the Federal Government to support. That is the nonpolitical, rational way to go about things, and I urge Members to support the Kleczka amendment.

Mr. KLUG. Mr. Speaker, I yield myself such time as I may consume.

Let me make a point, in response to my colleague and friend, the gentleman from Wisconsin [Mr. OBEY]. He said that by passing this waiver, we will cut the public out. I think anything but the contrary. The public, which should be involved in this decision, has already been involved in the decision. It is the residents of the State of Wisconsin who had 30 hearings and town meetings, 120 hours of debate in the Wisconsin State legislature, and 2,000 residents participated in those venues.

Mr. SENSENBRENNER. Mr. Speaker, will the gentleman yield?

Mr. KLUG. I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. Mr. Speaker, I would just like to point out that in the hometown of the gentleman from Wisconsin [Mr. OBEY], hometown of Wausau, there was a 7-hour public hearing on October 17, 1995, where 82 individuals either appeared or registered before the committee at the hearing.

What the gentleman from Wisconsin [Mr. OBEY] apparently wants to do is to ignore the input that those 82 individuals gave in his hometown to elected legislators, and have bureaucrats in the Department of Health and Human Services end up deciding what waivers to approve, what waivers to modify, and what waivers to reject, and thus write the final welfare reform plan. I have much greater faith in the folks who appeared at the hearing in Wausaw than the folks across the street in the HHS building.

Mr. KLUG. Reclaming my time, Mr. Speaker, and we will have plenty of time to enter in a dialogue, but I want to follow up on another point to say that two-thirds of the Wisconsin State Assembly voted for and three-quarters of the Wisconsin State Senate, and in fact, the Democratic candidate for Governor who ran against Tommy Thompson last time, supported the plan and voted for the plan. It is a plan that Republicans and Democrats in Wisconsin support.

The bottom line in all of this, Mr. Speaker, is whose values do we trust: Do we trust the values of the folks back in Wisconsin, sitting down at the lunch counter right now, or do we trust the folks stuffing the file cabinets right here somewhere in Washington? It is Main Street values versus Washington values.

□ 1215

Do you trust the judgment of the Wisconsin bipartisan legislature or do you trust the judgment of the technocrats and the bureaucrats here in the Nation's Capital?

Mr. Speaker, I yield 4 minutes and 30 seconds to my colleague, the gentleman from Wisconsin [Mr. NEUMANN], to detail the waiver application itself.

Mr. NEUMANN. Mr. Speaker, I would just like to point out that the bill is very, very straightforward. It very simply says that we grant Wisconsin the ability to go ahead with the welfare reform plan that has been passed through the State legislature.

I have been looking for a way to best describe the Wisconsin Works Program. I would like to read what I found to be one of the better descriptions of the program. I quote this now. It says: Under the Wisconsin plan, people on welfare who can work must work immediately. The State will see to it that the work is there, in the private-sector jobs that can be subsidized if necessary, or community-service jobs if there are no private jobs available.

The State says it will also see to it that families have health care and child care so that parents can go to work without worrying about what will happen to their children, but they must go to work or they will not get paid. If they do work, of course, they will have the dignity of earning a paycheck, not a welfare check.

Mr. Speaker, the plan would send a clear message to teen parents as well. If you are a minor with a baby, you will receive benefits only if you stay in school, live at home and turn your life around. Those words adequately and directly describe the Wisconsin plan.

I have been hearing today that somehow President Clinton did not know what was in this plan. Those words describing the Wisconsin plan, Governor Tommy Thompson's plan, those words are President Clinton's words during his radio address. I would point out that they very directly describe the Wisconsin plan. He knew exactly what was in the plan when he said, and I quote again, we should get it done, referring to granting the Wisconsin waivers.

I have heard this is about partisan politics today. I have a very difficult time understanding how we can call it partisan politics when a Republican Congress is saying to a Democrat President, we are honoring your wishes, here it is, let us do what you said, let us get it done. That is what this is all about.

Mr. Speaker, I might add on the political front, I find myself in a very unique position of being out in Washington, DC, doing the best job I can to see to it that legislation voted for by a potential opponent of mine in the next election, Judy Robeson from Beloit, she voted for this bill, a Democrat on the other side from my own district and potentially a candidate against me in the next race. I am here working to

see to it that her good work in fact gets enacted into law.

I would like to also address the comment that there have been no public hearings on this. There has been 18 months of hearings in the State of Wisconsin on this. After 18 months the people in the State of Wisconsin did what the American people want all of us to do. They cut through the Republican-Democrat gridlock that seems to bring this place, Washington DC, to a grinding halt. They cut through that. They developed a welfare reform package requiring able-bodied welfare recipients to go back into the work force while taking care of health care and child care, but they did this with both the votes of the Democrats and the Republicans.

The majority of the Democrats in the State of Wisconsin voted for this plan. All of the Republicans voted for it. All in all, the vote was 100 to 31 in favor of it.

Mr. Speaker, this plan is budget neutral. It does not cost the taxpayers from Washington, DC, at least an additional nickel. I would also like to add to my colleagues on this side of the aisle that, when they voted for H.R. 4 approximately a year ago, if that bill had been signed into law rather than vetoed by the President of the United States, we would not be standing here having this debate today. Wisconsin works for Gov. Tommy Thompson and the Republicans and Democrats in the State legislature would already be enacted into law and would be rapidly moving forward.

There is one more point that I find extremely ironic in this debate. The whole context of this debate is that we somehow need 30 days out here for the Washington bureaucrats to rewrite the Wisconsin plan. I would like you to think about what exactly that means.

In Wisconsin, we have a Governor and a State legislature that has balanced the budget year after year after year. They have just enacted a huge tax cut. That is, they have reduced the tax burden on the people in the State of Wisconsin. They have balanced the budget. They have cut the taxes. Business is booming in the State of Wisconsin providing job opportunities for people to leave the welfare rolls and once again have a shot at the American dream. Who are we asking for a 30-day review of this process? The Washington bureaucrats, 900 miles from the State of Wisconsin.

Who are we asking to do this review? Who do they want, these Washington bureaucrats to review and Washingtonize this Wisconsin plan? Well, they are the very same people that have plunged our Nation $5 trillion in debt. They have not balanced a budget in a generation, for goodness sakes. In 1993 they not only did not reduce taxes on the American people, they passed the biggest tax increase in the history of this Nation.

How is it that we would think that we should take this Wisconsin plan and bring it out here to Washington, DC, and have it reviewed by these people who have done exactly the opposite of what we should be doing in this Nation, instead of plunging us into debt and not balancing the budget, increasing the welfare rolls. That is not what we ought to be doing. And I will conclude my remarks. Maybe we should ask the people of Wisconsin to review Washington work.

Mr. KLECZKA. Let me try to bring the debate back to the issue here. I yield myself 30 seconds.

The issue before us is not to rehash or redo the State legislative enactment; that is the law of the land in the State of Wisconsin. What we are trying to do here, what we are talking about is process. There is a process for when States ask for waivers. Like it or not, that is the process that has been used.

So, what the Republican proposal today does is cut out the public's input into this process. Do not give me this baloney about the bureaucrats and everything else. The 30 days is so the public, and I will give you some of the names who have asked for this opportunity from Wisconsin and from out of Wisconsin, but they just want an opportunity to be heard. Why are we cutting that out? What do we have to fear?

Mr. Speaker, I yield 30 seconds to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Speaker, let me simply say that the gentleman referred to the hearing that was held in my hometown. I would simply observe that that hearing was held before the fact. The citizens of Wisconsin have had no opportunity to comment on their view of the Governor's 97 item vetoes and the changes that that made in the process.

My understanding is he made 97 changes on 27 separate items. I would bet that no member of the Wisconsin delegation can define those.

So all we are saying is we ought to leave the process to the same people who provided Wisconsin's nine previous waivers. At least they know something about what is in the package. Certainly no one on this floor does.

Mr. KLECZKA. Mr. Speaker, I yield 3 minutes to the gentleman of California [Mr. STARK], formerly from the State of Wisconsin.

Mr. STARK. Mr. Speaker, I thank the distinguished gentleman from the south side of Milwaukee.

I grew up on the west side of Milwaukee. We used to beat Janesville in basketball at Wauwatosa High School.

Mr. NEUMANN. I personally take offense at that. The basketball teams in Janesville are dynamically great.

Mr. STARK. I am sure big guys like you would have whipped short guys like me.

Perhaps the gentleman from Janesville would indulge me for a few minutes, because I understand that he understands what they have done in Wisconsin; but I cannot quite understand what it is here that he is asking us to do today.

For instance, in his waivers he is asking to waive fair hearing rights. Can he explain to me what fair hearing rights he wants to waive? What fair hearing rights does the gentleman from Wisconsin [Mr. NEUMANN] want to waive here?

Mr. NEUMANN. What we are doing in this bill is we are simply expressing our confidence in the State of Wisconsin legislature.

Mr. STARK. The gentleman lists waivers that he is asking for. One of the waivers is fair hearing rights.

Mr. NEUMANN. No, no, no. What this bill does, very simply, is this bill very simply says we have confidence in the people of the State of Wisconsin.

Mr. STARK. I am sorry, I trust the gentleman, but I would like to know. This is an area in which I have legislated for some time. What fair hearing rights is he waiving, for example? He is waiving, in item 17 in his bill, in the record, the gentleman is saying he is waiving lump sums. I think he meant some lumps, but.

Mr. NEUMANN. We can gladly spend the rest of the debate time on this. If the gentlemen would like me to read a description of that, it is item No. 5 in the description. It says: Applicants for and participants in W-2 employment positions—trial job, CSJ or W-2 T—may appeal a W-2 agency's decision related to eligibility or benefits. The appeal process provided for is similar to the conciliation process under the JOBS Program.

So we can go through these.

Mr. STARK. Why is that not in the bill? What is the gentleman reading from?

Mr. NEUMANN. I am reading from the thing that has been referred to in the Register. But the point here is this.

Mr. STARK. Excuse me. That is not in the bill; is it?

Mr. NEUMANN. The thing is I do not happen to think that we need a Washington review of what has already been done.

Mr. STARK. We do not need a review, but we need a bill that we can read. We are spending taxpayers' money to help Wisconsin.

Mr. NEUMANN. That is money from the taxpayers in the State of Wisconsin, and they have already decided how they would like to spend that tax money. I for one believe that the people in the State of Wisconsin ought to have the right to decide how that tax money has been spent. I would like to point out about the cost.

Mr. STARK. Mr. Speaker, if I could reclaim my time for a moment, the gentleman is asking me to vote for some 88 waivers here which he described to me. I do not have any time to review this. The gentleman has had

the experience of all of these hearings or had the experience of reviewing this. If I could just finish.

Mr. KLUG. Mr. Speaker, I yield myself such time as I may consume. I would like to ask a question of the gentleman from Wisconsin [Mr. SENSENBRENNER].

Our colleague from Wisconsin, Mr. OBEY made the point saying that, since the Governor's veto, nobody has had the opportunity to review this. But I would ask the gentleman, is it his experience when he served in the Wisconsin State Legislature that obviously the Wisconsin State Legislature, which passed this plan two-thirds in the assembly, three-quarters in the State Senate, could have overridden the Governor's vetoes and changed it; could they not?

Mr. SENSENBRENNER. Mr. Speaker, if the gentleman will yield, that is correct, and there is a veto session of the Wisconsin Legislature scheduled for July 9, 10, and 11. The State legislature can decide to override any one of the vetoes that the Governor has chosen to make.

Mr. KLUG. I thank the gentleman for making that point.

Mr. Speaker, I yield 2 minutes to my colleague, the gentleman from Wisconsin [Mr. SENSENBRENNER].

Mr. SENSENBRENNER. Mr. Speaker, the other gentleman from Wisconsin has claimed that nobody has had a chance to review the bill after the Governor has made his line-item veto. The President of the United States has had a chance to review it, because the statements that he made in support of Wisconsin's W-2 plan were after the Governor vetoed parts of the W-2 plan and signed it into law. And he said, all in all, Wisconsin has the makings of the solid, bold, welfare reform plan. We should get it done.

Now, what we are hearing from the other side of the aisle is that we should cloud the issue more. We should confuse the issue more. And we should end up giving the bureaucrats in the Federal Department of Health and Human Services the opportunity to modify the waiver request, as they usually do when waivers are requested, and thus end up by bureaucratic fiat changing the welfare reform plan that the elected legislators of Wisconsin and the Governor of this State have decided is in the State's interest.

That philosophy is wrong. The reason this bill is before us today is so that Congress can allow Wisconsin to get on with the job of reforming its welfare system.

Now, let me say that what we are doing here is really not unprecedented. There have been three instances in the last 10 years where Congress has legislatively approved welfare reform waivers requested by the Governors of various States. In the Omnibus budget Reconciliation Act of 1987, two of them were approved, one from the State of Washington on a demonstration project permitting the operation of a family independence program as an alternative to AFDC, and the other from the State of New York as another demonstration project as an alternative to AFDC.

In the Omnibus Reconciliation Act of 1989, Minnesota was permitted to conduct a demonstration project of its family investment plan. Now, to my knowledge, there were no hearings conducted by the folks on the other side when those three requests for waivers came before Congress for approval. We should not do it here.

Mr. KLECZKA. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Speaker, I want to make one thing clear again. This Wisconsin proposal does not go into effect until late 1997. There is absolutely no reason for 435 people who do not know their ear from second base about what is in this package to actually vote on it rather than having the people who have approved the previous nine requests Wisconsin has had for waivers making their decision on it.

I am tired of hearing what the President said misdescribed. The President had not seen the submission document that the Governor was going to present to him. The President in his radio statement simply said, "I am encouraged by what I have seen so far". He said, Wisconsin "has the makings" of a solid, bold, welfare reform plan.

"I pledge my administration will work with Wisconsin to make an effective transition to a new vision of welfare."

□ 1230

Why do we not take him up on it? Instead of having a cheap political grandstand for 2 hours on this floor, we ought to be taking the President up on that on a bipartisan basis. Quit inventing differences where there are none.

Mr. KLECZKA. Mr. Speaker, I yield 2½ minutes to the gentlewoman from Florida [Mrs. THURMAN].

Mrs. THURMAN. Mr. Speaker, I am glad we are having this discussion today because I think that we have all agreed that we do want welfare reform, and there is a bigger picture here because we will take up and have taken up H.R. 4. But today we are talking about and the leadership is offering the Wisconsin welfare plan as its model for welfare reform.

If this is the ideal, then why do we continue in this body to offer a welfare plan that cuts the money necessary to achieve the very goals contained in the Wisconsin plan? Wisconsin says it want to require work, provide job training, child care, and health care. This assistance is going to cost money.

In fact, Wisconsin recognizes that in order to move people from welfare to work, it is going to have to spend more money than it currently does. How can they possibly achieve their goals under H.R. 4?

The Congressional Budget Office report said that H.R. 4 did not include sufficient funds to meet the work requirements in their welfare bill. How can Wisconsin then meet the more ambitious and more costly work requirements that are included in their plan? What about child care? There certainly is not enough money in H.R. 4 to provide for the level of care Wisconsin is proposing. Wisconsin's promises then probably simply will be broken.

So as we have this debate and as we play the politics today on this issue, let us remember that it is possible to achieve welfare reform that cares about children. This should be our goal. Florida has a waiver request to achieve this goal. Wisconsin believes that it has a plan to reach it, as well. However, let us not kid ourselves into believing that these State initiatives are consistent with the welfare plan that has passed this body.

States do want to be innovative and successful in their efforts to move people from welfare to work. President Clinton wants to help them. In fact, he has approved waivers in 38 States. Of course, we would rather have national welfare reform, but national reform is of no value unless it meets the cost of State plans. We have not done this in the bills offered on this floor.

I hope that my colleagues on the other side of the aisle will consider the questions I have raised. Then maybe we can find out how Wisconsin's waiver is consistent with the Republican welfare agenda, and I would not be surprised if the answer is simply no, not the welfare agenda, only the political agenda, and I think that is sad.

Mr. KLUG. Mr. Speaker, I yield myself such time as I may consume.

Let me make the point that not only does Wisconsin wait for its waiver approval from the White House but also the State of Florida has waiver applications pending, as does the State of California, the State represented by Mr. STARK who spoke earlier. Again the question is, do you trust the States to do it or does it always have to be stamped right here in Washington?

Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin [Mr. ROTH] to explain why we can do it back home, we do not need to do it here.

Mr. ROTH. I thank my friend from Wisconsin [Mr. KLUG] for yielding me this time. I want to congratulate him and the other Members of the Wisconsin delegation for all the work they have done on this legislation.

Mr. Speaker, let me say this. The Wisconsin Legislature has the most dedicated and the most intelligent people of any legislature in America, and they have made their judgment on this after 18 months of debate.

Today on the floor is what I call the yes butters day. Yes; I am for welfare reform, but not today. I am for welfare reform, but not on this bill. I am for welfare reform but not under these conditions, you see. The yes butters. They know back home the people are for the legislation but they do not have the courage to vote that way, so we have got to have the yes but.

I have to chuckle when people come up here and say the President, this is what he said, look at what he said here. Do you mean to tell me the President of the United States did not know what he was talking about when he talked to the Nation?

President Clinton certainly has some intellectual integrity. He is not a man that will just say anything for votes. Certainly the President of the United States has some intellectual integrity, that when he makes a statement to the Nation, he knows what he is talking about. Do you mean to tell me that he just gets up and verbalizes and does not think about what he is saying? The President does know.

The present system is the poverty preservation program and we are talking about changing it. Yes; change comes hard, because we are all tied to our past. That is what we are asking for, for change.

This weekend we had a big demonstration here in Washington. A quarter of a million people turned out, they said for our children. We in Wisconsin are coming to the Nation to say we want you to pass this legislation for our children, too. We in Wisconsin are willing to take the risk. What are you afraid of?

We in Wisconsin know that the present system does not work. That is No. 1. No. 2, anything is better than what we have today. No. 3, Wisconsin, yes; is willing to take the risk. And, No. 4, the Wisconsin assembly and legislature after 18 months of debate have passed this legislation.

We are coming to you with a package for change. All we are asking you to do is to have some confidence in yourself. Change is difficult, yes; but change is needed and that is what this legislation is doing.

We are moving with this legislation from the liberal welfare state to the information society. Seventy-five years ago we were debating moving from the agricultural society to the industrial revolution, and the Nation listened to Wisconsin and we are thankful for it.

Today we are again moving, now from the industrial revolution to the information society, and we are saying, "You were right 75 years ago, America, to listen to Wisconsin." We are asking you to be right again and to be with us again today.

Mr. KLECZKA. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, I enjoyed listening to the comments of my colleague from Wisconsin [Mr. ROTH]. The problem with his remarks is that they are about 2 weeks early because they should be directed at the welfare reform bill that will be on this floor in about a 2-week period, once the committee I serve on has had a chance to have some public hearings and mark it up.

I should say, on the whole issue of welfare reform, the gentleman indicates, "Yes, I'm for welfare reform but." "I'm for welfare reform but."

Well, this gentleman is for welfare reform and he put his voting card where his mouth is, and the last time we had a vote on the welfare reform bill, the conference committee, I did support it. So the issue here is not whether or not we should have welfare reform in this country. That is a done deal. The question is the process and public hearings.

Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee [Mr. TANNER].

Mr. TANNER. I thank the gentleman from Wisconsin [Mr. KLECZKA] for yielding time.

Mr. Speaker, several days ago a group of Democrats and Republicans here in the House introduced a national welfare reform bill called H.R. 3266. It is unfortunate, I think, that we are wasting the time of the U.S. Congress debating what should or should not happen in Wisconsin.

We have a process in place that works. Most everybody here has acknowledged that, to take care of these States that are doing their own and requesting waivers and so forth.

We are a national body. If we are going to spend the time of this Congress on the floor on welfare, it seems to me we ought to be discussing a national welfare bill. We have introduced, a bipartisan group, H.R. 3266, that is consistent in many ways with the provisions of the Wisconsin plan. It has bipartisan support. The President has indicated he can work with us to resolve a few outstanding issues on that.

It seems to me that if the Republican leadership wanted to help Wisconsin and all the other 49 States in this country, we could bring a national welfare bill to the floor like H.R. 3266 which gives not only Wisconsin but all the other States the ability to make the changes they need to make, want to make and vote to make, without all this nonsense and windbagging on the floor today about who said what or when.

It is unfortunate that we are spending all this time to talk about what should happen in Wisconsin. They are entitled to vote on that. Even the Members from Wisconsin cannot agree.

So I would just ask the leadership that sets the agenda around here, let us be a U.S. Congress and talk about a national welfare reform bill that will allow all the States to do whatever it is they want to do. We have that bipartisan bill in place and I wish we could get it to the floor.

My colleague, MIKE CASTLE, and I have introduced H.R. 3266, a bipartisan welfare reform bill which would allow real welfare reform to work. I would rather be here debating that bill because such a debate would be much more fruitful.

This situation we are confronted with in this bill is quite unusual. There is a procedure in place for approving waivers which has proven quite effective in recent months. In fact, many waivers with provisions similar to those in the Wisconsin plan have been approved or are pending approval. Yet, the leadership has only chosen to bring this request for waiver to the floor.

Furthermore, the other body has already indicated that it has no plans to consider this bill. So, this is it. This bill is dead as soon as we vote on it.

Therefore, it is abundantly clear that this is not about welfare reform at all but rather Presidential politics. The President has indicated he supports the plan as described by Governor Thompson and some folks are hoping to embarrass or put the President in a box—so this is all much ado about nothing.

But, since it is on the floor I will take advantage of this opportunity to make a few substantive points.

In terms of the merits of this individual proposal—I agree with the basic blueprint or program outlined in the Wisconsin proposal as I understand it. The proposal includes a limit on benefits, requires work, as well as a guarantee of health care, child care, and whatever assistance might be required to move from welfare to work.

In fact, the blueprint is consistent with the bipartisan reform bill Governor CASTLE and I have introduced. So, on it's face the plan is something I can certainly live with.

But the question we should be looking at today is not whether the freestanding Wisconsin plan passes the test. The question we should be asking is how does this plan stand up when it is considered in the context of the national reform bill which has marked up in subcommittee. Once this is done, we see that the Wisconsin waiver no longer looks as good. In fact, we find that the plan has a fundamental flaw. The flaw lies in the phrase, "based on reasonable budget estimates."

Many jobs still do not provide comprehensive health care. Therefore, any reform effort must include health care to allow recipients to leave welfare for work. In addition, reform must include child care so that recipients are free to pursue employment. Last, reform must provide access to the resources and activities needed to move from welfare to work.

On first reading it appears Governor Thompson's plan guarantees these crucial elements of reform. However, upon closer examination we find out that the guarantee is not really a solid guarantee, but a conditional guarantee. The guarantee is conditioned on reasonable budget estimates. Or, in other words the guarantee is only good as long as the money is there. This means that the proposal assumes Wisconsin will not have a recession and the Federal Government will provide all the money that is needed.

This causes me great concern. Throughout this debate, I have criticized the Republican

welfare bills because they did not provide sufficient funding. Now, I understand the budget constraints better than many people in this House and I have continuously worked to balance this budget. But, let's be honest—reform is going to cost more money in the short term.

The facts are that the welfare bill which is moving toward the floor does not provide sufficient funding. This is not just my opinion but is backed up by a CBO analysis.

No one can guarantee that there will never be a recession in Wisconsin or any other State for that matter. The Castle-Tanner bill recognizes this reality and provides contingency funds to give States access to extra, emergency funds in the event of a recession. The Republican bill would not provide enough protection for States in the event of a recession and put programs such as Wisconsin's at risk.

Under the Republican bill the States will not be able to meet the participation requirements because the bill does not include enough work funding.

And, although the Republicans have responded to our concerns in part and increased funding for child care, the increases have come at the expense of title XX programs and are still insufficient to meet the needs.

Last, the Republican plan terminates Medicaid and transitional Medicaid along with AFDC. There was never a mandate for the end of Medicaid and it is impossible to have successful welfare reform without providing medical care.

I support the right of the people of Wisconsin to decide their own welfare policies and the plan itself is consistent with the bipartisan bill I have introduced. And, since this bill is not going anywhere I will support this silly bill.

However, we have the cart before the horse. We should pass the national reform bill first and then evaluate this proposal. In my opinion, our votes would be a little different then. Why? Not because the Wisconsin plan is not worthy of approval but because the plan won't work under the bill now moving to the floor.

I believe that with our bipartisan bill and the Republican bill we are close to an agreement on welfare reform and I hope that we have an opportunity to address these issues I have outlined before the national reform bill comes to the floor.

Mr. KLECZKA. Would the Speaker kindly indicate to both sides how much time is remaining?

The SPEAKER pro tempore (Mr. BONILLA). The gentleman from Wisconsin [Mr. KLECZKA] has 15½ minutes remaining and the gentleman from Wisconsin [Mr. KLUG] has 16 minutes remaining.

Mr. KLUG. Mr. Speaker, I yield myself such time as I may consume.

If I may read a quote, please, and this is talking about the Wisconsin Legislature:

> The final vote on W-2 presented legislators a choice. We could continue along a seemingly endless path that had fostered impoverished dependency on government aid. Or we could try a new direction in the hope of leading all Wisconsin citizens to a more dignified, more prosperous life of self-reliance based on work. The current welfare system doesn't serve people well. It doesn't help people advance from welfare to work.

That quote comes from State Senator Chuck Chvala, who my colleagues from Wisconsin well know was the candidate who ran last time against Tommy Thompson for Governor in the State of Wisconsin who voted, as did three-quarters of his colleagues in the State senate, for this piece of legislation.

I understand the frustration of my colleague from Tennessee, Mr. TANNER, because Tennessee is one of those States as well as California and also a number of other speakers we have heard from today from other States that are also waiting for waiver applications.

Mr. SENSENBRENNER. Mr. Speaker, will the gentleman yield?

Mr. KLUG. I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. I think it is very important, Mr. Speaker, to know that had H.R. 4 become law, we would not be standing here today, because there would be no waivers required for Wisconsin to implement the W-2 welfare reform bill that the State legislature passed and Governor Thompson signed.

So anybody who voted for H.R. 4 and its conference report should really be supporting this piece of legislation enthusiastically because we already dealt with the issues then that we are dealing with today. Unfortunately, the President of the United States decided to veto H.R. 4 and that is why we are having this debate today. I thank the gentleman for yielding.

Mr. KLECZKA. Mr. Speaker, will the gentleman yield?

Mr. KLUG. I yield to the gentleman from Wisconsin.

Mr. KLECZKA. Mr. Speaker, let me further the point that was made by the gentleman from Wisconsin [Mr. SENSENBRENNER]. If, in fact, the majority party continues along the line like it is doing with the welfare reform bill, and, that is, moderating it to some degree—the one we are going to take up provides for more child care—we will get a signature, we will go to the block grants, you and I will support it, then naturally this will not be necessary. But as long as you insist on always sticking in a poison pill to the bill, you are going to keep getting a veto. The poison pill that you are going to stick in this time around is some radical Medicaid changes which you know the President is not going to buy.

Mr. KLUG. Reclaiming my time, Mr. Speaker, we will have an opportunity to debate a comprehensive welfare package in the next several weeks. The argument today and the discussion again is simply, and the challenge for my colleagues from Wisconsin opposed to this is, are you going to trust the State to make decision or does Washington have to say yes? Do we have to come back here one more time on bended knee as Tennessee, as California, as Florida had to say, please give us a chance to fix it or you allow us to fix it ourselves.

Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. PETRI].

Mr. PETRI. I thank my colleague for yielding me time.

Mr. Speaker, I rise in support of this legislation deeming approval of the Wisconsin Works waiver request. My colleagues have described some of the attributes of the Wisconsin welfare reform effort. Let me add another one.

One of the gravest failings of our current welfare system is the tremendous disincentives to work and get ahead forced onto the most unfortunate in our society. There's little incentive to get off welfare and into a job to begin with. And even when a low-skilled parent is working, she has almost no chance to improve her lot. Many of the working poor face marginal tax rates at or exceeding 100 percent—meaning that they lose more in benefits and pay more in taxes than they gain in wages when they increase their hours or earn a raise. The rest of the working families in the income range just above the poverty level tend to have effective marginal tax rates of at least 75 percent.

Wisconsin's W-2 program begins to address this problem in two ways. First, it aims to get everyone into some kind of work by providing the jobs where necessary and removing any nonwork alternative. Then it allows people to earn more as they rise from totally subsidized work in exchange for a grant where they can develop the basic skills necessary to function in the working world, to community service jobs, to partially subsidized jobs in the private sector, and finally into unsubsidized jobs. Rather than treading water, or even losing ground, when low income Wisconsinites work their way up the ladder and eventually off of government assistance, they should see an improvement in their disposable income at each step. The biggest improvement should occur as they move from community service work into private sector jobs, because the EITC will be added at that step.

They'll still be affected by food stamp and child care phaseouts and eventually the EITC phaseout, income taxes, and a health subsidy phaseout but at least the State of Wisconsin is aware of these problems and moving in the right direction.

We need to look at a whole array of Federal programs which all phase out over a similar income range, just above the poverty level, and have the cumulative effect of punishing people for working harder. These programs have been created one at a time in a policy vacuum with the combined effects rarely being considered. The fact that jurisdiction over them is spread among

a half dozen congressional committees just makes it that much harder to consider the combined effects.

I have tried to bring this issue to the attention of my colleagues and will continue to do so. However, it is clear that this problem is not going to be dealt with at the Federal level in any meaningful way in the near future. Therefore, in the meantime we should take the shackles off the States and allow them to try to deal with this problem as best they can. That is one of the goals of this Wisconsin plan and I urge my colleagues to support low wage working Americans and grant Wisconsin the necessary waivers to carry out its bold and innovative plan.

□ 1245

Mr. KLECZKA. Mr. Speaker, I yield 3 minutes to gentlewoman from California, Ms. MAXINE WATERS.

Ms. WATERS. Mr. Speaker, If I thought this was a serious attempt by Speaker NEWT GINGRICH to improve the welfare reform debate, I would seriously try to deal with the waiver issues. However, consideration of a waiver for this Wisconsin welfare plan today is but a cynical political ploy to do a one-upsmanship on the President.

I am sick and tired of some Democrats, and some Republicans alike, using welfare children and families as pawns in a political squabble to try to make voters believe they are reforming welfare. This plan may be credible, but who knows. We have had no hearings, and the floor jockeys on the bill do not have the faintest notion of what is in this plan.

We all need to stop the posturing, the game playing and the deceit. This bill does not deserve the vote of one serious Member of this body. Welfare certainly can be reformed, but this is not the way to deal with this issue.

Neither Speaker GINGRICH or Bill Clinton should drive us to do political gymnastics on this issue. I am told under the Wisconsin plan that families would only get help when parents are participating in work activities. But there is no assurance that sufficient placements will be available for parents. This plan does not give any details as to what happens when that family cannot find work within a specified period of time. It appears the whole family, including the children, could lose all cash aid.

Despite their best efforts to find work, children of poor families will be even poorer under this bill. All guarantees of health coverage for children and families under the Wisconsin plan would be repealed.

The Wisconsin State statute states that the new program is in lieu of Medicaid. Notwithstanding fulfillment of the eligibility requirements for any component of the Wisconsin Works, including Medicaid, an individual is not entitled to services or benefits under Wisconsin Works.

Let us all try to get real. Poor children and families deserve a lot better. Allow the 88 waivers to be reviewed and considered and not put on a political fast track.

Mr. Speaker, I ask the Members of this body to be more serious, to give more consideration, to treat families better, and stop playing this political game. It does not make any sense that the response to a remark by the President about this plan would drive us to overthrow the entire review process and come to this floor, without any hearings, without any knowledge of what is in the bill, trying to make people believe we are doing something to reform welfare and drive it through this legislature because Members think those who are running for office will be too afraid not to vote against it.

I am sick and tired of it, the American public is tired of the political games being played on serious issues. I ask that this bill be voted down.

Mr. KLUG. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, of course politics did not have anything to do with the radio address, did it? But this is how it was played back home. We have heard a lot of quotes about exactly what it was the President said, but look what it said in the headlines in a Wisconsin paper. "Wisconsin Welfare Plan Okayed By Clinton."

When the President goes on the radio and says he is for something, like my colleague from Wisconsin, Mr. ROTH, I assume that means he is for something. And the dilemma is essentially saying we are going to give 30 days so that we can review it is because, as we have seen in the past, and as the 19 States now know, 5 of them with Democratic Governors, Washington will take forever to modify and change plans.

My colleague from California [Ms. WATERS], asked me if I had read the Wisconsin waiver and the Wisconsin welfare bill, and the answer is yes. Unfortunately, she would not yield to me. The question is, has she read California's welfare bill and does she realize that California has waivers pending?

In fact, this is the headline from the San Francisco Chronicle: "Welfare Overhaul Stymied in D.C., Critics Complain."

Not only is Wisconsin waiting for the bureaucrats to wake up, California is waiting and Florida and Texas and 14 other States.

Mr. Speaker, I yield 1½ minutes to my colleague, the gentleman from Wisconsin [Mr. NEUMANN].

Mr. NEUMANN. Mr. Speaker, I am hearing this is about politics. We just saw the headline there in the Wisconsin State Journal after the President's address: "Wisconsin Welfare Plan Okayed by Clinton." It was the next day. It was literally the Monday after this Sunday headline that we see in the Washington Times, "White House Deputy Chief of Staff, Harold Ickes, Later Backpedaled, Telling the Washington Post the Details of the Wisconsin Plan Will Have To Be Negotiated."

It was clear to him that the President had said OK to the Wisconsin welfare reform plan. It was clear to the Washington papers that he was now backpedaling from what he said.

What we are doing here today is not about politics, it is about the heart and soul of what I am doing here in Washington, DC. It is about wrestling this power away from the bureaucracy that exists in this city and giving it back to the people so the people can again have a chance to make good decisions that influence their lives.

We talk about welfare. Sometimes we just do not get the right parts of this discussion in here. When I was sitting playing cribbage on Saturday night, a good friend of mine said to me, she says, if the people really need help, we will help them. We are willing to help the people that are truly in need.

But the conversation continued. It is the people that are able to go into the work force and have a chance to leave the welfare roll. As long as they stay on welfare they are stuck in a situation where they are at the mercy of whatever big daddy government decides to give them. When they leave the welfare rolls and go into a job, they have a chance for promotion. And when they have a chance for promotion and they are showing up at work every day, they can again start to dream in this great Nation of ours. They can dream about a better life for themselves and their families, and we can again start to seeing people living the American dream in this country.

That is what the welfare plan is about. It is about an effort to help people off of the welfare rolls and back into the work force. It is doing exactly what we should be doing in this country.

Mr. KLECZKA. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, we were just shown a copy of a San Francisco news article or some newspaper in California. Let us review where we are in the California waivers. Since President Clinton took office, HHS has received nine welfare waivers from the State of California. Five have been approved, two are inactive, which means they have been withdrawn, and the two others that are pending, both have been received as of March of this year.

So I do not think that is a terribly bad track record.

Mr. Speaker, I yield as much time as he may consume to the gentleman from Wisconsin [Mr. BARRETT].

Mr. BARRETT of Wisconsin. Mr. Speaker, I thank my colleague from Wisconsin [Mr. KLECZKA] for yielding time to me and I want to applaud the fine work he is doing on this issue.

If the proponents of this legislation were serious, they would take a look at

what happened in 1992 when President Bush issued a waiver and it was struck down by the court because there was not a public comment period. But they are not serious. This is not about welfare reform. This is not about helping poor people who should get off welfare, some of whom are there because they are trapped, some are there because they have trapped themselves, some are there because the system has trapped them. This is all about Presidential politics.

Let us take a look at what the President said. The President said, "I am encouraged by what I have seen so far. All in all, Wisconsin has the makings of a solid, bold welfare reform plan. We should get it done. I pledge that my administration will work with Wisconsin to make an effective transition to a new vision of welfare based on work that protects children and does right by working people and their families."

Now, one would think that my friends on the other side of the aisle would say, great, President Clinton has said he will work with us. And they have every reason to say great because the track record in Wisconsin is one of consistent cooperation between a Democratic President of the United States, a Republican Governor, and a Republican legislature.

Nine times the State of Wisconsin has come to President Clinton or has come to Washington asking for waivers, and nine times they have been granted. My colleague from Madison said that I was incorrect by saying that one of those was granted. He indicated that the State wanted to have the whole State covered but Washington would not do it. As a matter of fact, to correct him, the County of Milwaukee, which I represent, begged to be part of that legislation but the Republicans would not let them be part of that legislation.

Why would they not let them be part of that legislation? Because in the State of Wisconsin there are problems with welfare in most parts of the State, but the most serious part and the most serious problems are in the district that I represent in Milwaukee, because we have the highest concentration of poor people there.

I just want to give my colleagues an example of why I think it makes sense for us to look at this legislation. In his address last week, Governor Thompson said there were speed bumps in the way on this legislation. He said, do not worry, we will take care of those speed bumps.

Ladies and gentlemen, some of those speed bumps are people that I represent. They are not speed bumps, they are mothers with 4-month-old infants. They are mothers who are being told they have to go to work and they have to put their child in day care.

Now, Governor Thompson recognizes there is not enough day care out there right now to serve all the new mothers that are going to have to go back to work. So what do they do? They lower the standard of care for day care. They say we are going to lower the standards. These are just poor people we are talking about. We do not have to have the same standards we have had for all these working class people. These are poor people. We do not have to have training, we do not have to have certification. These are poor people.

It is extremely fashionable, both in Washington and in other parts of the country, to kick around poor people. Sometimes I think it is a national sport. These are people, and we can never, ever forget that. But this is politics. This is not about people. Because if we were concerned about the people we would say, yes, we want them to have an opportunity to be heard.

Mr. OBEY. Mr. Speaker, will the gentleman yield?

Mr. BARRETT of Wisconsin. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Speaker, I would just like to observe, if we really want to measure whether anything real is happening here or not we would recognize that right now outside of the Wisconsin delegation on the House floor there are exactly two people from other States.

Virtually everybody in this House, on both sides of the aisle, knows this is just one of those demeaning political exercises. We have simply got a couple of hours where people are going to get up and bash the President or bash Mr. DOLE or bash somebody else. It does no credit to anyone in this institution.

I got into politics for the same reason I am sure the gentleman did, and our other colleague from Wisconsin, Mr. KLECZKA, did, and I hope everybody else did, because we thought politicians were supposed to solve problems, not use them in order to gain a political edge here or gain a political edge there and bamboozle somebody again.

There is literally nobody on this floor. How on Earth can we ask people to vote on this legislation when they have not read it, they have not heard the debate, they could care less about the debate? They are already getting ready to go to the airport, and we are pretending this is a real legislative day. Grow up, fellas. Grow up.

Mr. BARRETT of Wisconsin. Mr. Speaker, reclaiming my time, I want to talk about how this measure ended up on the floor. Again, nine times the State of Wisconsin has come to Washington and gotten waivers. Nine times there have been no problems. In fact, if there were problems, we would not have the Governor of the State of Wisconsin traveling around the country claiming he is the king or the leader in welfare reform. If the Clinton administration had stymied them in any of those waiver requests, they would be barking, they would be screaming about it.

But the Clinton administration has not stymied them in a single one, and that is one of the reasons it is successful. But the mortal sin, the mortal sin that the Clinton administration made in this matter was that they said "We will work together." My God, how can we have a Democratic President offering to work with a Republican Governor? That is the mortal sin. That is where the President went over the line. He said I am going to work with them. We will work hand-in-hand to try to solve this American problem.

It is not a Republican problem and it is not a Democratic problem, it is an American problem, and that is the way we should be addressing it. And, frankly, why I am embarrassed as a Representative from Wisconsin is that is the way we have done it in Wisconsin. We have worked together.

When people ask me from the State of Wisconsin what is the biggest difference between the State legislature, where I served for 8 years before coming to Congress, I tell them it is much more partisan and it is much meaner in Washington. It is just a mean place where people are out day after day trying to outfox each other politically.

That never happened on the welfare issue with the State of Wisconsin until 2 weeks ago. And what happened? Speaker GINGRICH and the Representatives from Wisconsin, the Republican Representatives, held a press conference and they decided they were going to up the ante. Speaker GINGRICH suggested, well, maybe we will just introduce a piece of legislation. Speaker GINGRICH said, maybe we will just pass it in Congress.

□ 1300

Just as the swallows return to Capistrano, just as night follows day, the next thing that happens is on the floor of the House of Representatives, in defiance of the Wisconsin tradition of working together on a bipartisan basis, they are going to stick it to the President. They are going to stick it to him. They are going to take that olive branch that he has handed them and asked to work together, my God, he asked to work together, they are going to take that olive branch, break it in half and shove it in his eye because this is not about helping people. This is not about reforming the welfare system. This is about Presidential politics, pure and simple. That is exactly what we are talking about today.

That is why the gentleman from Wisconsin, Mr. OBEY, is correct, that is why there are no Members in this Chamber from anywhere but Wisconsin because this is not a national issue. This is not an issue that people care about in other parts of the country because if it were, this legislation would grant those waivers to all those other States. Wisconsin's waiver has been sitting in the White House for 8 days, 8 days.

There are other States that have a more serious problem, if you believe my colleagues on the other side of the aisle. Why are we not considering those waivers? Because in those waivers the President did not say, I will work, together with you.

This is an attempt to embarrass the President. If that is what we want to do, if that is how we are spending our time under this leadership, so be it. But it does not help the process. It abuses the process.

There has not been a single hearing on this measure since Governor Thompson exercised his partial veto pen 97 times on 27 different items. There has not been a person in this country who has had the opportunity to go to their elected officials to talk about that veto, not a single time. What are we going to do? No hearings in Congress. We have had one Governor, one person out of 260 million people in this country who used his line item veto 97 times, and now Congress is going to rubberstamp this thing.

If you are interested in welfare reform, then you should let people have an opportunity to be heard. What is the sin of having people be heard?

Let us do it right. Let us adopt the amendment that Congressman KLECZKA will propose and we will get this done. But let us end the political shenanigans. Let us get Presidential politics out of the State of Wisconsin.

Mr. KLUG. Mr. Speaker, I yield myself such time as I may consume.

Let me make the point, we have had hearings on this. The question is, Where do the hearings have to happen? Do they have to happen here in Washington or in Wisconsin? Thirty hearings, town hall meetings, as my colleague, Mr. SENSENBRENNER, has already cataloged for us, 120 hours of debate. Two thousand residents testified in those assorted town hall meetings and the legislative hearings themselves.

Again, if the Governor vetoed it, as my colleagues know who served in the Wisconsin State Legislature, the Wisconsin State Legislature has the ability to override them.

Mr. OBEY. Mr. Speaker, will the gentleman yield?

Mr. KLUG. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Speaker, are we waiving the plan as the Governor passed it or the plan as the legislature may change it, if they reject his vetoes?

Mr. KLUG. Mr. Speaker, we are acting on the waivers as submitted by the Governor.

Mr. OBEY. Mr. Speaker, if the gentleman will continue to yield, what happens if the legislature turns some of those down? Does the State then amend it? Do we then pass another bill? Why do we not wait until the legislature has acted?

Mr. NEUMANN. Mr. Speaker, will the gentleman yield?

Mr. KLUG. I yield to the gentleman from Wisconsin.

Mr. NEUMANN. Mr. Speaker, I would like to respond to that. The reason for that is because we have a great deal of confidence in people like Roger Breske, a Democrat from the gentleman's part of the State, and Russell Decker, a Democrat from the gentleman's part of the State, who voted for this plan. We have a great deal of confidence that they will make good decisions for the people in the State of Wisconsin.

Mr. OBEY. Quit playing politics and answer the question.

Mr. NEUMANN. Mr. Speaker, the answer to the question is, we have a great deal of confidence in the people of Wisconsin. We do not want 30 days of bureaucratic input into the Wisconsin plan from Washington, DC.

Mr. OBEY. What is the legislature going to do? Are they going to accept those line item vetoes or not?

Mr. KLUG. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. HOEKSTRA] who does have interest in the debate in front of us.

Mr. HOEKSTRA. Mr. Speaker, I am from the State of Michigan. I have a tremendous interest in this issue.

Recently, some of my colleagues and I, one of them from Wisconsin, completed a document called the Myth of the Magical Bureaucracy, the belief that Washington can solve every problem.

This issue that we are discussing today fits right into that document, because this document talks about the Washington myth that the future of America rests with bureaucrats in Washington, that the future of the people on welfare in Wisconsin is dependent on bureaucrats in Washington and not on the State legislature in the State of Wisconsin.

What is going on is we are replacing Washington ideals with traditional American ideals. We are replacing a faith in God with a faith in Washington. We are replacing the American ideal of parents and family with bureaucrats.

This picture of Washington shows that what we have called Independence Avenue really needs to be renamed into Dependence Avenue, because every time we build a new bureaucracy, we are moving decisionmaking away from the people. We are moving it away from the States, and we are putting it into bureaucrats here in Washington. We need to move power back to the States, back to the people closest to the problem.

We have had a lot of talk about the welfare process, the waiver chase in Washington. Let us talk about what the State of Wisconsin has to do to address the problems in their State.

Congress passes or issues mandates. We develop thousands of pages of laws of public health and welfare. It goes into bureaucracy. They develop rules and regulations, thousands of pages of regulations. It goes to the State of Wisconsin. We have a bureaucrat who interprets these thousands of pages of regulations. Finally we get to the people of Wisconsin.

They say, that is interesting what they did in Washington but that does not work for our State. Those people do not quite understand what goes on here. So they pass overwhelmingly a program that will work for their State. You think they would be able to move forward, but, no; they have got to submit 300 pages of waiver requests. It comes to Washington here. Somebody who maybe has never been in Wisconsin is going to evaluate whether they can get these waivers. The bureaucrat makes a recommendation and maybe the President will sign it.

That is not compassion for the people in Wisconsin that need help. The results are that we have waivers that take 292 days to approve, 448, 153, 322. That is not performance. That is not compassion. That is not dealing with the problem.

Let us recognize that the future of many of our problems, the future of America is in the hands and should be in the hands of individuals, parents, families, and States and not Washington bureaucrats.

Mr. KLECZKA. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Speaker, all I would say is that the substitute we are going to offer simply asks two things: make sure there is a 30-day comment period because the proposal before us does not go into effect for a year and a half, so there is hardly a rush. And, second, we are taking the seven standards defined by the Governor and simply asking HHS to determine whether or not the bill does in fact meet these seven standards defined by the Governor on page 4 of his presentation document.

If these seven statements are true, they waive it. If they are not, they work with the State to make certain that they are true.

This is not a legislative opportunity before us. This is a 2-year cooked-up special order, pretending that we are doing something when, in fact, nothing real is going to happen.

In my view this is simply a Gingrich political special. It is another exercise in dividing people, in pretending there are divisions when there are none. Every Member of the Wisconsin delegation wants the Wisconsin welfare program to be tried. Most of my political allies in the State legislature voted for it.

All we want to do is to exercise our responsibility as Federal Representatives of Wisconsin to see to it that this package is what we are told it is. That is all the resolution asks for. There is

absolutely nothing wrong with it. If anybody is interested in working with each other rather than simply playing political games, they will vote for the Kleczka amendment.

Mr. KLUG. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin [Mr. SENSENBRENNER].

Mr. SENSENBRENNER. Mr. Speaker, I think it is unfortunate that whenever you are on the short end of the argument, you end up demeaning the other side's arguments, getting involved in name calling. And that is not what the legislative process should be, but unfortunately, in many instances it is.

What the gentleman from Michigan [Mr. HOEKSTRA] said is what the issue is before this House. The issue is whether the decision on what waivers should be approved or not rests with bureaucrats in the Department of Health and Human Services, who are not elected, who are not responsible to the voters and who are not even responsible to the President of the United States, or whether the decision should be made by the elected representatives of the people in the Wisconsin State Legislature. It is those State senators and those State representatives that have determined that this is a good idea for the people of Wisconsin.

If it has been misrepresented, they are the folks that ought to take the political hit, because they are responsible for their voting record, just as we are responsible for ours. So let us have some faith in those elected senators and representatives by approving this bill and providing the waivers that are needed to make this work.

Mr. KLECZKA. Mr. Speaker, I yield myself the balance of my time.

I think it is important to note, as I said before, and we have to keep repeating it, what we are doing here today is not redoing the State legislative enactment. A lot has been said about the public hearings that have been held before the legislature met on the debate on the W-2 program, and that is true. I served in the State legislature for years. I happened to have been the chairman of the joint committee on finance. So I know the process as well as Mr. SENSENBRENNER, who I served with in both the house and senate.

What happens is, you have a public hearing on the idea and possibly on the bill draft. And then after the hearings and the public has had a chance to speak, the legislature in the house and the senate in Wisconsin go back to their respective chambers and they debate the legislation.

Unlike the rules of the House of Representatives, they are free to represent their constituents by offering as many amendments as they want, and they are also free to use as much time as they want, another luxury that we do not have here. And so once the public was heard, the bill came before the house. Hours were spent in debate and amending the bill. So it has been changed substantially from what was out in Wausau, WI.

So after that process was done, the bill was passed by the legislature, sent to the Governor. He waited 5 weeks before he took it up. And then when he presented it back to the legislature as approved, he issued some 27 vetoes. Again, the legislature will not be heard on those vetoes until sometime in July. So the bill could be changed, maybe not substantially, but it could be changed in part by legislative action that is coming after this debacle that we are going through today. That is the legislative process.

Again, let me remind my colleagues, we are not redoing the bill. We are finishing the process. We are providing a finale, if I could say, to this process by saying, and now what happens? There are 88 Federal waivers requested. Now the public can be heard again. Now the public from Janesville and Madison and the constituent who wrote me and the groups who wrote me, now they can be heard again.

My substitute, which we will talk about in a few minutes, does that. Your bill, sad to say, rubberstamps the 88. No one knows what is in it. It is like potluck, I would guess.

Mr. KLUG. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. GUNDERSON].

Mr. GUNDERSON. Mr. Speaker, I think if I have one reputation around here it is a reputation of being a fairly bipartisan sort of guy. But I wanted to share with you an experience I had in my early legislative days in the 1970's, when I was speaking at a welfare reform meeting with all the local welfare reform directors.

They said, I am convinced you State legislators do not ever want to get welfare reform enacted. You want the issue; you do not want a solution.

And as I listen to this discussion today, I think that is exactly what is going on here. Nobody is disparaging the Wisconsin plan. It is a comprehensive, dynamic, real substantive reform plan. It was passed with a strong bipartisan majority in both houses of the Wisconsin State legislature. It was signed into law by the Republican Governor. It has been endorsed by the Democratic President.

Now what we are saying is, all right, then let us get it done. What do we have here this afternoon? We have this intense partisan battle over whether or not we are going to let them get it done. We say the State legislature has not resolved the vetoes that the governor has had. Do my colleagues know what? A 30-day period, they are not even going to meet. So what is the plan here? Is the plan to simply say, we will deal with the question of Wisconsin waivers sometime later on? I do not think so.

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So the real question we are talking about today is are we going to do what we say we are going to do, which is enact real welfare reform, or are we going to talk about it and find all kinds of ways in the process of talking about it to make sure it never gets done? That is what this is all about.

The reason we are here is accountability. Everyone from the President to the Governor, on a bipartisan basis, said this is a good idea. If it is such a good, then let us simply get it done; at least let us get it implemented so if there are problems, we can come and fix the problems, but get the changes put into place.

Mr. KLUG. Mr. Speaker, I yield myself the balance of my time.

The SPEAKER pro tempore (Mr. BONILLA). The Chair recognizes the gentleman from Wisconsin for 1 minute.

Mr. KLUG. One more time, if I can, colleagues, let us put this in some kind of perspective. There is a simple fundamental question in front of this body today: "Do you trust a State legislature and a Governor to run their own affairs?" And I think the answer fundamentally has to be "yes." And my colleague, the gentleman from Wisconsin [Mr. GUNDERSON], hit the nail on the head. I mean, sure, these waiver applications may get approved, but only if it gets rewritten and gets changed and gets modified and it gets capitalized, and at the end of the day we do not have Wisconsin's welfare plan, we have Washington's welfare plan. But my colleagues could put a Wisconsin sweatshirt on, and it does not make them a badger inside.

The question is: "If you rewrite a third of these regulations or a quarter of the regulations or half of the regulations, at the end of the day it's not Wisconsin's plan." We have the first comprehensive plan passed in the country, two-thirds of the State assembly, three-quarters of the State senate, the Governor's opponent for Governor the last time around, the Senate minority leader, a larger majority of Democrats as well as Republicans.

The fundamental question today is: "Whose values are you going to trust: the people sitting at the lunch counter in Wisconsin or the bureaucrats down the road on 'Dependence Avenue,'" as the gentleman from Michigan [Mr. HOEKSTRA] appropriately characterized it?

That is why Wisconsin needs the green light for once; it does not need a yield sign or a stop sign from the Washington bureaucrats.

Mr. PASTOR. Mr. Speaker, I would like to take a few moments to discuss my position on H.R. 3562, the bill to approve the waivers for the Wisconsin Welfare Plan.

I would like nothing more than to support meaningful welfare reform legislation. However, I believe the bill before us today circumvents the entire legislative process in an attempt to politically embarrass the President. Additionally, I cannot vote for a measure that raises more questions than it answers. Members of this House have not seen the details of the Wisconsin welfare plan and we have no idea what it contains. We do not know the details of the waivers Wisconsin has asked for, and by bringing this bill to the floor, we are being asked to blindly vote and make decisions on something we have not had time to study and evaluate. Members from across the country are being asked to vote on a plan developed by Wisconsin, without having the opportunity to review the plan. This would set a disastrous precedent as the American public did not send us to Congress to cast uneducated votes.

Furthermore, by passing this bill, we would effectively shut out the public from their part in this process. The Department of Health and Human Services allows a public comment period of 30 days, a comment period that allows for concerned citizens to have input on the plan. Why are we in such a hurry that we deny the public their right to make comments on this matter?

In the past, Wisconsin has come to the administration seeking various waivers, and each time, the requested waiver was granted. The Wisconsin plan may prove deserving of the requested waivers, and should that be the case, I would fully support the plan. I believe that we should allow the administration and Wisconsin to work together to resolve this issue, not use this issue to score political points.

Unfortunately, the Republicans are not allowing us that opportunity. It is unfortunate that they have decided to attempt to portray the President and Members as opponents to welfare reform when the reality is that Congress is being asked to blindly cast votes on a plan that we have not had the opportunity to study.

Mrs. JACKSON-LEE of Texas. Mr. Speaker, I support welfare reform and I would like to see this body enact a meaningful and effective welfare reform bill during this session of Congress.

The bill we consider today, however, is not a meaningful welfare reform plan for the Nation but it is a political action intended to put Members and the President on the spot, and to paint them as opposing welfare reform. In fact, if this was not an election year, this bill would have never been scheduled for consideration.

H.R. 3562 was never considered by a committee. This bill was rushed to the floor without hearings in which the public would have an opportunity to express its views and have them considered. This bill would eliminate the 30-day public comment period routinely used by the Department of Health and Human Services [HHS] when considering waivers.

The Wisconsin plan may indeed be a plan worthy of study. I am pleased that the W–2 plan would provide child care and health care for participants, which is essential if we are to move people off of welfare and into work. I have spoken with welfare recipients in the 18th District of Texas and they have told me that they want to work and that they view welfare benefits not as a way of life but as a bridge to better times. The bill's sponsors, however, have not let the plan's merits speak for itself. Instead, they are trying to bypass the normal rules HHS has for approving a waiver, without allowing the agency and the public to fully examine the plan's components—normal procedures entail a 120-day review process.

The Kleczka substitute, on the other hand, would provide for an expedited review process to be completed by July 31, 1996, under the normal administrative rule procedures, while allowing for public input. The Kleczka substitute would require a 30-day public comment period to provide the citizens of Wisconsin and other interested parties with a voice in the process. HHS must also certify that the plan contains the features the Governor claims that it does.

The substitute would ensure that this is truly the best plan for Wisconsin and that certain individuals will not be left behind. Specifically, HHS should certify that the plan will help find the best self-sufficiency alternative, and there will be a place for everyone regardless of capabilities and that child care and health care will be available to all low-income families who need it to work. I also believe that job training is an essential component to any welfare plan.

We need comprehensive welfare reform but there are a myriad of interests and a diverse population that must be considered in enacting such reform. I appreciate the progress that Wisconsin has made on this issue but I would caution that the Wisconsin plan cannot be made a prototype for the Nation.

We should applaud the States for acting on their own to reform welfare. Congress should not however, waive the rules and regulations that a State is required to follow in implementing its plan. The Federal Government has a responsibility to ensure that a plan will do what it says it will. I urge my colleagues to support the Kleczka substitute and allow HHS to consider the Wisconsin plan according to the normal administrative review process.

Ms. MILLENDER-McDONALD. Mr. Speaker, I think that we can all agree that the welfare system in this country needs to be reformed. I think we can further agree that it is our responsibility to make an attempt to reform that system.

But as we begin our deliberations on reforming welfare, I would caution my colleagues to be thoughtful and deliberate. For it is a fool who rushes a raging river to beard an angry tiger.

Presidential politics should not be the driving force behind any reform movement. H.R. 3562 is being fast tracked through this body by the majority in an attempt to embarrass the President.

How can we begin to consider waivers for the Wisconsin welfare plan when we have less than all the facts. I have not seen a copy of the Wisconsin plan, there has been no committee review, no hearings, no markup, and there has been no health and human services public comment period. What do the citizens of Wisconsin think about the welfare reform plan offered by their Governor? Mr. Speaker, the Congressional Research Service can't even provide Members with a summary of the bill.

I caution my colleagues that if we approve these waivers in this irresponsible manner, we will give a green light to every Governor who seeks waivers for similar reasons. Let's not circumvent the process—oversight and inquiry are our responsibility and public comment is the right of the taxpayer—let's hold hearings on the Wisconsin plan—let's hear from the people of Wisconsin—vote no on approving the waivers.

Mr. REED. Mr. Speaker, I rise in opposition to this Republican effort to bypass the normal 30 day comment period and approval process for the Wisconsin welfare reform plan and eliminate the ability of the people of Wisconsin to officially and publicly express their views on the plan.

I am a strong supporter of welfare reform and workfare. I am also a strong supporter of a truly bipartisan effort to fix the problems of the current welfare system.

However, I am not a supporter of purely political exercises on the House floor when we should be in committee working on a bipartisan welfare bill for the Nation, not just Wisconsin.

The Wisconsin welfare plan, known as Wisconsin Works [W–2], requires waivers of 88 provisions of Federal law and regulation in order to be implemented. However, the legislation before us does not enumerate or provide any information on these waivers. Indeed, I have received no letter from Governor Thompson of Wisconsin requesting that I or any other Member of Congress should approve these waivers—that letter went to the President where it should have gone.

In fact, this is only a political exercise which will not be considered in the Senate. It will, however, have real ramifications for the welfare reform effort in my State of Rhode Island.

Rhode Island is currently debating two competing plans, one offered by Governor Almond and the other by a coalition of business people and antipoverty groups, to reform the State's welfare system. These plans have many provisions in common, including requiring work in order to receive assistance and providing expanded child care opportunities. Both of these plans, however, are miles apart from the Wisconsin plan.

The goal of welfare reform should be to instill individual responsibility and move people from welfare to work. However, a reformed system should continue to provide a safety net for those individuals who are unable to work, and most important, a reformed welfare system should protect children, who have little control over their parents' behavior.

With the information I have been able to find on this proposal, it appear that the Wisconsin plan does not meet these goals. Under W–2, no family would be entitled to benefits, child care, or other services. Families would receive help when parents are participating in work activities, but there is no assurance that there will be sufficient job placements available for all those in need of assistance. W–2 also places children and families at risk by ending the guarantee of health coverage through the Medicaid Program.

Mr. Speaker, I will oppose this legislation because I am concerned it moves us away from real bipartisan welfare reform in Rhode Island and the Nation. However, I will continue

my efforts in support of flexibility, work requirements, and protecting children when the majority brings a real welfare reform proposal to the floor.

Mr. ROBERTS. Mr. Speaker, I rise in support of H.R. 3562, a bill to authorize the State of Wisconsin to implement the demonstration project known as Wisconsin Works. Gov. Tommy Thompson is a recognized leader in the area of welfare reform. He, and other Governors across the United States, have worked diligently to improve the manner in which public assistance benefits are provided to our neediest citizens. However, they cannot do this without reducing the mandates of the Federal Government. Governor Thompson and other Governors need our help in getting relief from the heavy hand of Washington bureaucrats.

The Federal waiver process is time consuming and States are pressured to drop certain waiver requests, thereby changing the design of State reforms. That is why we are here today.

The bill before the House of Representatives today provides that relief to Wisconsin. The Federal waivers that are necessary to implement the Wisconsin Works Program are granted through this bill. The bill ensures that no additional cost will accrue to the Federal Government.

The Wisconsin Works Program offers its participants the opportunity to earn wages and to learn how to increase their value to employers. Wisconsin has been testing various methods of reforming the welfare system for several years. Its other demonstration projects include, Work Not Welfare, Work First, Children First, and Pay for Performance. The consistent theme throughout all of these projects, and incorporated in the Wisconsin Works Program, is the expectation of personal responsibility and the goal of independence and a promising future for welfare participants.

Governor Thompson's proposal for Wisconsin Works includes waivers applicable to the Food Stamp Program. As chairman of the Committee on Agriculture, which has responsibility for the Food Stamp Program, I certainly appreciate the need for reform of this program.

The first hearing held when I became chairman of the Committee on Agriculture was on the Food Stamp Program. Our committee has developed a comprehensive reform of the program and it is incorporated in the Personal Responsibility and Work Opportunity Act of 1996. This reform emphasizes work for able-bodied persons, promotes real jobs with incentives, allows States to harmonize welfare programs with the Food Stamp Program, and curbs trafficking and fraud with increased penalties.

The waivers to the Food Stamp Program incorporated in this bill provide Wisconsin the ability to match its program with the Food Stamp Program in the areas of certification, employment, and training programs and work requirements. Additionally, for those persons in the Wisconsin Works Program who also receive food stamps, food benefits will be provided in cash. The Wisconsin program includes a mandatory nutrition education program. Wisconsin believes that for its participants to become self-sufficient, they need to know how to budget for food purchases, without the parameters specified by the use of food coupons. Wisconsin estimates that approximately half of the families receiving food stamps will be provided cash instead of food stamps.

I am not generally in favor of substituting cash for food stamp benefits. One of the important tenets of our welfare reform proposal was that food stamps would remain as the safety net program during the transition of reforming welfare. Food is a basic need and must be available to low-income families.

I am encouraged the Wisconsin Works Program includes a mandatory nutrition education component so that families will receive education on how to budget funds to ensure good diets. In addition, the cash-out of food stamps is linked to a program with strong work requirements.

USDA, over the years, has approved several demonstration programs that issue cash instead of food stamps and almost half of the States operate some form of a cash-out program. As with those other programs, I intend to watch the Wisconsin program so that we will know that Federal dollars provided for food are indeed spent on food.

Mr. Speaker, I urge Members to support H.R. 3562 and the Wisconsin Works Program. The President has expressed support for the Wisconsin Works Program and Congressman KLECZKA's substitute amendment, provided for in the rule, urges the administration to approve waivers necessary to allow Wisconsin to carry out its program.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to the rule, it is now in order to consider an amendment by the gentleman from Wisconsin [Mr. KLECZKA].

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. KLECZKA

The SPEAKER pro tempore. Mr. Speaker, I offer an amendment in the nature of a substitute.

The Clerk will designate the amendment in the nature of a substitute.

The text of the amendment is as follows:

Amendment in the nature of a substitute offered by Mr. KLECZKA: Strike all after the enacting clause and insert:

SECTION 1. URGING IMPLEMENTATION OF WISCONSIN WORKS DEMONSTRATION PROJECT.

Upon presentation by the State of Wisconsin of the document entitled "Wisconsin Works" as signed into state law by the Governor of Wisconsin on April 26, 1996, to the appropriate Federal official with respect to any Federal entitlement program specified in such document, such official is urged to waive compliance with the requirements of Federal law with respect to such program to the extent and for the period necessary to enable the State of Wisconsin to carry out the demonstration described in the document upon meeting these requirements:

(1) Such official shall publish a notice in the Federal Register describing the proposed changes to Federal programs contained in the document scheduled under Wisconsin law to go into effect in October, 1997, and provide for a 30-day comment period to receive public comments from the citizens of Wisconsin and interested parties.

(2) Such official shall provide for expedited consideration of the demonstration project described in the document under the procedures otherwise required by law, except that such official shall complete such consideration not later than July 31, 1996, compatible with the State schedule established in such document.

(3) Such official shall certify that the plan does in fact contain the features described by the Governor of Wisconsin on page four of the document entitled Wisconsin Works, March 1996 (publication number PES893).

SEC. 2. PROVIDING FUNDING AUTHORITY FOR IMPLEMENTATION.

(a) The costs of carrying out the demonstration project which would not otherwise be included as expenditures under such program shall be regarded as expenditures under such program.

(b) LIMITATION OF COSTS.—Subsection (a) shall not apply to the extent that—

(1) the sum of such costs and the expenditures of the State of Wisconsin under all programs to which Section 1 applies during any testing period exceeds

(2) the total amount that would be expended under such programs during such testing period in the absence of the demonstration project.

(c) TESTING PERIOD.—For purposes of subsection (b), the testing periods are—

(1) the 5-year period that begins with the date of the commencement of the demonstration project, and

(2) the period of the demonstration project.

(d) RECAPTURE OF EXCESS.—If at the close of any testing period, the Secretary of Health and Human Services determines that the amount described in subsection (b)(1) exceeds the amount in subsection (b)(2) for such period, such Secretary shall withhold an amount equal to such excess from amounts otherwise payable to the State of Wisconsin under section 403 of the Social Security Act (relating to the program of aid to families with dependent children) for the first fiscal year beginning after the close of such period. The preceding sentence shall not apply to the extent such Secretary is otherwise paid such excess by the State of Wisconsin.

SEC. 3. NO EFFECT ON CERTAIN OTHER WAIVERS GRANTED TO THE STATE OF WISCONSIN.

This Act shall not be construed to affect the terms or conditions of any waiver granted before the date of the enactment of this Act to the State of Wisconsin under section 1115 of the Social Security Act, including earned waiver savings and conditions. The current waivers are considered a precondition and can be subsumed as part of the Wisconsin Works demonstration.

SEC. 4. AUTHORITY TO PARTICIPATE UNDER SUBSEQUENT LEGISLATION.

If, after the date of enactment of this Act, any Federal law is enacted which modifies the terms of, or the amounts of expenditures permitted under, any program to which section 1 applies, the State of Wisconsin may elect to participate in such program as so modified.

SEC. 5. EFFECTIVE DATE.

Sections 2, 3 and 4 of this Act shall become effective on the date that a waiver is approved pursuant to the conditions stated in Section 1.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin [Mr. KLECZKA] and a Member opposed, each will control 30 minutes of debate time.

Mr. KLUG. Mr. Speaker, I am opposed to this amendment.

The SPEAKER pro tempore. The gentleman from Wisconsin [Mr. KLUG] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Wisconsin [Mr. KLECZKA].

Mr. KLECZKA. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, I think it is time to start from the beginning of the debate, because I think we have gone off course, and look at what we are doing today.

The bill before us will pass at the end of the day, probably around 3 o'clock. It will not pass the Senate. So all this rhetoric will be for naught.

So if we think we are doing something to help the American people or even help the people of Wisconsin, we are fooling ourselves because as soon as this bill leaves this House, it is DOA in the Senate.

And so my colleague, the gentleman from Wisconsin [Mr. BARRETT], says this is Presidential politics, let us not kid a kidder, and he is exactly correct. I cannot change the fact that it is a Presidential political year, but I think this body could probably rise above that and act responsibly.

But that is not in the cards today, my friends. What we are being asked to do by the Republicans, what we are being asked to do by the majority party product, is to take 88 waivers that the Governor gave to this administration and President a week ago, and today, Thursday, at about 2 'clock, rubber stamp them all.

Now, do my colleagues think Members of Congress come to Washington, DC, and rubber stamp things and do not read what they are doing? Today is a good case in point because today, my friends, we are going to see it happen.

We are told that in the CONGRESSIONAL RECORD, which is published every day, there is a listing of 88 points, 88 waivers. All right; let me read one to my colleagues: Elimination of child care disregard. We are going to eliminate the child care disregard. What does that mean?

It is not in here; that is all there is. One phrase. Do my colleagues know where it is contained? In here. It is contained in this voluminous document, which 5 Members in Congress out of 435 have and possibly read.

So we are going to, about in an hour-and-a-half, do something where no Member, or 430 Members of Congress, do not know what they are doing, and they are asking us to participate in that, and I for one say "no." If my folks back home taught that I was casting votes in important legislation without reading it, I would be recalled. I would be in Milwaukee, WI, today as I speak versus being in this historical Chamber. And that is what it is all about.

Let the Republicans defend how they can ask all their colleagues to vote for something they never read. Sad.

The President indicated in his remarks, and we have the copy of the radio address, that he favors the Wisconsin welfare plan. That is fine. Did he ever say, "And I will, within 3 days, sign 88 waivers I never read"? No. That is not part of it.

But if we go through the history of this whole process, as I indicated before, the legislature in Wisconsin passed it, 5 weeks later the Governor signed it. If it was such a rush job, why did the Governor not sign it the next day after the Wisconsin legislators passed it? Five weeks later he signed it. Then he looked at it, and because we have line-item veto, which I support, he vetoed 27 items from the bill. And then he came to Washington and said, "And I need 88 waivers." The Governor also indicated; he said, "And I like to get this process started, so if you guys and ladies in Washington wouldn't mind, if you could get this done by August 1 of this year, that would be nice." But know for a while this program does not get up and running in the State of Wisconsin until October 1, 1997. Why not September 1, 1997, like the legislature told the Governor? Because he vetoed that. He vetoed that in the bill and moved it back a month. So now we have the program coming on line, August 1, 1997, or October 1, 1997, clearly a year and 5 months from now.

I have introduced a substitute amendment, which I appreciate is being made in order today, and what does it do? Does it talk about bureaucrats regressing the legislature, doing all sorts of nasty things? No. Does not do any of that. What it does is, very simply, even the 430 Members who have never read the waivers will understand this, but know for a while, and I am going to ask the folks in the gallery to stick around for the vote because at least 50 Members are not going to be voting. Do my colleagues know why? Because this is not a big deal to California, and it is a long flight home, this is the last day of session, and they are gone. They are at Dulles Airport and National Airport right now catching their flight home. And so what we have here is something akin to a special order, something we do at the end of the day and just talk to the cameras and to each other.

The only good that I see that has come out of this, my friend from Wisconsin, Mr. KLUG, is that in the last 4 years this is the most time the nine of us have talked together that I can recall, and so if there is a silver lining behind what is going on today, it has brought the nine of us maybe closer together, or at least we got to have some conversation. So that is good.

But the substitute does three major things. It does, No. 1, provide that the review and approval of these waivers shall be expedited. That is No. 1. No. 2, the substitute amendment we are going to be voting on shortly says that there shall be a 30-day public comment period because the public, many in Wisconsin and many from other States who have an interest in the legislative process, have not seen any of the waivers and want a chance to react.

Why would we close the public out? That would be akin to we are taking up the appropriations bills one day on the floor, and we lock all the Chamber doors and turn off the C–SPAN cameras because we do not want the public to hear and see what we are doing. Boy, would there be a riot this country, and there should be.

But I have letters, not only from constituents, Nancy Ann from Greendale, WI, who wants to be heard on this because she did not see any of the 88 waivers. Marjorie S. from Milwaukee, who lives on Superior Street, she wants to be here on this. Here is a group who has some interest in the entire issue of waivers and what is happening: The American Association of Women in Community Colleges, very educated group, knowledgeable group, they want to be heard on this. The Wisconsin Catholic Conference; now, they participated in the public hearings, but not all the changes and not the waivers. They want to be heard on this. But if we adopt the Republican measure, they are cut out of the process, the doors are locked, the lights are dimmed, we do not see what is happening. I think that is wrong.

So my substitute provides for expeditious consideration, 30-day public review period, and finally it says by July 31 of this year, by July 31 of this year the process shall be complete.

The Governor asked this Congress to do that by August 1; the substitute that I will ask my colleagues to vote on in a short time says October or—the substitute that I have introduced provides that July 31 the process is done. How fair. And at that point, even though 430 Members have not read this before they are approved, at least someone will, or at least the public will have their say recorded and their judgments listened to.

Mr. HEFNER. Mr. Speaker, will the gentleman yield for a question?

Mr. KLECZKA. I yield to the gentleman from North Carolina.

Mr. HEFNER. Mr. Speaker, for my own clarification, under ordinary circumstances, something of this magnitude, what would the process be? What committee would it go to that we would have hearings where everybody could talk about it, we could have witnesses or what have we, and the public would know exactly what we are voting on? Because I am not familiar with the welfare situation in Wisconsin. I am aware of some it in North Carolina. We have had some waivers, and the Governor has put in some changes in the welfare program.

What would be the process that we would go through under ordinary circumstances if this was not a dire emergency that we had to get done this week? What would be the process?

Mr. KLECZKA. The gentleman asks a excellent question. A lot of talk has been had today about how the State legislature of Wisconsin went out, had public hearings, and they debated the bill. This is a bill just like the Wisconsin Legislature debated, and the normal operating procedures, as the gentleman well knows, is for the Committee on Ways and Means, which has control of the issue, it is in our jurisdiction, it is the committee I serve on, the bill would be introduced, we would have public hearings, members of the public could come before the committee and say we like this, we like that, this should be changed, and at this point, after the committee heard the public testimony, voted on whether or not we should recommend it, it would then be sent to the floor for debate like we are having today.

That process was totally skirted. The Committee on Ways and Means and the Members who serve on that committee do not know any more what is in this bill or the waivers than the gentleman from North Carolina.

Mr. HEFNER. Has there been 1 hour of hearings on this particular legislation?

Mr. KLECZKA. There has not been 1 minute of hearings, sir.

Mr. HEFNER. There have been no meetings on this at all?

Mr. KLECZKA. No.

Mr. HEFNER. So today the people that are proposing this legislation, I am as well informed as they are, basically?

Mr. KLECZKA. The gentleman is probably more informed because he is one of the few that is here.

Mr. HEFNER. Well, I have been here for quite awhile. I have never seen something of this magnitude, and we single out a State we are going to grant how many waivers?

Mr. KLECZKA. Eighty-eight.

Mr. HEFNER. Eighty-eight waivers that nobody knows what they are or what they do that absolutely affects the lives of millions of people—I do not know how many people are in Wisconsin.

Mr. KLECZKA. Four point eight.

Mr. HEFNER. Four point eight million people in Wisconsin, and it is going to directly or indirectly affect the lives of all the people in Wisconsin, and we are going to do it here when a lot of people are going to be gone, nobody knows anything about it. To me, this is absolutely an abdication of our responsibility, and it laughs in the face of a free society and government by the people and for the people.

This is absolutely totally repugnant to me.

Mr. KLECZKA. Mr. Speaker, I reserve the balance of my time.

Mr. KLUG. Mr. Speaker, I yield myself 1 minute.

I think this is an indication in the dialog we just saw, a very clear indication in the fundamental debate here. There were 30 hearings and townhall meetings in Wisconsin, and there were 120 hours of debate, there were 2,000 residents who participated in those townhall meetings and in those hearings as well. That is where the debate should take place, and that is where the debate has taken place and that is where the vote was. The issue is whether my colleagues trust the Wisconsin State Legislature to run its own program or whether they think it is necessary for the Federal Government in Washington to rewrite it.

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I do not think it is. Again, as for waivers and waiver records, the Clinton administration has denied waivers in Illinois, Massachusetts, and Wyoming. Waiver requests have been withdrawn because of the administration's strings in New Mexico, Ohio, and South Carolina. The following States have waivers pending: California, Florida, Georgia, Hawaii, Illinois, Indiana, Iowa, Kansas, Maine, Maryland, Michigan, Minnesota, New Hampshire, Oklahoma, Tennessee, and Utah.

Mr. Speaker, I think each one of those States is capable of making its own decision, and I think that is the fundamental question before us today: Do we trust the residents of Wisconsin or do we trust the bureaucrats in Washington, DC?

Mr. Speaker, I yield 4 minutes to the gentleman from Ohio [Mr. KASICH], the chairman of the Committee on the Budget, whose home State, Ohio, had to withdraw its welfare plan because of Clinton administration objections.

Mr. KASICH. Mr. Speaker, I very much appreciate the gentleman yielding time to be because, frankly, Mr. Speaker, everybody who is observing this debate ought to recognize that this is the opening debate, or not opening, the budget resolution was the opening debate, but this is the very first few chapters in the debate about the next century, the debate about the future of our country.

Mr. Speaker, what we are trying to do in Washington as conservatives is we are drawing the conclusion that if in fact we can take people's power, money, and influence from this city and put it back into their hands and their pockets where they live, they will be empowered to develop better solutions, more effective solutions than we can develop in Washington. This is the perfect debate, to hear the definition of a liberal and a conservative at the end of the 20th century, into the 21st century, and I love the fact that we are going to debate this and the American people can decide for themselves.

The questions that every American citizen has to ask themselves is: Am I capable of doing a better job of solving a problem where I live than somebody in Washington who has never met me? Frankly, do I have to come trudging to Washington to ask permission and to have them evaluate my solutions in order for me to be given permission to fix problems in my neighborhood?

I am going to tell the Members, Mr. Speaker, conservatives are going to win that fight every single time, because in Washington we have not been getting it right. We have been sacrificing the future of our children by wasting money, we have been not solving problems.

When we take a look at this welfare situation, I could take 10 people out of the gallery today and sit them in an office, and within 24 hours they would design a more effective welfare reform plan than is being designed in this city today.

Mr. Speaker, the real question is, do we have faith in people, do we have faith in the American citizen? Because increasingly Americans are frustrated that Washington just does not get it. It takes too much of their paychecks, does not treat their money with respect, and they design programs that do not work.

Our goal as we enter the 21st century and leave the 20th century is to systematically let people have control of their lives, because we trust that they will do better than a Washington bureaucrat who, frankly, I would say to the gentleman from Wisconsin [Mr. KLUG], does not even know what time zone it is in Madison, WI, let alone what the problems are.

Mr. Speaker, this is just the beginning, because what is exemplified in this debate is not just who should control and determine the quality of welfare, but who should determine and write the programs of quality education for our children: Should it be Washington bureaucrats or mothers and fathers?

Also, should we as Americans believe that we can handle our disabled and our elderly better where we live than relying on the Federal Government? This is what we are going to see. In fact, should the Government continue to take more and more of what we earn to spend on what they think is important in this city, rather than what we think is important in our neighborhoods?

Frankly, Mr. Speaker, the question is real simple: Do we have faith that people in the great State of Wisconsin are able to design a welfare program that they are happy with, that they believe will solve problems more effectively, that they believe is more compassionate, and at the end of the day, will get people from welfare to work? Or do Members think we ought to keep the program in Washington and impose a system on Americans where we come on hands and knees and beg unelected

Federal bureaucrats for permission to design local solutions to local problems?

This is a perfect debate, and I would suggest that when this rollcall vote is put up here, we are going to be amazed at the fact that the people of this country will win, because we are going to pass this bill because it reflects and represents a confidence in the American people. Power to the people.

Mr. OBEY. Mr. Speaker, I yield 30 seconds to the gentleman from North Carolina [Mr. HEFNER].

Mr. HEFNER. Mr. Speaker, I appreciate the fact that this is an ideal debate, but to me it is patently unfair, Mr. speaker, for people to ask people from every State in this Union to come in and cast a vote on something that they know absolutely nothing about.

The committee system works here, where we have Democrats and Republicans go to committee, they talk, and they have hearings. They come and talk to our colleagues and explain what we are voting on. They are asking people here that know absolutely nothing about a tremendous document that is going to affect 4 million lives in Wisconsin, and the chairman of the Committee on the Budget made a very excellent speech here, a political speech, but he did not have the courtesy to enter into a colloquy. That is where we are. It is a political document. It is going nowhere and it is disgraceful. It does not speak well for this House.

Mr. OBEY. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin [Mr. STENHOLM].

The SPEAKER pro tempore (Mr. BONILLA). Without objection, the gentleman from Wisconsin [Mr. OBEY] now controls the time in support of the amendment.

There was no objection.

Mr. STENHOLM. Mr. Speaker, I want to take time today to put in a plug for enactment of real welfare reform, something that the House and Senate can and will vote for and something the President will sign.

Let us be totally honest today, Mr. Speaker. This debate on the Wisconsin waiver is not about welfare reform, it is about scoring partisan points in an election year. We all know this is a terrible process, to be considering the Wisconsin proposal. It is not unreasonable to expect the Wisconsin plan to be subject to public comments and undergo review to determine whether it meets the goals it sets forth, whether it will increase Federal spending, which I cannot believe my chairman was speaking a moment ago without recognizing the potential of doing damage to the budget.

Regardless of whether we are talking about welfare proposals or health care grants or education plans or any other function of the Federal Government, I must say that circumventing the processes which have served both Democrat and Republican administrations, allowing time for public comment and review, is not a wise precedent.

The State of Texas had to undergo this process in order to implement a welfare reform proposal very similar to the Wisconsin plan. While it was frustrating at times for those of us who supported the Texas waiver to go through the process, we did not ask for special treatment such as we are being asked to give Wisconsin today. The Texas plan was approved because it was able to stand up to the scrutiny and questions and is now being implemented. I support the Kleczka-Obey amendment because it requires that the Wisconsin plan undergo the same reasonable scrutiny and the same valid questions to be asked that Texas did.

Instead of wasting our time with political games on waiver for one State, we should be working on enacting a bipartisan welfare reform bill for the entire Nation. I agree that we should not be micromanaging the welfare programs of Wisconsin or any other State. There is an agreement on a bipartisan welfare reform proposal that can become law, that would allow Texas, Wisconsin, and all of the other 48 States to pursue innovative welfare reform proposals to move welfare recipients to work. It is called the Tanner-Castle Bipartisan Welfare Reform Act. The Tanner-Castle bill is an effort to put an end to the partisanship and the speechmaking and all the rhetoric on this floor, and take constructive action on welfare reform.

The Tanner-Castle bill gives States the flexibility to implement welfare reform, initiatives like the Wisconsin plan. There is so much about the Wisconsin plan that I like. It is just like the Texas plan. The problem is, we do not know what is the rest of the story. What else is in this 600 pages? Why not subject it to a reasonable amount of scrutiny?

The more important thing for today's debate is to understand this is pure political partisanship. I hope that within the next 2 weeks when the welfare reform bill comes to the floor that we will sincerely have the discussion and the debate on asking and answering the questions, so Wisconsin or any other State does not have to come to the Federal Government for a request for waivers. We are that close to doing it, but believe me, Mr. Speaker, this bill today moves us in the opposite direction. I support the amendment offered by the gentlemen from Wisconsin, Mr. KLECZKA and Mr. OBEY.

Mr. KLUG. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me say that I understand the frustration of my colleague in Texas because of Texas' frustration in getting its own plan, which was delayed for a while with the Federal bureaucracy. He is right, we do need a national plan, but the question again is if we will give a green light to one very specific program that is ready to go, that the President said he liked, that was, again, passed by two-thirds in the House, three-quarters in the State Senate back home.

The question is can Wisconsin go ahead, in case we get held up in the national arena again? Not only is Texas inconvenienced at this point, and there is frustration from Georgia, Florida, and a number of other places, but California has been caught in this fight as well.

Mr. SABO. Mr. Speaker, will the gentleman yield?

Mr. KLUG. I yield to the gentleman from Minnesota.

Mr. SABO. Mr. Speaker, I am just curious; do we have a CBO estimate of Federal costs of the Wisconsin plan?

Mr. KLUG. I will let my colleague, the gentleman from Wisconsin [Mr. NEUMANN], a member of the Committee on the Budget, respond.

Mr. NEUMANN. Mr. Speaker, will the gentleman yield?

Mr. KLUG. I yield to the gentleman from Wisconsin.

Mr. NEUMANN. Mr. Speaker, it is cost-neutral on a 5-year period of time. It is on the second page of the bill.

Mr. SABO. If the gentleman will yield, what does that say?

Mr. NEUMANN. It say specifically that the cost has to be neutral over a 5-year period of time.

Mr. SABO. If the gentleman will yield further, I would ask, Mr. Speaker, is that for State and Federal Government combined?

Mr. NEUMANN. No, that is for the Federal Government and the impact on the Federal.

Mr. SABO. Is that a CBO estimate that that is achieved?

Mr. NEUMANN. No, it says very specifically in there that it must be budget-neutral over a 5-year period of time.

Mr. KLUG. Mr. Speaker, I yield 4 minutes to the gentleman from California [Mr. RIGGS] to express his frustration with California's inability to achieve waivers here in Washington.

Mr. RIGGS. Mr. Speaker, I thank the gentleman for yielding time to me, and for his leadership on this very important issue.

Mr. Speaker, I want to point out to our Democratic colleagues what they have described here on this floor in the last few minutes as pure political partisanship, opportunism on our part, is not limited to Wisconsin. It also, to use their definition, would apply to our frustration in California, seeing our welfare waiver requests to the Federal Government held back here by the Federal Government bureaucracy for months and months and months.

This article from the May 28, 1996, San Francisco Chronicle pretty much says it all. It says "Welfare Overhaul Stymied in D.C., Critics Complain, California Officials Lament," I quote

from the article: "President Clinton," and by extension congressional Democrats, "argue that he," his administration, the Clinton administration, "has granted States wide latitude to reform welfare, but California State officials maintain that the White House has stymied their attempts by delaying, refusing and amending requested changes in Federal rules governing Aid to Families with Dependent Children, the main welfare program financed half by the Federal Government and half by the States."

Listen to what Eloise Anderson, the director of the California Department of Social Services, has to say: "Clinton is out there publicly saying one thing, but his actions are quite different." This is a remarkable lady. She is an African-American, she is a former welfare recipient, she is very familiar with the Wisconsin plan, because she worked as a top welfare aide to Governor Thompson. She has patterned the California welfare reform proposals after the Wisconsin model.

She says that President Clinton says one thing and does another. That is a real surprise, by now, I am sure, to the American people. Governor Wilson says that President Clinton had "failed to live up to his promise of four years ago to 'end welfare as we know it.'" So California has been absolutely stymied by the Clinton administration. What is the status with respect to their welfare waiver request? What is the status of those waiver requests?

Contrary to the statements of the President, President Clinton has thwarted California's efforts to reform welfare through the waiver process. On average, California waiver requests have spent over 300 days languishing in Washington, DC, awaiting approval; 300 days; Mr. Speaker, not 30 days.

On average, the Bush administration approved California's waivers within 60 days, and three major California waivers are still pending. The maximum family grant, 581 days and counting, 581 days. Did Members hear that figure? Not 30. This proposal was enacted by the California State Legislature in 1994 with bipartisan support. It would end the practice of rewarding irresponsible behavior by denying a grant increase for children born to families on welfare. As I mentioned, it was submitted in November 1994 and is still pending. Grant reductions, 91 days and counting; 91 days and counting.

Studies have found that California's high AFDC grant levels discourage work because receiving AFDC is more lucrative than working for the minimum wage. That is one reason why I sponsored the minimum wage increase amendment on this floor. But Federal law prevents California, which provides the fourth highest grants in the country, from reducing their grant levels.

Lastly, the teen pregnancy disincentive, 91 days and counting. This reform, approved by the State legislature, again with bipartisan support, would require teen parents to live at home, with certain exceptions, in order to receive aid. So it is crystal clear what is going on here, Mr. Speaker, particularly to the American people, and anybody who is wondering why efforts to overhaul welfare have been stagnated today need only look as far as this Chamber and how it has acted or how it will act on the Wisconsin welfare waiver request, and how this administration has handled the California welfare waiver request.

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Mr. KLUG. Mr. Speaker, I yield 4 minutes to my colleague, the gentleman from Missouri [Mr. TALENT], who is from the St. Louis area and who has been a real leader on welfare reform, generally, in this House.

Mr. TALENT. Mr. Speaker, let us look at this system that Governor Thompson and an overwhelming bipartisan majority in Wisconsin is trying to change. Let us look at what this system has given us.

In the immediate postwar era, Mr. Speaker, welfare in this country was taken care of, basically, by localities and private charities backed up by State resources. Let us look at how that worked.

In 1948, the poverty rate was about 30 percent. It declined steadily in the postwar era until in 1965, it reached 15 percent. What happened in 1965? The Federal Government declared war on poverty.

Now, the national impulse to help the poor was a good thing, but here is how the Federal Government did it. It conditioned assistance on people neither working nor getting married, and the two best antipoverty programs, the way people typically got out of poverty, is by work and by marriage. In effect, what the Government did over a period of about 30 years was take away kids' dads and give them Government instead.

We did not get a reduction in poverty. The poverty rate was 15 percent in 1965, trillions of dollars later, it is still 15 percent. What we got was an explosion in the out-of-wedlock birth rate. That is the system that Governor Thompson is trying to change.

What is he trying to do about it? He is trying to replace this failed system that nobody will defend, that nobody wants to even be close to defending. He is trying to replace that system with a system of assistance to people that encourages marriage instead of penalizing it, that encourages, and in many cases for able-bodied people requires work instead of penalizing it.

Everybody believes that that is the direction that we ought to go in. How much longer are we going to wait until we go in that direction? The existing system has produced hundreds and hundreds of thousands of instances of human tragedy and usually involving kids. I think of the story of Eric Morse who was raised in a Pittsburgh housing project, a 5-year-old boy. His mom taught him right from wrong, taught him not to steal, and there were some older kids in the project. They wanted him to steal. When he would not do that for them, they dragged him up to the top of that public housing project and they threw him out a window. There were no dads in that housing project, nobody to come out of a door and say what the heck is going on? Stop this.

That is the result of this welfare system that people here are trying to defend without appearing to defend it. How much longer do we need to wait? We hear all kinds of excuses.

Mr. Speaker, why are people devoting such energy in trying to defend or fight this covered retreat in order to prevent change of this system. We do not know enough about what Wisconsin is doing. We know our system, the federally imposed system is no good. We know that this State has been at the forefront of useful welfare reform. We know that this plan was approved by the huge bipartisan majority and endorsed by the President of the United States.

What else do we need to know? We do not have a CBO estimate. We do not know how much this change is going to cost the Government. We know what this system is costing the Government. We know what the existing system is costing, not just in money, but in terms of lives. They say we need more time to consider this. We have had 30 years of this existing system. Let us give some changes an opportunity. We do not need more time to know that this system is broken.

When President Clinton said at the beginning of his term, we need to end welfare as we know it, nobody stood up and said, no, let us keep welfare as we know it. Why are we preventing this change that everybody wants?

Mr. Speaker, this is a plan that has been endorsed by a huge bipartisan majority in the Wisconsin Legislature, endorsed by the President of the United States; it is fully consistent with the bill that passed this House last year. It is not only what we should do, it is the least we should do. It is less than the least we should do.

We should be having these principles nationally. Let us at least let the people of Wisconsin do this for the individuals in their State, the most vulnerable among the lower income Wisconsinites, and the children there, let us at least let them do this for their own communities.

Mr. KLECZKA. Mr. Speaker, I yield 3 minutes to the gentlewoman from Hawaii [Mrs. MINK].

Mrs. MINK of Hawaii. Mr. Speaker, I thank the gentleman for yielding me this time.

I think it is important for us to come to some common ground. I do not think that those who oppose this legislation have in any way any desire to disturb, denigrate, deny, the people of Wisconsin to offer whatever solutions they see best for their State and for their community.

But we have a Federal law, and what they have to do if they have desires of participating within the Federal law and to have the benefits of 60-percent funding, which is what they received today, then they must go through the process, and the process requires that they file with the administration waivers that must be approved in order for their new plan to go through.

That is not to say that the Wisconsin people are not genuinely interested in change. They have not completed their process because the legislature still can act upon their vetoes, but nonetheless, we want to certainly accord the people of Wisconsin, California and my State the privilege of going to the administration and explaining to what extent they could do better with the funds that they are receiving by updating waivers.

Now, the waiver process may be difficult, but it is there because we are under a Federal law, which we have to reply to and be responsible to, to the rest of the taxpayers of this country. That is what it is all about.

It seems to me that to come to the Congress and to ask for special prerogatives, to establish a special precedent when anyone can come here and get a hearing with respect to their individual State's waiver on the grounds that our State desires to opt out of some Federal regulation is a very, very bad precedent to follow.

The second bad thing about this bill is that it denies open government, the open government principle which says, we must at least in the waiver process enable people to file comments; at least a 30-day comment period must be protected if we believe in open government.

The third principle which we are destroying today is the separation of powers. We have distinct authorities, legislative, executive, and judiciary. We have given the executive the prerogatives of waivers. It is not for this Congress to sit here and decide sight unseen which waivers we want to give to a law that we have enacted. None of us have seen the 88 waivers.

I certainly cannot explain any of them, because I have not read the documents, which have not been made available to us. It is really a denigration of our responsibility as national legislators to be called upon to vote on something that has occurred in another State.

Mr. Speaker, I do not wish to presume upon the intelligence and the judgment and the policies of Wisconsin, but I have a responsibility to reflect the integrity of this Chamber and the desires of my State. So regretfully, I must stand on principle today, the principles of open government, full discussion, and a separation of powers.

Mr. KLUG. Mr. Speaker, I yield myself such time as I may consume.

First of all, let me say to my colleague from Hawaii, who also has a waiver application pending with the Clinton administration.

Mrs. MINK of Hawaii. Mr. Speaker, will the gentleman yield?

Mr. KLUG. I yield to the gentlewoman from Hawaii.

Mrs. MINK of Hawaii. Mr. Speaker, in that sense, I hope that it is the policy of the majority to grant us this special hearing also whenever we see fit, because we too have waiver applications.

Mr. KLUG. Mr. Speaker, reclaiming my time, again I would encourage the gentlewoman as a member of the President's party to issue waivers more quickly. However, let me say fundamentally that waivers are not welfare reform, waivers are a lifeline for bureaucracies to rewrite and to change and negotiate and manipulate and modify documents that are written back at the State of Wisconsin.

Again, in terms of the subject of openness, 30 legislative hearings and town meetings, 120 hours of debate, 2,000 residents who participated. There was great discussion in Wisconsin, there was a recorded vote and majorities in both the assembly and the Senate, two-thirds in one, three-quarters in the other, voted on and passed this piece of legislation and the Governor signed it into law.

Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin [Mr. NEUMANN], the author of this important piece of legislation.

Mr. NEUMANN. Mr. Speaker, I rise to make it perfectly clear my opposition to the amendment in the form of a substitute, and I would like to make it clear exactly what is going on in this amendment in the form of a substitute.

What is happening here is they are trying to say that we need 30 days here in Washington to review this. Surely, we are not talking about Wisconsin people who want more time to review this, because after 18 months, my colleague from Wisconsin has gone through the list of how many different hearings they have had out there, but surely, after 18 months of hearings the people in Wisconsin have had their chance to be heard.

This legislation is not legislation designed to reform welfare all over the United States of America. This is legislation designed to reform welfare in the State of Wisconsin, the people that are going to be affected by this legislation, have had 18 months, they have had 18 months of chances to express themselves.

What came out of this 18 months of debate in Wisconsin? Why do we not need another 30 days of debate out here in Washington, DC? Well, first let us make it clear if we give them 30 additional days to debate this out here in Washington, DC, what we are really doing is giving the Washington bureaucrats the power, the time and the right to rewrite the Wisconsin plan and to Washingtonize it.

We do not want our Wisconsin plan Washingtonized. I do not know if the plan is right for every other State in the country, I cannot tell you that. But what I can tell you is that after 18 months of debate, two-thirds of the people in the assembly and three-quarters of our State senators, the majority of the Democrats and all of the Republicans in the State legislature voted for it. That is a pretty resounding endorsement for this.

They have made mention of the fact that maybe everybody does not understand all of the things in this. Well, our State legislature sure does. The Democrats in the State of Wisconsin that voted for it sure do, the Republicans in the State of Wisconsin sure do.

So I would just strongly oppose the amendment in the form of a substitute. We do not need 30 days for the Washington bureaucrats to pick apart the Wisconsin plan and rewrite the Wisconsin plan to their liking. The people in Wisconsin are perfectly capable of writing a plan that they know and understand and that serves the best interests of the State of Wisconsin.

There is one another point I would like to make.

After 18 months of debate, after a two-thirds vote in the assembly and a three-quarters vote in the Senate, after the Governor signing the bill, what happened? You would think the bill would be enacted into law, but instead of enacting the bill into law, the next step was to prepare this document. As has been pointed out on the other side, 700 pages in this document, 700 pages.

I would like ask people in here just exactly how much they think it costs the taxpayers in the State of Wisconsin to hire their own Wisconsin bureaucrats to put this document together, to come hat in hand to Washington to beg for approval, and just exactly how much do we think it is going to cost the taxpayers of this Nation to hire the bureaucrats to sit out here in Washington, DC, and now review this document one page at a time?

That is an expense of the taxpayers' money. That money should be going to help the truly needy people in this Nation. It should not be spent bogged down in a bureaucratic process that just plain does not work, and if there is anybody that would like to argue that the welfare system in the United States of America today works, I would sure be willing to listen.

Mr. Speaker, I strongly oppose the amendment.

Mr. KLECZKA. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, the previous speakers indicate that we are giving 30 days. They know full well the law provides that 30 days shall be given to the public for comment, and the Governor by his own words and written sentences states to us that if you do this by August 1, that is fine with me. So I guess we are playing Governor here by knowing better than what Tommy Thompson needs.

The substitute provides the process will be completed by July 31. The Governor says do it by August 1. Everything is fine.

Mr. Speaker, I yield 1 minute to the gentleman from Minnesota [Mr. SABO].

Mr. SABO. I thank the gentleman for yielding me this time.

Mr. Speaker, my understanding, there is no CBO cost estimate, and the reason we do not have it is because the legislative process is again being diverted. If one followed the normal process and had a bill reported from committee, then the House rules require a CBO cost estimate. If he brings to the floor an unreported bill such as this, then the rules do not apply.

So we do not have a CBO cost estimate, and I must say to my friend from Wisconsin, I look at your language, and it does provide some cost limitations. But it applies to the totality of State and Federal costs. It does not apply if the State is doing things with the system, increase Federal costs and decrease State costs.

Mr. NEUMANN. Mr. Speaker, will the gentleman yield?

Mr. SABO. I yield to the gentleman from Wisconsin.

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Mr. NEUMANN. Mr. Speaker, we have had extensive debate on this issue over the course of the last week and a half. The language that is found in the bill on page 2, subsection (b), was developed in close consultation with CBO.

Mr. SABO. It does not do what the gentleman says.

Mr. KLUG. Mr. Speaker, I yield 1 minute to the gentleman from Janesville, WI [Mr. NEUMANN] to engage in a colloquy with the gentleman from Minnesota [Mr. SABO].

Mr. NEUMANN. Mr. Speaker, this is a very important concept here, and the gentleman understands just how concerned I am with the Federal deficit. I know, from serving with the gentleman on the Budget Committee, he understands just how strongly I feel about things that come to this floor being deficit neutral.

We spent an extensive amount of time and developed this language in consultation with the Committee on Ways and Means and CBO to make sure that at the end of the 5-year window, which is the normal window used out here, that we would in fact be at least neutral in terms of cost to the Federal Government, so that we do not have a bill on the floor that would make the deficit worse.

I think it is very important to understand that as people make the move from welfare to work, there are some initial up-front costs in the program but that we benefit down the road, as those people accept their normal role in society and become productive parts of the society, earning a living, paying taxes, doing all the rest of the things. So it is clear that there are some costs in the beginning but we do have the language in the bill that makes it neutral over the 5-year window.

Mr. SABO. If the gentleman will yield, I wish what the gentleman said was accurate.

Mr. KLECZKA. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin [Mr. BARRETT].

Mr. BARRETT of Wisconsin. Mr. Speaker, I have been listening to the debate all day today, and one of the things I find most interesting in this debate is we have had a number of speakers from States other than the State of Wisconsin who have come up and told about the terrible horror stories of how their State has submitted a waiver request and the request has been pending for any number of months or any number of years. As I listened to those horror stories, I thought, well, why are we not dealing with that State's waiver request? Why are we not dealing with California's waiver request if it is so terrible? Why are we not dealing with Hawaii's waiver request?

Instead, we are dealing with the waiver request from the State of Wisconsin, a State which has had every single waiver request it has submitted granted and a State where the most stale waiver request, the one that is gathering all that dust here in this terrible city of Washington, District of Columbia, has been sitting there for 8 days. that is right, 8 days it has been sitting there, and this terrible administration has failed to act in 8 days on this waive request.

So I ask myself, what is going on here? Why, rather than dealing with Wisconsin's request that is 8 days old, from the State that has had the most success in getting waivers, why we are not dealing with California's or Hawaii's waiver request?

I keep going back to that press conference that Speaker GINGRICH orchestrated where Speaker GINGRICH said, "Well, we're just going to come and we're going to pass this waiver request for the State of Wisconsin." Why do it in the State that has the least amount of problems getting waiver requests? Because it is a State that is up for grabs in the Presidential campaign.

It is a State that President Clinton wants to carry and it is a State that Senator DOLE wants to carry. So rather than going into one of these other States, let us inject presidential politics into the State of Wisconsin's welfare reform practice.

Does that make sense? It does not make sense to me, because the State of Wisconsin has been successful. It has been successful working on a bipartisan basis. It has been successful with a Republican Governor and a Democratic President working together.

I know that that is anathema to my colleagues on the other side, that this is an issue where President Clinton agrees that there should be welfare reform. But I am also troubled by the fact that what we are trying to do here today is frankly circumvent the will of the State legislature in the State of Wisconsin and Governor Thompson, because in Governor Thompson's waiver request, what does he ask us? He asks us to approve these waivers by August 1, 1996. That is what Governor Thompson asks us to do in his waiver request.

Well, Speaker GINGRICH and his followers have decided that they know more than Governor Thompson and the legislature. Even though Governor Thompson and the legislature have asked us to approve these things by August 4, they are saying, no, we know more than that elected body in the State of Wisconsin. We know more than that elected Governor of the State of Wisconsin. What we are going to do is we are going to put our judgment—Speaker GINGRICH and his followers—are going to put our judgment in place of what the legislature and Governor Thompson have asked us to do.

Talk about arrogance, that is arrogance to me. If the Governor of Wisconsin in his own submittal asks us to approve this by August 1, well, then, let us do it. And that brings me to the substitute that has been offered by the gentleman from Wisconsin [Mr. KLECZKA] the gentleman from Wisconsin [OBEY], and myself.

What does that substitute have us to do? That substitute, believe it or not, asks us to do exactly what Governor Thompson has asked us to do, and, that is, it urges the Secretary of the Department of Health and Human Services to approve the waiver request by August 1, 1996. We are doing exactly what the legislature has requested, we are doing exactly what the Governor has requested, and we are working with them on a bipartisan basis, hand in hand. That is not good enough for the Speaker and his followers.

So where does that leave us now? That leaves us with the amendment that has been offered by the gentleman from Wisconsin [Mr. KLECZKA]. It asks us to do several things. It urges the Secretary to approve the waivers, it urges the Secretary to approve those waivers by the exact date that is contemplated in the W-2 plan. And it also asks the Secretary to make sure that the plan complies with the statements

that were made by Governor Thompson. Again, wholly consistent with working together, not making it a partisan issue, trying to get welfare reform done so that it helps people and does not inject Presidential partisan politics into the debate.

I think that the substitute that is being offered is a substitute that allows the Republicans to go home and claim victory, because we will not have these delays that we are hearing about, these horrible delays that are going to say that these delays are going to go beyond 60 days. It does exactly what they want us to do, and that is get these waivers approved quickly. It does so consistent with what Governor Thompson said.

Mr. KLUG. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. SENSENBRENNER], a member of the Committee on the Judiciary and ask him to yield for a fundamental question.

Mr. SENSENBRENNER. I yield to the gentleman from Wisconsin.

Mr. KLUG. In the substitute that has been offered by our colleague from Wisconsin [Mr. KLECZKA], the language says "urge."

Is it the gentleman's reading that it does not compel the Secretary to act by August?

Mr. SENSENBRENNER. Mr. Speaker, that is absolutely correct. This substitute is really a cop-out, because what it does is it punts the ball right back to the bureaucrats in the office of the Secretary of Health and Human Services. It does not compel the Secretary and the bureaucrats to approve the submittal that has been made by the Governor of Wisconsin. It allows the Secretary to cherry-pick and approve some and modify others and disapprove others, which means that the whole W–2 welfare reform plan that was passed by the State legislature does not get approved, and it does not even set up an automatic deadline as I read this. It just urges the Secretary to do it by the end of July.

There is precedent for legislatively approving welfare waivers that have been requested by the States and I referred to 3 instances during my remarks in general debate: In 1987 Washington State welfare waivers were legislatively approved in a budget reconciliation bill as were New York waivers. In 1989 Minnesota had some waivers legislatively approved. That is exactly the same procedure that we are using here today with the waivers that have been requested by the State of Wisconsin. So we are not doing something unprecedented, despite what the previous speaker has said. We are following the precedents that occurred in 1987 and in 1988 with the 3 other States and simply saying that this Congress approves the waivers so that the decisions that have been made in Madison, WI by the elected representatives of the people will proceed rather than getting modified, delayed and confused by bureaucrats in the office of the Secretary of Health and Human Services across the street.

Mr. KLECZKA. Mr. Speaker, I yield 1 minute to the gentlewoman from North Carolina [Mrs. CLAYTON].

Mrs. CLAYTON. Mr. Speaker, I rise to support strongly the Democratic substitute offered by my colleagues from Wisconsin and to say that that delegation also knows what is best for Wisconsin as well as my colleagues from Wisconsin on the other side of the aisle.

I also want to comment to the last speaker who said there is great precedent because there were some 3 incidents. I would hope that those precedents were based on need. There is no demonstrated need, any congressional intervention need. Only 8 days have passed. So why is there this rush to judgment that we need to engage ourselves in? Only for political reasons.

Why should we support the substitute? Because it allows the will of the Wisconsin Governor and the General Assembly to go forward without any delay. More importantly, also, it has due process. Due process is one of the constitutional provisions that all citizens should have and certainly the citizens of Wisconsin should have, and at least those 30 days to comment. Nothing is delayed in allowing the alternate bill from the Democrats to go forward. You are getting the same thing. But you also will gain one other important provision, the constitutional provision of due process allowing the citizens to comment.

Mr. KLUG. Mr. Speaker, may I inquire as to the time remaining on both sides?

The SPEAKER pro tempore (Mr. BONILLA). The gentleman from Wisconsin [Mr. KLUG] has 8 minutes remaining, and the gentleman from Wisconsin [Mr. KLECZKA] has 5 minutes remaining.

Mr. KLUG. Mr. Speaker, I yield 1½ minutes to the gentleman from Iowa [Mr. GANSKE].

Mr. GANSKE. Mr. Speaker, I rise to urge my colleagues to vote for this waiver today. Just recently I had an opportunity to talk in some detail with Governor Thompson about the Wisconsin plan. It is a bold plan. It is entirely in line with the principles that the majority of this Congress have voted on previously this year that would allow States to do innovations in the delivery of welfare so that we can finally find out a method for solving the welfare problem. The current system is not working to help the people that it is supposed to. We want to see some experiments around the country, and hopefully we can find a method that will work.

This plan from Wisconsin may not work. But I would like to give it the chance to do that. I know that it has been well thought out. I know that President Clinton, who has been described by many as something of a policy wonk, who looks at a lot of the details of plans, recently spoke to the benefits of this plan and the value of this plan and basically endorsed it.

So I think that we ought to go ahead today and give Wisconsin its waiver and get it on its way and see whether the Wisconsin plan will help us provide welfare better than we are doing now in the State of Wisconsin.

Mr. KLUG. Mr. Speaker, I yield 2 minutes to the gentleman from Florida [Mr. STEARNS].

Mr. STEARNS. Mr. Speaker, the legislation we are debating today deals with one basic and fundamental issue. Do we want to continue with the current welfare system, or do we want to make available to those people currently receiving these benefits a more promising and rewarding future?

I, for one, firmly believe that the vast majority of individuals currently receiving welfare would prefer cashing a pay check to cashing a welfare check. Not only is it counterproductive, it is also wrong. It is wrong because it locks people into a cycle of welfare dependency and does nothing to improve their quality of life.

This issue strikes at the very core of what we are trying to accomplish in this Congress. We need to turn back to the States the programs they must administer.

Today, we are simply trying to comply with the President's wishes. He said he would like to see Wisconsin granted a waiver and that we should look to this plan as a model for future national reform.

My own State of Florida was granted a waiver to conduct two welfare demonstration projects. While the Federal waiver was granted in a more timely fashion than other States requesting such a waiver; the time span was still 5 months long.

Wisconsin passed its waiver with bipartisan support by receiving a two-thirds majority vote. This waiver was agreed to by the State legislature after 18 months of public debate. It certainly has had a significant review.

Welfare robs people of their self esteem and leaves them with little self respect. Let us put these people to work and give them the dignity they want and will receive when they are no longer on the dole.

My colleagues on the other side should remember that it is the President who endorsed this plan. Now we are being accused to playing politics. Why don't we pass this legislation and allow the people of Wisconsin to make their own decisions about the future of its State in terms of the type of welfare program it would like to have.

□ 1415

Mr. Speaker, I would like to conclude by reciting a passage from Genesis in

the Old Testament which sums up what this debate is really all about. It reads, "If any would not work, neither should he eat." Welfare represents the antithesis of what this line from Scriptures states.

Mr. KLUG. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I want to thank my colleagues who have been listening to this debate back in their offices as well as my colleagues on the floor. We have a very important fundamental choice before us today. To what degree do we trust the citizens of Wisconsin to make their own decision about welfare reform and to what degree do we think that Wisconsin's plan needs to be modified, changed, stapled, amended, or put through a blender by Washington bureaucrats?

Here is the fundamental point. The plan passed in the Wisconsin legislature 73 to 25, an essentially two-thirds majority in the State assembly. Republicans and Democrats. All Republicans and a majority of Democrats.

The Wisconsin State Senate? Seventy-five percent of people in the Wisconsin State Senate voted for the plan; 27 yes, 6 no. Three-quarters Republicans and Democrats were for what President Clinton called Wisconsin's bold welfare experiment.

Supporters? The current senate minority leader, after a special election this week, perhaps soon to be the current Democratic majority leader in the Wisconsin State Senate, and last time opponent to Governor Thompson for Governor, Chuck Chvala, said in support of, and voted for W-2, he said, "The final vote on W-2 presents legislators a choice. We can continue along a seemingly endless path that has fostered an impoverished dependency on government aid, or we can try a new direction in the hope of leading all Wisconsin citizens to a more dignified, more prosperous life of self-reliance based upon work, because that is the fundamental point in the Wisconsin plan; that it is not welfare but it is work."

Who else supports the plan; this kind of crazy idea floated up by a Republican Governor? The Democratic mayor of Milwaukee, John Norquist. In fact, he says he is worried, and has told the Clinton administration that he thinks W-2 does not go far enough. "I want the W-2 waivers to be signed quickly, but I want President Clinton to make sure that W-2 does not become welfare reform-like."

The Democratic mayor of the city of Milwaukee wants President Clinton to grant the waivers and wants Congress to act quickly to put the plan in the President's hands.

What did the President say again? "Last week Wisconsin submitted to me for approval the outlines of a sweeping welfare reform plan, one of the boldest yet attempted in America, and I am encouraged by what I have seen so far. I pledge that my administration will work with Wisconsin to make an effective transition to a new vision of welfare based on work."

Now, we have been accused on this side of misreading the President's words. All I can tell my colleagues is how the press read that. The press said that means that the welfare plan had been okayed by President Clinton. And we did not write this. That is the headline of the Wisconsin State Journal from Sunday, May 19, based on the President's radio address on Saturday that the Wisconsin welfare plan is okayed by Clinton.

Here it is one more time. "So the States can keep on sending me strong welfare reform proposals and I will keep on signing them. I will keep doing everything I can as President to reform welfare State by State if that is what it takes."

And that is what we are asking for here today in this body is to give Wisconsin the chance to reform welfare, to give us a chance to create a new vision of what welfare should be in this country; that we should reward work and not reward dependency. And that is what the President said on that Saturday that led to that headline.

Now, why are we trying to do this today? Because the fact of the matter is, despite the President's best intentions, despite speeches on both sides of the aisle, for far too long waiver applications come up here and they die. Twenty-eight welfare waivers currently pending involving 19 States, dating all the way back to September 20, 1993.

And under the Kleczka substitute what we say is, review it by the beginning of August. And then if we do not like it, we can review it longer and take our time; and then we will change waiver No. 8 and we will amend waiver No. 13; and we do not like waiver No. 16, so that is out altogether; and 32, well, we can talk about it and maybe it will take us to 1997 to get that done.

And along the way we will rewrite what Wisconsin wants to do. And pretty soon it is not Wisconsin's plan, it is a third Washington or a quarter Washington or a half Washington, and it is no longer what a bipartisan group in the Wisconsin State Legislature voted for after hundreds of hours of testimony and hearings and votes across the State of Wisconsin.

Wisconsin has a proud record, I would suggest to my colleagues, of innovation. We were the first place in this country to use primary election laws. The Wisconsin Workmen's Compensation Act of 1911 was a model for the country, the first Unemployment Compensation Act in 1932. Give us a chance to again lead this country into a new form of government. I ask Members to give Wisconsin's welfare plan their approval.

Mr. KLECZKA. Mr. Speaker, I yield the balance of my time to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Speaker, I thank the gentleman for yielding me the time.

When the legislature passed the bill that we are now discussing, which is, after all, effective come late 1997, when the Governor made the 1997 changes he made in that legislative product, the law was clear: The Department of Health and Social Services was supposed to review that plan after giving every citizen of the State of Wisconsin 30 days to make a comment on it.

Now, much has been said about the President and the fact that it has been 8 whole days and he has not approved the waiver. The President did not say in his radio address I shall be a rubber stamp for Tommy Thompson. What he said is I am encouraged by what I have seen so far, and then he went on to say, Wisconsin has the makings of a solid, bold welfare plan and I pledge that I will work with Wisconsin to make it work. That is what he said.

I would point out that the President, in 3 years, has granted 61 waivers to 38 States, including Wisconsin on a number of occasions. That, by the way, is double the number of welfare waivers approved in the entire 12 years that Ronald Reagan and President Bush were President; 1,400 Bush, 1,500 Reagan.

Now, I think what has happened is simply this. Speaker GINGRICH evidently got irritated because the President indicated, a few days before Mr. DOLE went to Wisconsin, that he liked what he had seen so far about the welfare plan and would work with Wisconsin to get it approved. And so, because of the Speaker's irritation, and perhaps we could solve that, maybe the way Wisconsin can stop being a ping-pong ball in the Presidential campaign is to make an agreement that neither party's candidate will come to Wisconsin in the campaign. Maybe that will take the politics out of it and we can get serious again.

But, anyway, the bill before us today says that there will be no opportunity for Wisconsin citizens to comment; that the Congress is simply going to vote for it sight unseen, with virtually no one in this House having any idea what is in the package except perhaps some of us from Wisconsin.

I would ask my colleagues one question. How much do we think people have really learned from this debate today about what is in the Wisconsin plan as it affects human beings? I would venture to say virtually nothing.

All the substitute does that the gentleman from Wisconsin [Mr. KLECZKA] is proposing is to guarantee that no action is taken before every Wisconsin citizen has a chance to comment for 30 days. And the amendment says that the department shall evaluate the plan not based on its own opinions but based

on the seven key features which the Wisconsin Governor himself has asserted are in that plan. If they are, this resolution says approve it.

That is all we ask. What is wrong with that? What are we trying to hide?

I would also point out that the gentleman from Wisconsin [Mr. SENSENBRENNER] is wrong when he says there is not a hard date. The language of the Kleczka amendment makes quite clear that the agency "shall complete such consideration not later than July 31, 1996." That is pretty clear to me. And guess what, it is written in English. We can even understand it. That is the deadline, folks.

So all I would ask us to do is forget the politics, forget the maneuvering, please do not continue what has become, unfortunately, a day-to-day event where the House appears to be nothing more than a political extension of the Presidential campaign. This House is better than that, at least it ought to be. We have a lot of serious work to do, let us do it in a serious way. Let us not demean our processes by every day in every way being nothing but ventriloquist dummies for our respective Presidential candidates.

This House has a lot of work to do. Let us get on with it and let us stop the political games. This is a political game. Do it the right way, support the Kleczka amendment.

Mrs. COLLINS of Illinois. Mr. Speaker, I rise in support of the amendment offered by Representatives BARRETT, KLECZKA, and OBEY, all of Wisconsin. Since the Gingrich-Armey Republicans have forced us to divert from development of a Federal Budget for Fiscal year 1997 so that we might have a chance to avoid government shutdowns like the Republicans brought about last year, and other priority legislation, this amendment seems reasonable.

This Wisconsin delegation amendment addresses major deficiencies in H.R. 3562, the Republican effort to legislate a routine administrative procedure. The Barrett, Kleczka, Obey amendment would assure that a 30-day comment period be observed on the issues contained in the waiver request, and that the Department of Health and Human Services conduct expedited consideration of the waiver request and certify that the Wisconsin plan would, in fact, accomplish what the Wisconsin Governor advertises that it will accomplish.

The Department of Health and Human Services has a responsibility to the people of Wisconsin to review the Governor's request to waive the Federal protections and services in place and on which they have a right to rely. In fact, when the Clinton administration took office, one of the first things they did was institute a review of the process and procedures to provide for innovation by States to develop reform experiments—but also safeguarding people's rights and beneficial governmental services or programs. On September 27, 1994, the Clinton administration published in the Federal Register new waiver request procedures.

This Wisconsin delegation amendment protects the interests of the Wisconsin people while guarding the public interest in (1) not providing an automatic welfare check, (2) requiring parents who are able and qualified to work as they bring their families to self-sufficiency, (3) providing child care and health care to qualified families, and (4) collecting child support payments and putting them to use for the best interest of the children.

I urge my colleagues to support this amendment to provide for an expedited process to be completed by July 31, 1996, using normal administrative review procedures which allow for public comments to be received and considered. This is our normal and expected process. It's part of what Americans expect and deserve in getting due process from their government. I support this substitute amendment and urge my colleagues to vote for this amendment.

For the RECORD, I am submitting the official waiver process for the Department of Health and Human Services.

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)

OFFICE OF THE SECRETARY, HEALTH CARE FINANCING ADMINISTRATION, ADMINISTRATION FOR CHILDREN AND FAMILIES [ORD–069–N]

Medicaid Program; Demonstration Proposals Pursuant to Section 1115(a) of the Social Security Act; Policies and Procedures

Agencies. Office of the Secretary, Health Care Financing Administration (HCFA), and Administration for Children and Families (ACF), HHS.

Action. Public Notice.

Summary. This public informs interested parties of (1) the principles the Department of Health and Human Services ordinarily will consider when deciding whether to exercise its discretion to approve or disapprove demonstration projects under the authority in Section 1115(a) of the Social Security Act, 42 U.S.C. Sec. 1315(a); (2) the kinds of procedures the Department would expect States to employ in involving the public in the development of proposed demonstration projects under Section 1115; and (3) the procedures the Department ordinarily will follow in reviewing demonstration proposals. The principles and procedures described in this public notice are being provided for the information of interested parties, and are not legally binding on the Department of Health and Human Services. This notice does not create any right or benefit, substantive or procedural, enforceable at law or equity, by any person or entity, against the United States, its agencies or instrumentalities, the States, or any other person.

For further information contact. Howard Rolston, Administration for Children and Families, Department of Health and Human Services, at (202) 401–9220.

Thomas Kickham, Health Care Financing Administration, Department of Health and Human Services, at (410) 966–6503.

SUPPLEMENTARY INFORMATION

I. Introduction

Demonstration Proposals Pursuant to Section 1115 of the Social Security Act—General Policies and Procedures

Under Section 1115, the Department of Health and Human Services is given latitude, subject to the requirements of the Social Security Act, to consider and approve research and demonstration proposals with a broad range of policy objectives. the Department desires to facilitate the testing of new policy approaches to social problems. Such demonstrations can provide valuable knowledge that will help lead to improvements in achieving the purposes of the Act. The Department also is committed to both a thorough and an expeditious review of State requests to conduct such demonstrations.

In exercising her discretionary authority, the Secretary has developed a number of policies and procedures for reviewing proposals. In order to ensure a sound, expeditious and open decision-making process, the Department will be guided by the policies and procedures described in this statement in accepting and reviewing proposals submitted pursuant to section 1115.

II. General Considerations

To facilitate the testing of new policy approaches to social problems the Department will—

Work with States to develop research and demonstrations in areas consistent with the Department's policy goals;

Consider proposals that test alternatives that diverge from that policy direction; and

Consider, as a criterion for approval, a State's ability to implement the research or demonstration project.

While the Department expects to review and accept a range of proposals, it may disapprove or limit proposals on policy grounds or because the proposal creates potential constitutional problems or violations of civil rights laws or equal protection requirements. The Department seeks proposals which preserve and enhance beneficiary access to quality services. Within this overall policy framework, the Department is prepared to—

Grant waivers to test the same or related policy innovations in multiple States, (replication is a valid mechanism by which the effectiveness of policy changes can be assessed);

Approve demonstration projects ranging in scale from reasonably small to state-wise or multi-state, and

Consider joint Medicare-Medicaid demonstrations, such as those granted in the Program for All-Incentive Care for the elderly (PACE) and Social health maintenance Organization (SHMO) demonstrations, and Aid to Families with Dependent Children (AFC) Medicaid waivers.

III. Duration

The complex range of policy issues, design methodologies, and unanticipated events inherent in any research or demonstration makes it very difficult to establish single Department of policy on the duration of 1115 waivers. However, the Department is committed, through negotiations with State applicants, to—

Approve waivers of at least sufficient duration to give new policy approaches a fair text. The duration of waiver approval should be congruent with the magnitude and complexity of the project (for example, large-scale statewide reform program will typically require waivers of five years);

Provide reasonable time for the preparation of meaningful evaluation results prior to the conclusion of the demonstration; and

Recognize that new approaches often involve considerable start-up time and allowance for implementation delays.

The Department is also committed, when successful demonstrations provide an appropriate basis, to working with State governments to seek permanent statutory changes incorporating those results. In such cases, consideration will be given to a reasonable extension of existing waivers.

IV. Evaluation

As with the duration of waivers, the complex range of policy issues, design methodologies, and unanticipated events also

makes it very difficult to establish a single Department policy on evaluation. This Department is committed to a policy of meaningful evaluations using a broad range of appropriate evaluation strategies (including true experimental, quasi-experimental, and qualitative designs) and will be flexible and project-specific in the application of evaluation techniques. This policy will be most evident with health care waivers. Within-site randomized design is the preferred approach for most AFDC waivers. The Department will consider alternative evaluation designs when such designs are methodologically comparable. The Department if also eager to ensure that the evaluation process be as unintrusive as possible to the beneficiaries in terms of implementing and operating the policy approach to be demonstrated, while ensuring that critical lessons are learned from the demonstration.

V. Cost Neutrality

The Department's fiduciary obligations in a period of extreme budgetary stringency require maintenance of the principle of cost neutrality, but the Department believes it should be possible to apply that principle flexibly.

The Department will assess cost neutrality over the life of a demonstration project, not on year-by-year basis, since many demonstrations involve making "up-front" investments in order to achieve one-year savings.

The Department recognizes the difficulty of making appropriate baseline projections of Medicaid expenditures, and is often to development of a new methodology in that regard.

In assessing budget neutrality, the Department will not rule out consideration of other cost neutral arrangements proposed by States.

States may be required to conform, within a reasonable period of time, relevant aspects of their demonstrations to the terms of national health care reform legislation, including global budgeting requirements, and to the terms of national welfare reform legislation.

VI. Timeliness and Administrative Complexity

The Department is committed to minimizing the administrative burden on the States and to reducing the processing time for waiver requests. In order to accomplish this the Department has adopted a number of procedures, including—

Expanding pre-application consultation with States;

Setting, and sharing with applicants, a well-defined schedule for each application, with established target dates for processing and reaching a decision on the application;

Maintaining, to the extent feasible, a policy of one consolidated request for further information;

Sharing proposed terms and conditions with applicants before making final decisions;

Establising concurrent, rather than sequential, review of waivers by all relevant units of the Department and with other relevant Departments and the Office of Management and Budget;

Exanding technical assistance activities to the States; and

Developing multi-state waiver solicitations in areas of priority concern, including integrated long-term care system development, services for adolescents, and services in rural areas.

The Department will continue to follow and development procedures, and commit internal resources to reviewing demonstration proposals, necessary for a sound and expenditures review process.

VII. State Notice Procedures

The Department recognizes that people who may be affected by a demonstration project have a legitimate interest in learning about proposed projects and having input into the decision-making process prior to the time a proposal is submitted to the Department. A process that facilitates public involvement and input promotes sound decision-making.

There are many ways that States can provide for such input. In order to allow for public input into the proposals, the Department expects States to ordinarily follow one (or more if the State desires) of the processes described in this section.

1. At any time prior to submitting a section 1115 demonstration proposal to the Department of Health and Human Services, a State may provide to the Department a written description of the process the State will use for receipt of public input into the proposal prior to its submission to the Department.

Within 15 days of receipt of such description, the Department will notify the State whether the described process provides adequate opportunity for public input. The Department will accept any process that—

Includes the holding of one or more public hearings, at which the most recent working proposal is described and made available to the public, and time is provided during which comments can be received; or

Uses a commission or other similar process, where meetings are open to members of the public, in the development of the proposal; or

Results from enactment of a proposal by the State legislature prior to submission of the demonstration proposal, where the outline of such proposal is contained in the legislative enactment; or

Provides for formal notice and comment in accordance with the State's administrative procedure act; provided that such notice must be given at least 30 days prior to submission; or

Includes notice of the intent to submit a demonstration proposal in newspapers of general circulation, and provides a mechanism for receiving a copy of the working proposal and an opportunity, which shall not be less than 30 days, to comment on the proposal; or,

Includes any other similar process for public input that would afford an interested party the opportunity to learn about the contents of the proposal, and to comment on its contents.

The State shall include in the demonstration proposal it submits to the Department a statement (a narrative of several sentences) briefly describing the process that it followed in implementing the process previously presented to the Department. The Department may find a proposal incomplete if the process has not been followed.

2. A State that has not followed the procedures described in paragraph 1. must submit a description of the process that was used in the State to obtain public input, at the time it submits its demonstration proposal. The Department will notify the State if the process was adequate within 15 days after the application is submitted, applying the same criteria as in paragraph 1. If the process was not adequate, the State can cure the inadequacy by—

Posting a notice in the newspaper of widest circulation in each city with a population of 100,000 or more, or in the newspaper of widest circulation in the State if there is no city with a population of 100,000, indicating that a demonstration proposal has been submitted. Such notice shall describe the major elements of the proposed demonstration and any changes in benefits, payments, eligibility, responsibilities, or provider selection requested in the proposal. The notice shall indicate how interested persons can obtain copies of the proposal and shall specify that written comments will be accepted by the State for a period of thirty days. If a State follows such a procedure, the State should respond to requests for copies of the proposal within seven days. The State should maintain a record of all comments received through this process.

All HHS commitments with respect to times for responding to demonstration proposals shall be tolled until this process is completed.

VIII. Federal Notice

The Department of Health and Human Services intends to publish a monthly notice in the Federal Register of all new and pending proposals submitted pursuant to section 1115. The notice will indicate that the Department accepts written comments regarding all demonstration project proposals.

The Department will maintain a list of organizations that have requested notice that a demonstration proposal has been received and will notify such organizations when a proposal is received.

IX. Comments

The Department will not approve or disapprove a proposal for at least 30 days after the proposal has been received, in order to receive and consider comments. The Department will attempt, if feasible, to acknowledge receipt of all comments, but the Department will not provide written responses to comments.

X. Findings

The Department will prepare a decision memorandum at the time a demonstration proposal is granted or denied, discussing why the Department granted or denied the proposal and how an approved demonstration meets the criteria established by statute.

XI. Administrative Record

The Department will maintain an administrative record which will generally consist of: the formal demonstration application from the State; issue papers sent to the State and State responses; public and Congressional comments sent to the Department and any Department responses; the Department's decision memorandum regarding the granting or denial of a proposal; and the final terms and conditions, and waivers, sent to the State and the State acceptance of them.

XII. Sub-state Demonstrations

When a demonstration is to be implemented in only part of a State, the State will be required to provide information on the likely demographic composition of populations subject to and not subject to the demonstration in the State. When relevant, the Department will require that the evaluation component of a project address the impact of the project on particular subgroups of the population.

XIII. Implementation Reviews

As part of the terms and conditions of any demonstration proposal that is granted, the Department may require periodic evaluations of how the project is being implemented. The Department will review, and

when appropriate investigate, documented complaints that a State is failing to comply with requirements specified in the terms and conditions and implementing waivers of any approved demonstration.

XIV. Legal Effect

This notice is intended to inform the public and the States regarding procedures the Department ordinarily will follow in exercising the Secretary's discretionary authority with respect to State demonstration proposals under section 1115. This notice does not create any right or benefit, substantive or procedural, enforceable at law or equity, by any person or entity, against the United States, its agencies or instrumentalities, the States, or any other person.

(Catalog of Federal Domestic Assistance Program, No. 93.779; Health Financing Research, Demonstrations and Experiments.)

Dated: September 16, 1994. Bruce C. Vladeck, Administrator, Health Care Financing Administration.

Dated: September 16, 1994. Mary Jo Bane, Assistant Secretary for Children and Families.

Dated: September 19, 1994. Donna E. Shalala, Secretary.

Ms. PELOSI. Mr. Speaker, I rise in support of the Kleczka-Obey-Barrett substitute calling for a 30-day comment period and administration certification for the Wisconsin welfare plan.

Mr. Chairman, I am concerned that the Wisconsin Works Welfare Program may result in greater poverty for children and families. I am concerned that Wisconsin Works eliminates the safety net for the State's working poor families. It is possible that it would eliminate child-care guarantees and Medicaid coverage. I am concerned that parents who cannot find jobs despite sincere efforts will be left destitute.

These questions remain because this legislation was never considered by a committee and was rushed to the floor with little notice.

The Kleczka-Obey-Barrett substitute would provide a public comment period and require the President to certify that this system can work and the plan meets the standards defined by the Governor. I urge my colleagues to support this substitute.

The SPEAKER pro tempore (Mr. BONILLA). Pursuant to the rule, the previous question is ordered on the amendment in the nature of a substitute offered by the gentleman from Wisconsin [Mr. KLECZKA] and on the bill, as amended.

The question is on the amendment in the nature of a substitute offered by the gentleman from Wisconsin [Mr. KLECZKA].

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. KLECZKA. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 194, nays 233, not voting 7, as follows:

[Roll No. 220]

YEAS—194

Abercrombie
Ackerman
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bevill
Bishop
Blumenauer
Bonior
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Durbin
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Holden
Hoyer
Jackson (IL)
Jacobs
Jefferson
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
Lantos
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Mascara
Matsui
McCarthy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Montgomery
Moran
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pomeroy
Poshard
Rahall
Rangel
Reed
Richardson
Rivers
Roemer
Rose
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Sisisky
Skaggs
Skelton
Slaughter
Spratt
Stark
Stenholm
Stokes
Studds
Stupak
Tanner
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torres
Towns
Traficant
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Watt (NC)
Waxman
Williams
Wilson
Wise
Woolsey
Wynn
Yates

NAYS—233

Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Cooley
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greene (UT)
Greenwood
Gunderson
Gutknecht
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Menendez
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Moorhead
Morella
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Parker
Paxon
Petri
Pombo
Porter
Portman
Pryce
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tate
Tauzin
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Torricelli
Upton
Vucanovich
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zimmer

NOT VOTING—7

Allard
Jackson-Lee (TX)
Lincoln
Mollohan
Quillen
Schiff
Zeliff

□ 1445

The Clerk announced the following pair:

On this vote:

Ms. Jackson-Lee of Texas for, with Mr. Quillen against.

Messrs. BERMAN, DOGGETT, TEJEDA, and HILLIARD changed their vote from "nay" to "yea."

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SENSENBRENNER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device and there were—yeas 289, nays 136, not voting 9, as follows:

[Roll No 221]

YEAS—289

Ackerman
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brewster
Browder
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cardin
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clement
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Costello
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fazio
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Geren
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Gordon
Goss
Graham
Greene (UT)
Greenwood
Gunderson
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson (SD)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
LoBiondo
Longley
Lowey
Lucas
Luther
Manzullo
Martini
Mascara
McCollum
McCrery
McDade
McHale
McHugh
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Minge
Molinari
Montgomery
Moorhead
Moran
Morella
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Orton
Oxley
Packard
Parker
Paxon
Payne (VA)
Peterson (MN)
Petri
Pickett
Pomeroy
Porter
Portman
Poshard
Pryce
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schumer
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stockman
Stump
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thurman
Tiahrt
Torkildsen
Torricelli
Traficant
Upton
Visclosky
Vucanovich
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wolf
Wynn
Young (AK)
Young (FL)
Zimmer

NAYS—136

Abercrombie
Baldacci
Barrett (WI)
Becerra
Beilenson
Berman
Blumenauer
Bonior
Borski
Boucher
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Clay
Clayton
Clyburn
Coleman
Collins (IL)
Collins (MI)
Conyers
Coyne
Cummings
Danner
de la Garza
DeFazio
DeLauro
Dellums
Dingell
Dixon
Doggett
Durbin
Engel
Eshoo
Evans
Farr
Fattah
Fields (LA)
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gibbons
Gonzalez
Green (TX)
Gutierrez
Hastings (FL)
Hilliard
Hinchey
Jackson (IL)
Jacobs
Jefferson
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
Lantos
Levin
Lewis (GA)
Lofgren
Maloney
Manton
Markey
Martinez
Matsui
McCarthy
McDermott
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Mink
Moakley
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Peterson (FL)
Rahall
Rangel
Reed
Richardson
Rivers
Rose
Roybal-Allard
Rush
Sabo
Sanders
Schroeder
Scott
Serrano
Skaggs
Slaughter
Stark
Stokes
Studds
Stupak
Tejeda
Thompson
Thornton
Torres
Towns
Velazquez
Vento
Volkmer
Ward
Waters
Watt (NC)
Waxman
Williams
Wise
Woolsey
Yates

NOT VOTING—9

Allard
Jackson-Lee (TX)
Lincoln
McInnis
Mollohan
Pombo
Quillen
Schiff
Zeliff

□ 1507

The Clerk announced the following pair:

On this vote:

Mr. Quillen for, with Ms. Jackson-Lee against.

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOURNING THE PASSING OF E. CHARLES GUSTAFSON, FORMER CHIEF REPORTER OF DEBATES

Mr. TRAFICANT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and include extraneous material.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. TRAFICANT. Mr. Speaker, one of the great friends of the House and a loyal servant to the House, Charles Gustafson, the former chief reporter of debates for this House, passed away June 1 in Annandale, VA. Many of us remember Gus sitting down here at the well. He was just a beautiful guy. At age 74 he passed away of emphysema.

Gus had joined the debate reporting staff in 1973, and retired in June 1995. At his retirement, Members will recall Gus was the last of the breed, the last of the pen shorthand writers to work in our well. Gus was born in West Parksville, NY. He graduated from high school at the age of 15. He then studied shorthand court reporting at Gregg College in Chicago, and worked as a court reporter in Cleveland.

During World War II, Gus served his country and the Navy aboard the battleship New Jersey, where he performed reporter services for court-martial activities. After the war Gus returned to Cleveland as a court reporter. Before moving to Washington and joining the staff here, he was a court reporter at the Mahoning County Court in Youngstown, OH, my hometown. Then Gus operated a freelance reporting office of his own in Youngstown, OH.

Survivors include his beautiful wife, Betsy, of Annandale, whom he married in 1946, and his two sons, Charles B. Gustafson of Annandale and Richard G. Gustafson of Seattle, and two grandchildren. For those Members interested, the calling hours are this evening from 7 to 8:30 p.m. at the Demaine Springfield-Annandale Chapel, and funeral services are set for tomorrow. If there are any Members wishing to attend, they can give the office of Official Reporters a call at 225-0331 for such arrangements. "Gus" Gustafson was just a great friend of all of ours, and we send our deepest sympathies to his family.

Mr. Speaker, I include for the RECORD a copy of the obituary for "Gus" Gustafson printed in the Washington Post on Wednesday, June 5, 1996.

The material referred to is as follows:

[From the Washington Post, June 5, 1996]

E. CHARLES "GUS" GUSTAFSON, REPORTER

E. Charles "Gus" Gustafson, 74, former chief reporter of debates at the U.S. House of Representatives, died June 1 at Sleepy Hollow Manor Nursing and Convalescent Home in Annandale. He had emphysema.

Mr. Gustafson joined the debate reporting staff of the House in 1973 and retired last June. At his retirement, he was the last of the pen shorthand writers to work in the House.

A resident of Annandale, he was born in West Clarksville, N.Y., where he graduated from high school at age 15. He studied shorthand court reporting at Gregg College in Chicago and worked as a court reporter in Cleveland.

During World War II, he served in the Navy aboard the battleship New Jersey, where he was a reporter for courts-martial.

After the war, he returned to Cleveland as a court reporter. Before moving to the Washington area and joining the House reporting staff, he was a court reporter at Mahoning

County Court in Youngstown, Ohio, and then operated a freelance reporting office in Youngstown.

Survivors include his wife, Betsy, of Annandale, whom he married in 1946; two sons, Charles B. Gustafson of Annandale and Richard G. Gustafson of Seattle; and two grandchildren.

WELCOMING PASTOR TRAVIS BARRICK, AND PAYING TRIBUTE TO THE PAGE CLASS OF 1996

(Mr. HUNTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUNTER. Mr. Speaker, I am proud to cohost, with my colleagues, Travis Barrick as our guest chaplain who this morning led our prayer in the House. It is especially appropriate that Pastor Barrick could give the prayer on the eve of the page graduation, since his son, Jesse, and the other pages of this class are graduating tomorrow.

Pastor Barrick is pastor at Calvary Chapel in El Cajon, CA, and now pastors Koinonia Christian Fellowship in San Diego County. We want to thank Pastor Barrick for joining us in wishing all of our pages Godspeed.

Mr. COBLE. Mr. Speaker, will the gentleman yield?

Mr. HUNTER. I yield to the gentleman from North Carolina.

Mr. COBLE. Mr. Speaker, I just want to reiterate what the gentleman from California said. These pages have done a great job. We hear oftentimes, Mr. Speaker, about pages running amok, engaged in drugs and assault and batteries, et cetera. These pages have done a great job here. If I think they are a good example of the young people across our landscape, we have little about which to worry. We thank you, pages, for what you have done.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2745, SHIPBUILDING TRADE AGREEMENT ACT

Mr. GOSS, from the Committee on Rules, submitted a privileged report (Rept. No. 104–606) on the resolution (H. Res. 448) providing for consideration of the bill (H.R. 2754) to approve and implement the OECD Shipbuilding Trade Agreement, which was referred to the House Calendar and ordered to be printed.

LEGISLATIVE PROGRAM

(Mr. FAZIO of California asked and was given permission to address the House for 1 minute.)

Mr. FAZIO of California. Mr. Speaker, I rise to inquire of the distinguished majority leader the schedule for next week.

Mr. ARMEY. Mr. Speaker, will the gentleman yield?

Mr. FAZIO of California. I yield to the gentleman from Texas.

Mr. ARMEY. Mr. Speaker, I am pleased to announce that the House has finished its legislative business for the week. Next week, Mr. Speaker, we will meet on Monday, June 10, at 12:30 p.m. for morning hour and 2 p.m. for legislative business. We have a number of suspension bills slated for consideration. I will not read through the list now, but a complete schedule will be distributed to all Members' offices. Members should note, however, that recorded votes will be held at 5 p.m. on Monday.

On Tuesday, June 11, the House will meet at 9 a.m. for morning hour and 10 a.m. for legislative business. We will consider H.R. 2909, a bill regarding the Silvio O. Conte National Refuge on the Corrections Day calendar. The House will then resume consideration of H.R. 3540, the foreign operations appropriations bill. Mr. Speaker, it is also our hope to consider the conference report for the budget resolution on Tuesday.

For Wednesday, June 12, and the balance of the week the House will consider the Department of Defense appropriations bill and the agriculture rural development and FDA appropriations act.

□ 1515

Both bills of course will be subject to rules.

Mr. Speaker, I would also like to add that it is my understanding that H.R. 2754, the Shipbuilding Trade Agreement Act, has been reported by the Committee on National Security and the Committee on Ways and Means. It is my intention to bring that bill to the floor as soon as our appropriations schedule allows, Tuesday next week, if possible.

Next week, Mr. Speaker, we should conclude legislative business and have Members on their way home by 2 p.m. on Friday, June 14.

I thank the gentleman for yielding.

Mr. FAZIO of California. Mr. Speaker, I wonder if I could yield further to the majority leader and ask if he could clarify what votes are going to occur on Monday. There is some question as to whether or not we might request that those votes, however few there may be, be rolled to Tuesday.

Mr. ARMEY. I thank the gentleman for yielding. We expect votes to be ordered on the suspension bills that I had mentioned earlier on Monday. Unfortunately, we will not be able to roll them this Monday evening.

Mr. FAZIO of California. Do we have any idea as to how many suspensions we may actually have on Monday? There is only one listed so far.

Mr. ARMEY. If the gentleman would yield, we are in the process of collecting them. There are some others. As I advised earlier, we will have the list in the gentleman's office certainly as soon as we can.

Mr. FAZIO of California. I wonder if the gentleman could tell me, and I would be happy to yield for the response, when he expects the Kennedy-Kassebaum health care bill to go to conference. I understand that there was some possibility that that might have occurred this week, and I know Members are interested to know.

Mr. ARMEY. If the gentleman would yield, we wait with great anticipation for the conference report on the health care bill. I will certainly have it scheduled for the floor as soon as I can upon reporting the conference report.

Mr. FAZIO of California. What about the possibility of perhaps, since that bill passed the Senate 100 to nothing, just offering the Senate version. Is there any possibility that that might occur? I would be happy to yield to the gentleman.

Mr. ARMEY. No.

Mr. FAZIO of California. Not surprisingly.

On immigration, we have not gone to conference on that bill yet. Is there any possible update the gentleman could give us on the progress or lack thereof on that bill? I would be happy to yield for a response.

Mr. ARMEY. If the gentleman will yield, I appreciate the concern about that bill. We are hopeful that we can get that conference together. Again, I am anxious to do so as soon as possible, as soon as we resolve a few minor details. We hopefully will be able to bring it back to the floor soon. I will announce it as soon as I can.

Mr. FAZIO of California. Is there any word on the gas tax and minimum wage bill? I will be happy to yield to the gentleman. Are those coming back from the other body at some point soon? I mean, there is an interest obviously as the gasoline crisis continues that we deal with that problem.

Mr. ARMEY. If the gentleman will yield.

Mr. FAZIO of California. I will be more than happy to.

Mr. ARMEY. I can only say that my, what is the word I am looking for, my intelligence reports from the other body tell me that Democrat Members of the other body are for some reasons I do not understand holding up both of those bills. We would try to see what could happen.

Mr. FAZIO of California. I thought there was an agreement on the other side to take them up in tandem.

Could I just simply ask in closing, is there going to be a night in the coming week that we can anticipate being here beyond, say, 8 o'clock? Does the gentleman have any late night in mind as we go into the week?

Mr. ARMEY. If the gentleman would yield.

Mr. FAZIO of California. I would be happy to yield.

Mr. ARMEY. I think in all fairness we should advise Members that we

would expect to be in later on both Wednesday and Thursday night, given the appropriations bills coming to the floor, depending upon the bill managers' success on both or either bill.

Mr. FAZIO of California. It is the intention to bring up the foreign operations bill, complete it, before we would go to the defense bill and follow with the agriculture bill? Is that the order in which they come?

Mr. ARMEY. Yes.

Mr. FAZIO of California. I appreciate the gentleman informing the House, and I yield back the balance of my time.

HOUR OF MEETING ON TOMORROW

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that when the House adjourn today it adjourn to meet at 10 a.m. tomorrow, June 7, 1996.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

ADJOURNMENT FROM FRIDAY, JUNE 7, 1996, TO MONDAY, JUNE 10, 1996

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that when the House adjourns on Friday, June 7, 1996, it adjourn to meet at 12:30 p.m. on Monday next for morning hour debates.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

APPOINTMENT AS MEMBERS TO WATER RIGHTS TASK FORCE

The SPEAKER pro tempore. Without objection, and pursuant to the provisions of section 389(d)(2) of Public Law 104–127, the Chair announces the Speaker's appointment to the Water Rights Task Force the following Members on the part of the House: Mr. Robert S. Lynch, Phoenix, AZ; and Mr. Bennett W. Raley, Denver, CO.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

HOOSIER HERO—SHELBY COUNTY YOUTH SHELTER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana [Mr. McINTOSH] is recognized for 5 minutes.

Mr. McINTOSH. Mr. Speaker, I rise today to give my Report from Indiana. Every weekend, my wife Ruthie and I travel the Second District of Indiana. So often we meet good people doing good things. These individuals strive day and night to make a difference. It's their hard-work and dedication that make our communities a better place. In my book, these individuals are Hoosier Heros. Hoosier Heros because it's their mission in life to reach out and lend a helping hand to their friends and neighbors.

Today Mr. Speaker, I'd like to recognize Judy Runnebohm, Ola Smith, the 19 member staff and 22 board members of the Shelby County Youth Shelter as Hoosier Heros.

Now, Judy is a good friend of mine and she has shared with me on many, many visits to Shelby County about her efforts to help troubled teens.

Under Ola Smith's leadership as the director and Judy's leadership as the safe place coordinator, the youth center has provided help to hundreds of children—runaways, homeless, and misguided youths.

For nearly two-thirds of these children, their lives have been turned around and they have been given hope for better lives. One young girl, Danielle, who stayed at the shelter shared her story: "When I was 12-years-old, I was a holy-terror. My step father mentally, physically and sexually abused me. I began to drink and get into a lot of trouble." Danielle wanted to turn her father in but he threatened to kill her. Finally 3 years later she turned him in. And she was placed into the shelter because he still roamed the streets. There, Danielle received the love she needed. Now today, at age 18, she is working, living on her own, and supporting herself. She is taking charge of her own future. And to this day she is telling others, like her, that if she didn't get placed in the shelter she would have turned to alcohol and drugs.

There are so many more touching stories from the young people who stay at the shelter. These are the so-called 'bad' children that society wants to over-look. Not too many folks will say: "Hey, I want to help the kids from the Juvenile Halls," but if we don't help these children now, who will?

At the Shelby County Youth Shelter, children receive a safe place to stay. And caring and sturdy hands are there to guide them through the rocky waters of their adolescence and sometimes, lonely and troubling times.

Mr. Speaker, Judy, Ola, the 19 workers and 22 board members at the Shelby County Youth Shelter are Hoosier Heros for this week.

Mr. Speaker, if I may, I'd like to include in my report from Indiana an inspiring story that a young intern shared with me about a young lady who has beaten the odds, because of her personal courage. That person is Jody Kammer.

Jody, an 18-year-old from my hometown Muncie, is known throughout Delaware County for her awesome ability to play volleyball. She spent many school days and weekends practicing and playing in tournaments, as well as playing volleyball for her school, Yorktown.

Jody was a member of the Munciana Volleyball Club which is an inner city team that travels throughout the Midwest. As a member of the club, she spent her summers traveling and playing in tournaments because of her love and dedication to the sport.

Jody has become an inspiration for her teammates, and all of us because of her struggle with a personal tragedy in her life. Last spring, Jody was diagnosed with hodgkin's disease. This form of cancer is not necessarily fatal with the proper treatments. But it requires a great deal of courage and strength to beat the disease. Jody Kammer had this strength and courage.

Once a month, Jody had to go for chemotherapy. She was left feeling weak, sick to her stomach, and sometimes it seemed overwhelming. She still challenged herself to keep on playing, no matter how tired or weak she became. Even when she was too sick, Jody still attended practices to help encourage the rest of her team.

Jody Kammer never gave up during her lengthy treatments. She had the courage to never give in. Jody knows the true meaning of teamwork.

Thanks to the support and prayers of her friends and family, miracles of modern medicine to fight the cancer, along with her own courage, she successfully fought the disease and it is now in remission. I am happy to report that Jody was able to participate in Yorktown High School's graduation ceremony. She has also been able to return to the normal club schedule for the remainder of the playing season.

In the fall, Jody will continue her education as a freshman at Colorado College.

Jody Kammer is an inspiring young lady, who has overcome a tremendous hurdle. Jody's bout with cancer is a story for all of us to remember. Her hard work and determination displays how one young lady's courage can give hope in following one's dreams.

Mr. Speaker, that is my report from Indiana. One of courage and hope. One of helping others less fortunate. To have hope for a better life.

STAFF AND BOARD MEMBERS OF SHELBY COUNTY YOUTH SHELTER

Don Passwater, President, Michael Vaught, Vice-President, William Ancil, Treasurer, Judy Michael, Secretary, James Beyer, Rita Mohr, Marilyn Bushfield, Floyd Montgomery, Lynn Fishburn, Mike Gerrish, Mary Jo Phares, Doug Heighway, Rev. Alan Rumble, Sheriff Michael Herndon, Phil Kaster, Jerry Lux, Michael Whitfield, Mary McQueen, Mary Bertotti, and Richard Craft.

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TRIBUTE TO THE PAGES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona [Mr. KOLBE] is recognized for 5 minutes.

Mr. KOLBE. Mr. Speaker, just a few moments ago on the floor we cast what would be for this group that is standing around the back of this Chamber here the last vote for their page careers, not, I trust, the last vote for their careers. I suspect some of them we will see back here again in some capacity.

Today and tomorrow, today from the business of the House, tomorrow when they hold their graduation exercises from the page school class marks the end of yet another milestone, another class of our page group.

I rise today to make this special order as the vice chairman of the page board, a former page myself. I do so with making my remarks on behalf of myself and the gentleman from Missouri [Mr. EMERSON], whose therapy for his illness has made it difficult for him to be in the Chamber at this hour, but asked that I especially say to the young people that he joins me in my remarks and joins in wishing them all the very best. I suspect that each of the comments that will be made by others here, that he also would join in those.

Let me, if I might, begin by yielding to a classmate in another class, another page member from a later class, I should say, the class of 1967, the gentleman from Mississippi [Mr. WICKER].

Mr. WICKER. Mr. Speaker, I thank the gentleman from Arizona for yielding me the time.

I am addressing the House today, Mr. Speaker, from the Democrat side of the aisle, which is unusual, but I do so for a purpose. That purpose is to recall that, when I was appointed a page in 1967, I received that appointment from a Democrat, the Honorable Jamie Whitten, who served as my predecessor for some 53 years in this House of Representatives.

□ 1530

No sooner had I arrived than I was assigned to the Republican page desk. Who knows, Mr. Speaker, that may have made all the difference.

I want to congratulate these pages, to tell them, Mr. Speaker, how much we appreciate them and how much we realize that they contributed with their hard work. They have been part of a very, very proud tradition in this House of Representatives, and I congratulate them on their accomplishments and wish them well. They will take with them many valuable memories.

I look back on my time here in 1967 and I recall some of the people who I regarded as giants in this House, leaders like Jamie Whitten; Gerald Ford, then the minority leader; John Rhodes; Mel Laird; John McCormick who served as Speaker, a Democrat, during my time here as a page. Who knows what names this group will take with them. Certainly GEPHARDT and GINGRICH. But it might be that they look back on the giants of KOLBE and DAVIS and ROHRABACHER. Who knows who they will look back on years from now?

I hope they will take other memories with them as well, including addresses by Presidents and Prime Ministers. They were here, Mr. Speaker, on the day that BOB DOLE announced his resignation from the U.S. Senate. They were here during poignant times to hear the announcements of the death of a Cabinet member, the death of a member of the Joint Chiefs of Staff. They will recall fiery debates, all-night sessions, Government shutdowns.

I also hope, Mr. Speaker, that they will take with them the memory of times of comity and civility and bipartisanship and good will, because there were also those times during their service here in the U.S. Congress.

I hope they will remember that they worked with able men and women of goodwill from all across the country, of both political parties, doing their best to represent their constituencies. And that we are doing our best as Members of this Congress to make sure that their generation, and their children, will be able to enjoy a brighter future.

I salute these pages, and I wish them the very, very best.

Mr. KOLBE. I thank the gentleman from Mississippi for his very warm remarks. I think it especially comes from the heart when you have been a former page yourself and have a feel for the experience that all of us that were pages have had here. I appreciate very much the gentleman's taking the time to be with us. I know, like myself, he needs to be in the Committee on Appropriations and I will be headed there soon but I thank the gentleman very much for joining us in this tribute to our pages.

Mr. Speaker, I yield to the gentleman from Michigan [Mr. KILDEE], who is a member of the Page Board with me, and with whom I have served for the last 2 years in this capacity, and it has been a great honor for me to serve with him.

Mr. KILDEE. I thank the gentleman for yielding. Tomorrow night we will bid our formal good-byes, farewells, but you will come back to the pages who have served us so well in the 104th Congress. I see them standing back there with the former Clerk of the House, Donn Anderson, who still wears his page ring with great pride.

The pages here operate in three different areas, here on the floor of the House on Capitol Hill; in the school in the Library of Congress; and in the dorm. The pages have operated very well in all three of those areas this year, and I am very, very proud of them. The pages really see Government like no one else sees government. As a matter of fact, they see through eyes that I have not seen. I have talked to pages before, and they observe things that I would not have observed had I not talked to some of the pages. They have seen Congress at its best and its not so best at times. They have seen Government close up, more close up than those who have participated in a program called by that.

Albert Einstein once said that 100 times every day I remind myself that my inner and outer life depend upon the lives of others, living and dead, and that I must exert so I may give in the same proportion as I have received.

You really have received a great deal and you have given a great deal here in the floor of the House. But I also ask you when you go back home to give and share that experience which you have had here in the House of Representatives.

You have seen heads of State, you have seen the President of the United States, you have seen changes in Government, changes here in the Congress of the United States that are historical.

I commend you to go back and do that. Because at the beginning of the third millennium, which will start just 5 years from now, in the year 2001, at the beginning of that third millennium, you, the pages of today, will begin to take control of the institutions in this country and in this world. It is very, very important. You will be beginning to reach out and take control. Some day some of you may return here. You may be involved in science and in business, but whatever capacity, looking at you, I know that you are the ones who can take control and shape the future of this country and of this world.

Franklin D. Roosevelt about 60 years ago uttered these words and I think they are as appropriate today as they were when he uttered them years ago. He said, this generation of Americans has a rendezvous with destiny. I have look at you, talked with you, and I am confident that you, the pages of the 104th Congress, can meet the challenges of that rendezvous. You give me great hope for the future. Thank you very much and God bless you.

Mr. KOLBE. I thank the gentleman from Michigan for those words that he said on behalf of our pages. I must say that it has been a great pleasure for me to work with DALE KILDEE as a member of the Page Board as we have gone through some of the trials and tribulations this year, through the certification of the school, its accreditation. It has been a great experience to work with somebody who has such a commitment to this program and to the young people who are with us here today, and I thank the gentleman for joining us.

I would like now to yield to another member of the same class of 1967 that we heard from earlier, the class of the gentleman from Mississippi [Mr. WICKER], another page from that class, the gentleman from Virginia [Mr. DAVIS].

Mr. DAVIS. I appreciate my friend yielding. I, too, rise to pay tribute to the retiring pages. They are part of a proud tradition that has brought many Members back into this body either as Members or as legislative aids or to the Clerk of the House.

When I was a page, 1963 to 1967 was the 4-year period that I served, and I ended up graduating in a class of 18. I could always brag I was in the top 10 in my class. I was able to say that for my life. I do not know if I would have been able to do that or say that had I gone anywhere else.

We do not always appreciate the work ethic and the discipline it takes to be a page, to be able to keep up the academic side of being a page, their studies, their regular high school courses, and at the same time come to work on the House floor, often staying until very late in the evening and not having time to get to the books until much later. I hope this has been good training for them. I think this should put them in good stead throughout their life, if they can learn that kind of discipline and balancing.

This group of pages has really performed in an outstanding manner. They have witnessed and been a part of a number of the historic changes that this Congress has undergone. They have witnessed, as the gentleman from Mississippi [Mr. WICKER] noted, the longest Government shutdowns in our history, probably not one of the proudest eras in the relationship between the Congress and the President, but they were a part of that, a part of some of the toughest budget battles in our country's history.

I am very proud of the job that they have done and been very proud to be associated with them. I think they leave a good legacy for the next group that will come in. I hope they will come back and visit us often. I hope some of them are inspired maybe to go into elective office or serve as public officials. I cannot think of a better way to help one's fellow man. For this Member and for, I think, many others who could not be here this afternoon, they not only have our good wishes, but we wish them good luck and Godspeed.

Mr. KOLBE. I thank the gentleman for his comments, and appreciate very much the fact that we have two of our freshman class, outstanding Members, who have been former pages. That can be a challenge to our pages that are here with us today.

They have been with us for the better part of this last year, for the school year. They have seen, as has been already pointed out, a lot of things that have gone on on the floor of the House of Representatives, and I expect those experiences are things that they will remember, if they are like the rest of us, that they will remember for a lifetime.

I would be happy to yield to the gentleman from California for some comments.

Mr. CUNNINGHAM. I thank my friend. First of all, I have been honored, two great honors in this House, and both of those are being selected as a guest speaker for the pages going away at their class party. I call them critters, because they are critter power, and we could not do this job around here without their assistance.

My favorite speaker is a guy named Will Rogers. He tells stories. I would like to give you a story I think is important.

I would say to my friend from Michigan [Mr. KILDEE], with whom I serve on the Education Committee, I am the world's worst baseball player. I grew up in a little town of 2,133 folks in Shelbina, MO. To tell you how bad I was in baseball, we did not even have a baseball diamond at the school. We had to go to the fairground to play.

At that fairground, to show you how bad in baseball I was, I was sitting on the bench during practice, and we did not have too many people to pick from in Shelbina, MO to play, but we had to field two teams for practice. I remember walking up to the coach, taking my baseball glove. I looked at the coach and I was mad because I was not out there playing, and I threw my glove and I hit the coach right in the chest and I said, "I quit."

I walked all the way through the length of Shelbina, which took about 30 seconds, and walked into my house. My dad said, "RANDY, what are you doing?" I said, "Coach won't let me play." I said, "I quit." That was the wrong thing to tell my dad.

My dad literally picked me up by the ears and walked me back out to that baseball diamond. I did not want to see that coach at that moment, or my peers. But I remember the words of my dad, whom I lost a year and a half ago, when he said, "Coach, my son may never play another second on this baseball team, but quitting becomes a way of life, and I don't want my son to be a quitter."

The coach let me back on that team. I did not play very much, but I at least learned a lesson from my dad, and I hope you take a lesson from this: Never, ever, ever quit. Take back a positive response, whether you are a Democratic side critter or you are a Republican side critter. God bless you, and if any of us can ever be the wind in your sails, please give us a call.

Mr. KOLBE. I thank the gentleman from California for his remarks, and if the gentleman from Florida would like to add something to this, we would be happy to hear his comments.

Mr. MICA. I did want to come out and make a couple of comments about our page class. We have been really honored to have these young men and women come among us. They have served the Congress and their country so well. I think each of the Members know that. They have also had to endure some long speeches, some great speeches, and some terrible speeches, but they have learned a part of the process. Hopefully I have given some of both.

But I did want to come out and say how much we appreciate every one of them. They are just like our own children, our own young men and women in our own homes. They come here to serve the Nation. They are really a little bit like the Congress, because we all came from so many different parts of the country, and you have your viewpoint as to what the Congress is like, you have your thoughts about what it will be like when you get here, and then you get here and you serve.

The pages are reflective really of this Nation. They come here from every walk of life, and they have had so many experiences, like we do. We get to learn from each other and the Congress. They have gotten to learn from us and from each other in their service.

So it has been a learning experience for them, an exciting experience for me. I have had two pages from my district here at exciting times, and they have shared them and I have shared them, and we will miss them as they leave now.

But I also wanted to take just a minute, there are people behind the scenes, too, that they have grown to respect, and love and admire and who each of us love, respect, and admire, who oversee this flock. These young men and women just do not come here and are left on their own.

Perry Sampson has done such an incredible job; Tim Harroun; Joelle Hall is just a treasure; and Jim Oliver in the Republican cloakroom on our side have done so much. I could not come up and recognize the pages on our side without recognizing them.

But on either side of the aisle, we thank you for your service, we congratulate you as you graduate and go on, and we hope that as you graduate,

you have found this as great an experience as I have in serving the Congress and the country in this fashion.

□ 1545

Mr. KOLBE. I thank the gentleman for his kind remarks and especially the comments he made about the staff that supervises the pages on both sides of the aisle and in our cloakrooms, as well as the teachers in the school and the monitors in the dorms who really make this program a success for these young men and women.

I am very pleased to yield a couple of moments to the gentleman from California.

Mr. DORNAN. Mr. Speaker, I thank my friend from Arizona. You have as great an inspiration as anybody will ever have at your age in Peggy Sampson from the cloakroom on our side. I know there are great folks in the other cloakroom. She was a lady cop, a police officer, for a long time.

I know that some of you just said some nice things to me about talking about heroes on this House floor. The amazing thing is how often in our lives we pass heroes all the time and never notice that they are any different than anybody else. It is just that they volunteered. They were a vanguard. They extended themselves.

We used to have sitting here for the first 10 or 15 years I was in this House, for the first 10 or 12 years in the time of the gentleman from Arizona, [Mr. KOLBE], a gentleman named Chris Highly. He was small in stature, had pure white snowy hair and the face of an angel even as he approached retirement. One day he passed me in the hall and thanked me for mentioning D-day, and today is the 52d anniversary of D-day. I said is that day special for you? He said, yeah, I was there. I said you were not in the first or second wave, were you? No, no I was not. Well, did you go in like leader Bob Michel a few days later, that afternoon? He said, no, I went in at 3:30 in the morning. I said, 3:30 in the morning? I said, the first wave hit the beach after 6 o'clock. He says, well, I was a combat engineer; we had to go on the beach early to make it safe for the invasion forces in the morning, safer, to blow up the tank traps.

Donn Anderson, who is a legend around here, was the cause of one of the greatest ceremonies ever in this beautiful building. Down in the crypt area one floor down he arranged to display, I hope forever, as long as this free country survives, the first Medal of Honor ever given to a young enlisted man who had been captured. Eight of his friends, hung by their neck and killed by the opposing forces in the South, had stolen a train. There were prisoner exchanges in that early part of the Civil War, so they exchanged a few of them and a group got the Medal of Honor. The first went to a man named Parrot. and Donn arranged for Adm. Bulkeley, who just died a few weeks ago, some of you remembered my tribute to him, Adm. John Duncan Bulkeley, who had taken MacArthur off Corregidor, he arranged for Admiral Bulkeley to come into the building, down to the crypt area, and say a few words about a time of heroes, which 52 years ago certainly was.

I have signed some of your books. Godspeed in all your endeavors. Try to be different. Try to find some way as a man or a woman to make a mark, to respect that fireman. I know some of you saw Back Draft, and what is the name of it, the movie that was on this week? That was based on fact. More firefighters die in this country than police officers and too many men and women are dying wearing blue and khaki defending us from a crime wave that involves so many young people.

Billy Graham was in that Rotunda May 2. He said some frightening words to all the leadership of the House and the Senate. He said we are a Nation on the brink of self-destruction. How can that be in a Nation of such wealth and bounty and physical beauty and so many charging young people like yourselves?

Do not let it happen. Make a difference. Stand for something and never forget your wonderful days here at the seat of our Government. The Presidency is important, but they put that White House down in the swamp. They put us on the high ground of Jenkins Hill that we now call Capitol Hill. This is first among equals of our tripartite Government, and this is the people's House where all the money bills start, all the taxing starts and where most of the legislation begins that has to do with our domestic scene.

Godspeed again. Go out there and let them know that you were alive for a while in this great country. God bless you.

Mr. KOLBE. Mr. Speaker, I thank the gentleman from California for his stirring remarks and words about heroes in our lives.

I would like to yield to one of our distinguished new freshmen Members, the gentleman from Oklahoma [Mr. Watts].

Mr. WATTS of Oklahoma. Mr. Speaker, I thank the gentleman from Arizona for yielding time to me.

I too want to say my good-bye, my official good-bye, to the pages from both sides. I have served in this body now for about 17, a little over 17 months, and I have worked with many of these young people and have learned from them, and I hope that they are taking something positive and that they have learned something from this distinguished body.

Before I came to Congress one of the things I did was I was a youth minister at my local church, and I must say that you guys have represented the youth of America very, very well. I know there were times when I have worked with the youth in our community around the State of Oklahoma and around the country when I have gone into some community to speak and sometimes I have worked with some young people that I have kind of wanted to take them and hang them out the second story of the church building and kind of drop them on their head. They would do things and say things that I would just kind of think, well, are they worth working with, and I would want to give up on them. And my pastor several times would remind me that what we build and nourish and encourage the youth of America to be today is what this country is going to be 20 years from now.

As I have worked with you guys over the last 17 months, I am encouraged that America's tomorrow is going to be very, very bright because of what you guys have represented. You have represented your families well, you have represented your respective cities very well, and you have been a real knight in shining armor, a real star in the 104th Congress.

Again, I hope that you have taken something positive from this body, from this experience. You have been a delight to work with. I appreciate your efforts on behalf of the 104th Congress. And on behalf of myself, again, I wish you well. I wish you Godspeed. Keep the chin up and keep smiling. Thank you.

Mr. KOLBE. I thank the gentleman from Oklahoma for his wonderful words. And let me just conclude with a couple of thoughts of my own.

The gentleman from California, Mr. CUNNINGHAM, spoke about the lesson he learned about not being a quitter, and Mr. DORNAN spoke about the heroes in our lives. I can say from having worked with this class during the course of this year, they are not quitters. The class knows, as well as I do, that it has been a tough year.

There have been some ups and downs within the page school group, but that will not be the defining thing they will remember. They will remember, I think, the more positive experiences that they have had here, and none of them have been quitters. They have stuck with this.

It has been tough at times and not just tough physically to do this job, and there are times when you wonder about whether you should quit. I can remember when I started this experience I dreamed of becoming a page, and then the day came and suddenly I was flying off to Washington, DC, and I was a scared little kid. But I am glad I stuck with it because I think it has been one of the defining experiences of my life.

I hope you take away from this an understanding of the complexity of our Government; that it is a very complex

place. I hope you take away from it the understanding, as was said earlier by BOB DORNAN, that this is truly the people's body; that you have spent the better part of a year in probably the most important place on the face of this Earth for democracy.

This has been the model, the dream, the hope of hundreds of millions of people all over the world that they could emulate our democracy, and it is the House of Representatives, the people's body in the legislative branch of our Government that is the symbol of this democracy for this country, and really for the whole world, and you have been privileged to spend your time here and work here. I hope you will take that away with you and I know you will.

I think you have also learned a great deal. If my experience is any measure, you have learned a great deal about yourself as well, about your own capabilities, your own limitations, your own hopes and dreams. You have probably gained a lot in your own self-esteem.

Most of you will not go into politics, I suspect, but there will be some of you that will. Whether or not you go into politics, the experience that you have had here is one, I think, that will last for an entire lifetime, because I think these experiences go with you regardless of the career or the profession that you have. They are experiences not about Government, not about our Congress but about life itself and about the meaning of this country and the meaning of our democracy.

I think it is for that reason that this program is so important and that we not ever say that we are going to end this program. Many people have said it would be so much easier to hire people to be pages, to hire graduates, to hire people who were older; that you do not have to worry about a school and a dorm and things like that. But we would be missing something. We would be missing the challenge of having young people in our midst, and we would be missing giving this experience to so many, to more than 100 people in the course of a year and a summer that has this experience and that goes out and carries this message to the rest of the country.

So that, in conclusion, is the challenge to you, to take the message, to go out and to talk to others when you go back to your school next year, when you go off to college, when you go into life, about what this country means, about what democracy and freedom and liberty and the legislative process means for all of us.

Mr. Speaker, at this point I want to insert in the RECORD a list of all pages who have been with us for this spring semester, and I know that they will all want to get a copy of the CONGRESSIONAL RECORD tomorrow so that they will have that available to them.

I wish them well in their future endeavors. I congratulate them on the completion of this event. Godspeed and God bless each of you.

The information referred to follows:

HOUSE PAGE SCHOOL SPRING SEMESTER 1996

Tobin Addington, C.J. Albertie, Cheryl Arensdorf, Jesse Barrick, Theda Browdy, Beth Burhenne, Melissa Chesnov, Camrin Christensen, Rachael Clark, Matt Claypool, Chris Creaghe, Charlotte Coffee, Lisa Dang, Karyn Dest.

Chris Finnegan, Alice Ganier, Geffrey Gismondi, Jennifer Hall, Thea Handleman, Kim Harrington, Nancy Hogan, Dan Hughes, Amy Johannes, Mark Johnson, William Johnston, Richie Jones, Jessica Kirk, David Kizler, Melinda Knox.

Bonnie Kress, Robert Leandro, Chris Legett, Tim Lipke, Greg Lundell, Kristen Marconi, Megan Marcus, Kate Martin, Travis Martin, Angie McKinney, Sarah Metthe, Stephanie Moore, Michael Morrow, Jennifer Mueller, Jacquelyn Nash.

Greg Newburn, Matt Patton, Tonya Petty, Lyandra Retacco, Philip Ross, Trese Ruffino, Rebecca Sage, Rachel Schatz, Brian Sells, Kris Soma, Bethany Spencer, Jessica Stults, Matt Tenney, Kathryn Watts, Emily Wengrovius, Julia Whitley, Melissa Young.

Mr. EMERSON. Mr. Speaker, today marks the last day of service of our current class of pages. For those who may be unfamiliar, we have a system here by which most pages serve for the school year, commencing their activities in September and ending in June, and then from June until September we have what we call summer pages. But the pages who are here with us for the school year are all juniors and tomorrow they will have their going away ceremony.

As the current chairman of the House Page Board, I wish to pay particular tribute to this very wonderful group of young people who have rendered distinguished service to the 104th Congress.

Mr. Speaker, I hope that this experience has been for them everything that we hoped that it would be. As many folks here know, I am a former page and personally know that the House Page Program is a great learning experience, one which I hope this class of pages will remember and benefit from all of their lives. I can truly say that for me in the 83d and 84th Congress being a page was probably the finest, most objective, educational experience of my life. I've said many, many times that you learn as a page by doing and observing and participating, and that is just an awfully lot different than reading about it in the textbooks.

So, on behalf of the entire House, I wish all of our departing pages well in their personal endeavors. Some of you will go off to college, others to the military, and others to perhaps a myriad of other pursuits. Hopefully, this experience will serve as a constant point of favorable reflection throughout their lives and that it begins a path of much success and happiness and good health in all understandings.

Finally, Mr. Speaker, I want to say to the pages a hearty thank you for all that they have done this semester and this past year. In going forward, I want to extend to them my own best wishes, the best wishes of the entire House, and wish them Godspeed in life's future course.

PRIVATE MORTGAGE INSURANCE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Utah [Mr. HANSEN] is recognized for 5 minutes.

Mr. HANSEN. Mr. Speaker, if I told you that you owed me $50 a month for 30 years would you pay it if you did not have to? If you answer yes, I have some private mortgage home insurance [PMI] for you. But if no is your answer, then why are thousands of people doing it?

Private mortgage insurance [PMI] is to provide lenders—or the ultimate purchaser of a loan—protection against a home owner's non-payment. The insurance typically insures a percentage of any potential loss. The majority of people buying homes nowadays put down less than the traditional 20 percent of the home purchase price. As a result, many of these homeowners have accepted the fact that they have to commit a part of their monthly home mortgage payment—typically $50 to $90 to pay for mortgage insurance.

The problem arises when the homeowner overpays private mortgage insurance; can't cancel the PMI; or is not told that they have the right to cancel it. It is not a new problem, but one that has made many servicers and insurers rich. It has been going on for years. What makes private mortgage insurance even more sinister is that those who are mostly taken by it are the ones that need the money most, once they are not required to pay it.

Nineteen years ago, a secretary in Dallas, TX, purchased her home for $26,000. She financed $22,950 and was required to purchase private mortgage insurance [PMI], which is required as a condition of making a loan to a homeowner with less than 20 to 25 percent down on a home. At no time was she told that she had a right to cancel the mortgage insurance. Over 19 years later, she and her husband are still paying PMI. Why? Her current loan to value ratio is almost 90 percent, which means that her debt is 10 percent of the value of her home.

Her home mortgage servicer continues to charge these premiums every month even though it knows that the PMI is unnecessary when it passes a certain amount. In fact, her home mortgage servicer has been charging her for PMI, even though the owner of her home mortgage requires zero insurance. Moreover, she has been required to overinsure her home mortgage for years. As the investor's insurance requirement decreased, her servicer continued to keep the original coverage amount in place. So, she has been a victim of paying insurance for too long. Her servicer has been overinsuring her home loan, and failing to cancel the insurance when it knew she had the right to, and failed to even tell her that she could insist on the cancellation of the insurance.

She is not alone. The above example is just one of the 315,000 homeowners that her lender services. Her lender,

even at the more conservative fee of $50 a month for PMI, could theoretically collect tens of millions of dollars a year in PMI charges for the home mortgages it holds. It is time that we stop the scam.

It is time to stop sticking it to hard-working homeowners. I have introduced H.R. 3556 that will correct this problem and will: First, require the lender or person making or arranging the loan to disclose to the homeowner that PMI is and how it can be canceled and second, provide the homeowner with the right to cancel PMI. If the borrower has met the mortgage owners requirements for cancellation, ie., a good payment history and if once the equity in the property has reached or exceeded 20 percent of the original appraised value of home.

This bill will continue to protect mortgage lenders, insurers and mortgage servicers, while at the same time protecting thousands of people throughout the United States who have PMI long after all requirements for release are met.

□ 1600

REBUILDING IN OKLAHOMA CITY

The SPEAKER pro tempore (Mr. STEARNS). Under a previous order of the House, the gentleman from Oklahoma [Mr. LUCAS] is recognized for 5 minutes.

Mr. LUCAS of Oklahoma. Mr. Speaker, last Thursday, I addressed the House about a situation very important to the rebuilding efforts in Oklahoma City following last year's bombing of the Alfred P. Murrah Federal Building. Eight days later, the clock continues to tick, and money desperately needed by the people of Oklahoma City continues to not be fully utilized for disaster relief purposes.

I am here today to remind the President that he, and he alone, has the statutory authority to follow up on his declaration of the bombing as a national emergency, by suspending the Davis-Bacon Act for these funds. I stress the word "remind" because I have already sent him two letters on this subject, and this is now my second speech on the floor of the House. The President witnessed first hand the devastating destruction caused by the bombing and had the chance this past April to see how little progress has been made in rebuilding Oklahoma City despite enactment of the $39 million in CDBG funds last July.

If the President agrees with me that the people of Oklahoma City should be able to fully utilize the funds we granted them, then he should agree to suspend the Davis-Bacon Act and treat this situation as nearly all other disasters and emergencies have historically been treated. The Robert T. Stafford Disaster Relief and Emergency Assistance Act, as utilized by FEMA, makes no mention of Davis-Bacon, meaning that these requirements do not apply to FEMA funds. Oklahoma City should not be treated any differently. As long as small contractors are forced to spend more time filling out paperwork and computing the correct wages than actually completing their job, this goal cannot be accomplished. Every dollar that is spent in excess of original estimates due to Davis-Bacon, is a dollar that is essentially taken away from the rebuilding efforts.

Mr. President, as you know, this can all be resolved today. By stating that you intend to suspend Davis-Bacon for these DCBG funds, you will be siding with the people of Oklahoma City who are working hard to rebuild their city despite all obstacles. We should all be doing everything we can to make their job easier. In fact, I believe that the Federal role in disasters such as this is to empower the communities affected. The national response to Oklahoma City after the bombing was truly special, and I am forever indebted to all those who acted quickly to assist Oklahoma City. Now, I believe we must continue this cooperation and suspend Davis-Bacon so that the relief efforts are not hindered and so that Federal relief funds are not taken away from those attempting to rebuild this great city.

Despite your silence on this matter, Mr. President, I trust that you too want these funds to be properly used, and I sincerely hope that you will take the necessary action to ensure this.

At this time, I ask unanimous consent to enter into the RECORD a letter from Oklahoma Governor Frank Keating, and the mayor of Oklahoma City, Ronald Norick, supporting my efforts and urging the President to use his authority to suspend Davis-Bacon.

THE CITY OF OKLAHOMA CITY,
June 5, 1996.

Hon. WILLIAM J. CLINTON,
President of the United States, The White House, Washington, DC.

DEAR MR. PRESIDENT: Congressman Frank Lucas recently made a request on behalf of The City of Oklahoma City for further assistance in rebuilding our community after the bombing of the Alfred P. Murrah Federal Building. The request was for a suspension of the Davis-Bacon Act requirements as it relates to the CDBG funding for bombing relief.

As you know, the damage to our city was extensive and recovery efforts are in the early stages. We must maximize the relief funds provided to Oklahoma City in order to rebuild the north area of downtown. You could save our community some $15 million by suspending the Davis-Bacon wage rates for the federal funds we received for this disaster. This $15 million could be used to provide additional assistance to those impacted by the bombing and to further rebuild the area around the Murrah site. (Specific examples of savings were included with the request from Congressman Lucas.)

We realize you have the authority to suspend the Davis-Bacon Act's requirements in times of national emergency, and on April 19, 1995, you declared a national emergency for Oklahoma City. This tragedy continues to be a national emergency in Oklahoma City, and the impact on our local economy is much greater than we originally estimated.

Your support of Oklahoma City and assistance with the revitalization of the bombing area is greatly appreciated. We hope you will seriously consider this request and continue to help us as we rebuild our community following last year's tragedy. Thank you for your attention to this issue.

Sincerely,

RONALD J. NORICK,
Mayor.

STATE OF OKLAHOMA,
OFFICE OF THE GOVERNOR,
May 28, 1996.

Hon. WILLIAM J. CLINTON,
President of the United States, The White House, Washington, DC.

DEAR PRESIDENT CLINTON, I am pleased to write in full support of the request Congressman Frank Lucas has made regarding executive suspension of Davis-Bacon Act provisions in connection with CDBG funding to restore bomb damage to our community. As Congressman Lucas notes, there is precedent for such action, and I would encourage you to move swiftly and positively in response to the initial request made by the City of Oklahoma City.

As we discussed during your visit to the bomb site in April, much remains to be done to restore property in the downtown Oklahoma City area. The available funds will do more good if contractors are exempt from Davis-Bacon provisions. It is vital that every possible dime of these funds flow directly to property repairs and restoration, since many of the business properties awaiting repairs are also significant employers in the downtown area. The more we can accomplish with the funds, the quicker will be Oklahoma City's return to economic health.

I appreciate your attention to this important issue.

Sincerely,

FRANK KEATING,
Governor.

PATENT LEGISLATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. ROHRABACHER] is recognized for 5 minutes.

Mr. ROHRABACHER. Mr. Speaker, in the next 2 weeks a vital issue will be coming to the floor of the House of Representatives for a vote. We will be deciding whether or not America will continue to have a strong patent system or whether our country will obliterate what has been the strongest patent system in the world.

Because the patent legislation is by its very nature a complicated concept, powerful forces have been able to undermine America's patent system with very little public attention. Who is opposed to a strong patent system, someone might ask. Well, how about foreign powers that do not like the United States being the dominant economic and military power in the world? Yes, foreign powers do not like a strong American patent system because they do not want us to have what is America's greatest economic and competitive

edge, the genius of our own people being brought to play in the marketplace. Especially countries in Asia which tend to, instead of create new ideas, copy; they instead copy American ideas. These powers in Asia would prefer that America's patent system be weakened.

Those are the people who might have an interest in weakening America's patent system, also multinational corporations who have little or no loyalty to the American people. These huge corporate interests who also would like to use the ideas of ordinary Americans and not have to pay royalties to the inventors. These people have an interest in weakening America's patent protection as part of what they view as a global evolution in terms of the marketplace. They want to have a global marketplace, and they see the weakening of America's patent system as part of that.

You see, consistent with this idea, the head of America's patent office 3 years ago, his name is Bruce Lehman, went to Japan and agreed to harmonize America's patent law with Japanese law. What they did is agree to make America's patent law, which had been the strongest in the world in the protection of individual rights, they had agreed to totally change our system and make it exactly like the Japanese system. It was a sellout of the interests of the American people.

The first step in Lehman's harmonization scheme has already been implemented through this body. As part of the GATT implementation legislation, a provision was included in the GATT implementation legislation that was not required by the GATT treaty itself. They knew when they put this provision in changing our basic patent law that then those of us opposed to weakening our patent system would have to vote against the entire world trading system in order not to vote to change America's patent law. They had their way and they won.

However, during my battle against that provision, the House leadership agreed that I would have a chance on the floor of the House to change this provision back because it was not required by GATT. And that is what will be happening in a few weeks from now. H.R. 359, my bill, which is designed to restore the patent, the length of the patent term, the guaranteed patent term that we have had, to Americans that we had for 130 years until this agreement with Japan, will be on the floor as a substitute to another bill.

That bill, H.R. 3460, is a bill which is coming to the floor under the guise of patent reform. That bill, my colleagues, is what I call the steal American technologies act. It must be defeated if America is to remain the No. 1 technological power in the world. This bill, I will give you, would complete the process of harmonizing our patent system to be like Japan's. To show how transparent it is, let us take a look at just two provisions of H.R. 3460, the steal American technologies act.

First, it would require all Americans who apply for a patent, whether or not they have been issued the patent, after 18 months their entire application, every last detail of their invention, of their idea would be published for the entire world to see and the entire world to steal. Who could defend an idea like that? But that is being presented to us as patent reform, and the people that are behind this are hoping the Members of Congress will not ask about the details.

The second provision in H.R. 3460 is a measure to basically destroy the Patent Office, turning it into a private post office-like corporation, stripping our patent examiners of all of their Civil Service protection so they can be influenced by the other side.

It is imperative we defeat H.R. 3460. I would ask my colleagues to join me in voting to substitute H.R. 359 for H.R. 3460. Stop the steal American technologies act.

MEDICARE

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from New Jersey [Mr. PALLONE] is recognized for 60 minutes as the designee of the minority leader.

Mr. PALLONE. Mr. Speaker, this afternoon I want to talk again about the issue of Medicare and my concern over what the Republican leadership is trying to do to the Medicare Program and in the context of the budget or the budget resolution which is likely to be voted on between the two Houses sometime in the next week or two.

I wanted to point out again the reason that I feel so strongly about Medicare and the changes, the negative changes that I see the Republican leadership proposing, is because I believe that Medicare is really one of the best programs that we have in the Federal Government. When it was established in the early 1960's by then President Johnson and the Democratic Congress that was in the majority at the time, it was established because of the realization that so many senior citizens did not have health insurance and that it was very difficult for them to either obtain health insurance, either because they could not afford it or because of their condition.

And now, today, and certainly for the last 30 years, we have had Medicare on the books and those who are over 65 or even others in some cases are able to know that they will be guaranteed a health insurance, that if they go to a hospital or if they go to a doctor, that most of the services that they need for health care purposes will be provided in a relatively high quality way.

That is a significant fact and when those on the other side of the aisle, when Republican leaders get on the floor and propose changes that I consider very radical in the Medicare Program, the reason that I and a lot of the other Democrats are opposed to those is because we think that Medicare works, and we do not want to see it downgrated to a second class program or perhaps not even exist for many senior citizens.

I point that out today by way of introduction, because I think it is important to note that many of the Republican leaders have actually expressed themselves on the floor of this House or in the Senate or on other occasions over the years as actually being opposed to the very idea of Medicare.

One of the things that we often quote is the statement by the Republican Presidential candidate on Medicare, which he made in October 1995. He said, I was there fighting the fight, voting against Medicare, 1 out of 12, because we knew it would not work in 1965. So he is making reference to the time back when he was in this House of Representatives, when Medicare first came up and he voted against it. Again, a very strong indication of the fact that in this case the Republican Presidential candidate and many of the Republican leaders are very much opposed to the very idea of Medicare.

We also had another quote, which we frequently cite, from Speaker NEWT GINGRICH on Medicare. This one is from October 24, 1995, last year, where he says, and I quote,

> Now we don't get rid of it in round one because we don't think that that is politically smart and we don't think that is the right way to go through a transition period. But we believe it is going to wither on the vine, because we think people are voluntarily going to leave it.

Once again, a strong indication, in this case the Speaker of the House of Representatives, that Medicare as a program is not something that they support. That is why many of us on the Democratic side of the aisle feel very strongly that we must continue to speak out on the issue of Medicare, because this is a program that has worked, that protects America's seniors so that they know that they have health care insurance, they have health care coverage. If we let the Republican leadership basically do what they will with the Medicare Program, we are very concerned, a lot of us, that it may simply wither on the vine or not exist for many senior citizens.

□ 1615

Now, yesterday the Medicare trustees came out with their annual report where they talk about the financial state of Medicare, and once again the Republican leadership and many Republicans on the floor have taken advantage of that report which came out and indicated that Medicare would be insolvent by the year 2001.

Well, I said before that many times when the trustee's reports come out, they talk, in the past they have talked, about insolvency for even a shorter period than that, in some cases maybe 2 or 3 years.

So this is not a new phenomena, and Democrats in the Congress have traditionally dealt with that by making some changes in the Medicare Program so that it remains solvent in future years. And, in fact, we have already, both last year as well as this year, voted on Democratic proposals, most recently the President's proposed budget, that actually would continue the solvency of the Medicare Program well into the next decade; I believe at least until 2005.

So we, as Democrats, know how to deal with the Medicare trust fund; we have had to tinker with it in the past. But the Republicans, instead of saying, OK, we will support President Clinton's proposals and we will make some changes that are necessary in the Medicare Program to keep it solvent, instead they have been proposing very radical changes in the very substance of the program and also deep cuts, deeper cuts than are necessary for Medicare to remain solvent.

In fact, the level of cuts right now in the Republican proposal are $168 billion in cuts in Medicare, whereas President Clinton, talks in the proposal, in his budget, about $116 billion. The difference basically goes to pay for tax cuts for the wealthy; that is what the Republicans have in mind.

But, in addition to that, they have been talking about major changes in the Medicare Program that would push seniors into managed care, that would make it so that they cannot choose their own doctor and even, in some cases, their own hospital, and also those who refuse to go into managed care, those who stay in the traditional fee-for-service program, the current Medicare program, would be basically faced with tremendous over charges.

Right now the most that your doctor can charge you beyond the Medicare reimbursement rate is 15 percent of the bill. But this under the Republican proposal would be unlimited, and basically the doctor could charge you essentially whatever he or she wanted beyond what Medicare pays. Those types of overcharges would essentially force people into HMO's or managed care because they would say, well, how can I continue to stay in a traditional program where I can choose my own doctor if I face those kinds of unlimited charges?

Another thing that the Republicans have proposed is to basically break down the Medicare Program and the insurance pool, if you will, so that the wealthy and the healthier senior citizens could opt for what we call medical savings accounts, which basically allows them to take a catastrophic health care coverage and then to pay out of pocket, if you will, for health care needs that are not of a catastrophic nature. Well, the problem with that is that people who do not have a lot of money and cannot pay a lot of money out of pocket will not opt for the catastrophic health insurance, and as a result the insurance pool which depends on the healthier and wealthier people being part of it in order to be solvent essentially would be broken up and the people that would be left in the pool who did not get the catastrophic coverage would tend to be the poorer people and the less healthy people, and the result would be that Medicare would end up costing more because the insurance pool would have a much poorer and sicker group of people in it.

Some of these things get a little complicated, and I do not mean to complicate things, but the point I am trying to make is the Republican proposals not only cut Medicare a lot more than is necessary under the President's proposal, but also make major changes in the Medicare Program that ultimately are going to cost seniors a lot more money out of pocket and are going to make it so they cannot choose their own doctor or again, in many cases, their own hospital.

I would like at this point, if I could, to yield to the gentlewoman from Connecticut [Ms. DELAURO] who has been on the floor of the House over the last 18 months repeatedly pointing out how the Republicans are trying to basically destroy Medicare, and I know that she has been a leader on trying to bring this issue to the attention of the American people.

Ms. DELAURO. I want to thank my colleague from New Jersey for all of his efforts on the issue of Medicare-Medicaid and more generally for the whole issue of working families in this country and what they are going to be faced with if some of the cuts are made; and particularly in the Medicare Program you said something at the outset of your remarks, I think I just want to expand on it a second.

Today, 99 percent of seniors have health care, health insurance. That was not the case before Medicare. Now what happened before Medicare was that families had to take care of their loved ones, as families will do, because there was no opportunity to have health care coverage, so you went in with your children.

What is one of the big issues that we are very, very concerned about today if we are going to see these incredible cuts in Medicare and in Medicaid, which as my colleague knows, that takes care of about two-thirds of the costs of Medicaid, has to do with seniors who are in nursing homes.

In my State of Connecticut almost 70 percent of the seniors who are in nursing homes, getting nursing home care, that care is paid for in part or in whole by the Medicaid system. So that if today, if these programs are unraveled, if we do not—we need to fix them, but if we destroy them the way it is being suggested by our Republican colleagues, then this is not only an issue for older Americans, it is an issue for their families.

I have a mother who is 82 years old, and, you know, thank God and knock on wood, she is in good health. I am not going to let my mom go without health care if somehow Medicare is unraveled and less people are being covered or it is more expensive for her to be able to get health care coverage. That is going to be my responsibility. I am an only child. I am going to make sure my mom has the best health care that is possible.

So this is a system that has not been created for seniors, people who are over 65. This is meant to be first-rate health care so in fact there can be that dignified, secure and decent retirement for seniors without—and that maintenance of their independence—without having to have them be dependent on their families. And I think younger people are very concerned about what happens here as well.

Another point that my colleague made that I just want to talk about is no one has ever suggested, and the trustee's report did come out, as it did last year, and they confirmed what truly has been known for more than 6 or 8 months, that the fund will be exhausted by the year 2001. The fact of the matter is that no one has ever suggested that we do not fix the Medicare Program. We could have a bipartisan commission, the same way that we did with Social Security, to allow so that we insure the solvency of the Social Security system; we could do the same kind of thing today. however, yesterday the gentleman from Texas [Mr. ARMEY], the majority leader of the House of Representatives, on a television show said "no to a bipartisan commission to look at the long-term solvency of the Medicare system."

It was just last year in February, in 1995, that the ranking member of the Committee on Ways and Means introduced the bill that would have appropriated $90 billion, which was the amount of money that the trustees that our Republican colleagues are holding up their report, but it was the trustees last year who said $90 billion could deal with the solvency of the Medicare Program.

Well, there was a bill on this floor. We got a chance to vote. That is the beauty of this place: We vote. And 233 Republicans said thumbs down, no, to insuring the solvency of the Medicare system through the year 2006.

So, they are a little bit disingenuous when they are holding up the report here, because we have known what the issue is going to be.

Now, if we are going to fix the program, if we are going to fix this program, I just submit to my colleague, and you brought up two of the quotes that were not made, I mean that are just unbelievable in terms of where people want to see the Medicare Program going. But if you want to fix the program, and we agree that it needs to get fixed, into whose hands do you want to entrust this program to be fixed? Do you want to go to BOB DOLE, the current Presidential candidate for the Republican Party, who is proud of his vote against Medicare? He cheers and lauds the fact that he voted against it, it is a program that does not work. Now that, I mean it tells you something about into whose hands you want to trust it. Into Mr. GINGRICH's hands, who says that he wants to see it wither on the vine, to go one step further?

Now we are talking about leadership here; we are not talking about any comment made on the floor of the House. These are the people who have taken on the leadership of the Republican Party and who want the opportunity to lead the country. They do not believe in the Medicare program.

Let me give you one further; again, the gentleman from Texas [Mr. ARMEY]. This was July 11, 1995: "Medicare is a program I would have no part of in a free world." Again in July 1995: "Hundreds of thousands of seniors rely on Medicare; I am sorry they do, but they do."

Again I mention Mr. ARMEY, who does not want to see a bipartisan commission to do something about the long-term solvency of the system.

Let me have one more quote from the budget director, the gentleman from Ohio [Mr. KASICH], who said again in February 1995 that their budget, the Republican budget, quote, "would require Medicare cuts unlike any this town has ever seen before."

Now, the numbers are not so much the issue, as my colleague from New Jersey pointed out. The issue is Medicare or no Medicare and the policies that the Republican proposals, if they were enacted, what they do to the Medicare system. They do not control costs. They shift the costs to seniors by encouraging doctors, as my colleague pointed out, to charge seniors extra billions for the basic Medicare package. They herd seniors into managed care plans without adequate consumer protections. They destroy the Nation's safety net and academic research hospitals. They spend an extra $4.6 billion on the medical savings account that my colleague pointed out are for the wealthy healthy, and they weaken, something that is not talked about too much, major antifraud loss.

The dollar difference is significant, but more significant is the policy difference, and, as you pointed out, the difference in the dollars is not to make the Medicare Program solvent, but in fact to deal with tax breaks for the wealthiest Americans.

Let me just make one more point because I think it is important. This is something that a number of my colleagues on the other side of the aisle talk about all the time. They talk about only in Washington is an increase a cut and that there is not a cut in the Medicare Program.

□ 1630

Mr. Speaker, let me just say this. I want to quote the Speaker of the House, again, the gentleman from Georgia [Mr. GINGRICH]. This has to do with the defense budget. This was in 1987. "The 4-year budget includes a 10-percent real cut in defense spending." This is NEWT GINGRICH describing a decline in the rate of growth of the defense budget in 1987.

They are going to stand here and tell us that this is slowing the rate of growth. It is just a boondoggle. There is no accounting for the increased numbers of the people who enter the Medicare system, there is no accounting for inflation, and there is no accounting for the increased costs in medical care.

So they tell us that we need $150. We have $100 today, we need $150 in order to take care of the increase of people, the increase in inflation and the increase in technology, but they are going to give us $125 and they will tell us that it is not, in fact, when we need $150 to make it, except they are willing to say that when it comes to the defense budget, which they have talked about, the gentleman from Georgia [Mr. GINGRICH], in 1987.

The chairman of the defense authorization bill says that "The bill provides $2.4 billion more than the current fiscal year, but when adjusted for inflation, it reprsents a real decline of 1.5 percent in spending, and not an increase." You cannot talk out of both sides of your mouth. These are real cuts in Medicare, real pain in the Medicaid system. What we cannot allow that to do is to happen. We have to make the same kind of fight, the same kind of arguments that we did in the last year of this Congress, so that in fact they cannot destroy a system which they truly do not believe in. I think my colleague for letting me join with him this afternoon in this special order.

Mr. PALLONE. Absolutely, Mr. Speaker. There is absolutely no question that what the gentlewoman is saying is correct. I think the bottom line is that the policy changes that the Republican leadership is proposing are all money driven in some way.

When we talk about this whole notion of the Speaker saying that this is not really a cut, we are actually increasing the program, but it is not a cut. The reason for that, there is this new book out, I do not think the gentlemwoman made mention of it. It is called, "Tell Newt to Shut Up," a new book by award winning Washington Post Journalist David Marins and Michael Westkopf, which says that avoiding the word "cut" became part of a coordinated Republican strategy after pollster Linda Duvall said that the public reacted negatively when told that the Republicans would cut Medicare.

Basically what these two people are saying, that the Republicans vowed from then on that they would not allow reductions in the rate of growth to be called cuts. But it is nothing but semantics. We all know that if you do not allow a certain amount of money to be available, and you have to go out and buy the same thing because of inflation or because more people are in the program, that not allowing a significant level of growth essentially is a cut. That is what the Speaker, what the gentleman from Georgia [Mr. GINGRICH], actually said in the context of the defense budget when he wanted to use it for his own advantage.

Mr. Speaker, the other thing that I think is really crucial also in that respect is where are these costs being shifted to? That is why I think the issue of the overcharges is so important, because basically last year, when they wanted to shift costs, they essentially raised the part B premium. I think we had some figures that last year's Republican proposal actually doubled the Medicare part B premium from $46 in 1995 to about $89 in 2002, so it would have increased the Medicare premium by $440 per couple per year.

That did not work, because seniors became aware of the fact they were going to have to pay these incredibly high premiums, so they dropped that. Now, this year, they are coming back with the overcharges, and they are saying that if you stay with the traditional Medicare system and do not move into managed care or HMO's, then the doctors can charge you whatever they want.

Mr. Speaker, we had some statistics from the Physician Payment Review Commission, which is a nonpartisan panel of experts that advises Congress on Medicare policy, and they said and I quote, that:

> This could lead beneficiaries to be exposed to substantial out-of-pocket liability in the range of 40 percent of the bill.

So if you essentially go into this for a certain operation or procedure, you could end up paying 40 percent right out of your pocket.

Ms. DELAURO. Mr. Speaker, if the gentleman will continue to yield, on that point what is really important to know, and truly people know, today doctors do, doctors and hospitals, there are restrictions on this overcharging. what is very central and very simple here is those restrictions are eliminated. They are eliminated, so therefore they cannot do the overcharging.

Just a final number which I think is important on this inflation issue, when they keep talking about how these are not cuts, what they are doing with Medicare is they are holding it at about 16 percent below the rate of inflation. That represents a real decline. That is no increase. We cannot let them get away with talking about these as not being cuts, because the numbers are real. I thank the gentleman.

Mr. PALLONE. Mr. Speaker, I yield to the gentlewoman from Hawaii.

Mrs. MINK of Hawaii. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, I appreciate the contributions that both the gentlewoman from Connecticut [Ms. DELAURO] and yourself have made in this constant battle to explain what it is that the Republican majority is attempting to do, and the obfuscation of the truth that constantly you can read in their press conferences and in the statements that they make across the aisles. So I appreciate what the gentleman is doing, and I hope that the seniors across the country are getting the real message.

Mr. Speaker, there is absolutely no doubt in my mind that what the Republicans are trying to do is to completely dismantle the Medicare Program. We deal with this issue in terms of big numbers, like a $290 billion cut versus a $168 billion cut now. And they have moderated their position. But the reality is the issue is not a monetary issue.

We cannot get into a box of deciding, well, who is cutting less in terms of the dollar amount, because what they are rally trying to do, in my estimation, is to completely dismantle the Medicare Program as it was enacted in 1965. That is the message I think we have to tell the seniors: What are they being left with if we restructure Medicare? They are going to be shoved into a private insurance kind of program which does not have the protections that Medicare now offers.

One of the things that the gentleman just discussed is about this balanced billing. The current law does not allow it, so therefore there is this protection for the seniors who are in the program now under Medicare, that they will not have to suffer these overcharges. If the Republican plan were enacted as it has been proposed, we are going to have to see these seniors being billed way beyond what it is that Medicare has approved in terms of the costs of these expensive surgeries. I think that is what the seniors have to be told.

The restructuring of it is going to be severely expensive and demoralizing. In other words, we are going to go back to the old system before 1965, where the children of the families are going to have to make these hard decisions as to whether their parents are going to have the important, necessary medical attention, surgery, or whatever.

Mr. Speaker, I had an orthopedic surgeon in my office, that is why I could not come to the floor promptly, and they are apparently having a conference here in Washington. The first thing he said to me is, "We as physicians are concerned about free access to medical care. We feel that the proposals that are now being discussed are going to severely damage access, freedom of choice of the seniors as to what kind of services, what doctors they can obtain."

One of the things that he pointed out to me is that under the HMO and these new ideas that are coming across by the Republican majority, there might be limitations on the specialty services, for instance, that their particular profession of orthopedics could offer. They feel that that is extremely dangerous.

Second, he pointed out that many of the insurance companies and other kinds of group practices that they are in are already gagging them and saying that they cannot even talk about options, optional kinds of care that they might obtain. So these people in the medical profession are really concerned about freedom of choice, access to the necessary kinds of medical services that are required, and this terrible kind of pressure, that when they sign onto these group practices, that they are being restricted by the insurance companies that are servicing them from even discussing with their patients open and available information as to what their choices ought to be in terms of their medical services.

Mr. Speaker, I think all of this suggests that if we go the private insurance route, which obviously is part of this dismantling, and force everybody into the private market to let the market control or HMO's or whatever, that the seniors are going to be very, very severely impacted.

Compounding on that is this medical savings thing, which in my estimation favors the wealthy and the healthy, and the people in the middle are then going to have to bear the burden and costs of the Medicare system. So, Mr. Speaker, I think in going back to my seniors in my district, I am going to have to try to move away from this discussion of dollars, their focus on this idea whether the program is going to become bankrupt, or we are going to have to find the money, and they are all money-oriented right now. But I think that the Congress is going to have the responsibility to find ways to make sure that the system is fiscally sound.

But in doing so, we must not allow the program itself to be restructured and broken and completely torn apart so that the idea of universal protection for seniors will be completely disrupted. That is what I came to the floor to contribute today, and to hope that that point can be explained to the seniors as we debate this issue.

Mr. PALLONE. Mr. Speaker, I think the gentlewoman makes her point very well, particularly with regard to what happens if seniors become shifted to managed care HMO's. If I could just make one point, and then I will yield further, following up on what the gentlewoman said, a lot of times the Members of the other side, the Republican Members, get up and say, "Under our plan, there is still going to be choice. You do not have to go to an HMO, you can stay in the traditional system of Medicare where you can stay in the traditional system of Medicare where you choose your own doctor, choose your own hospital."

But the key there are the overcharges, because if you say to someone, "You can stay in your traditional Medicare system but now the doctor or hospital can charge you whatever they want as a copayment," then most people cannot afford to do that. Then they are forced essentially to move to the managed care, the HMO, whatever the alternative is.

Then the other thing is that by cutting and constantly reducing the reimbursement rate for the HMO or the managed care system, the Republicans essentially forced those systems to do the types of things that the gentlewoman mentioned; in other words, they do not allow people to get specialty doctors or specialty care unless they go through some bureaucratic rigamarole because they do not want to pay the cost of that specialty care.

At both ends of the spectrum, essentially, people are being squeezed. They either stay in the traditional system and then they have these tremendous out-of-pocket expenses, or they go into the managed care HMO where the dollars are constantly squeezed, and therefore the level of care and the type of care that you can get is more limited.

Mrs. MINK of Hawaii. If the gentleman will continue to yield, Mr. Speaker, I think the thing on point is what is happening to women who deliver their babies in a hospital. They are just being pushed out the door within time limits of 24 hours or whatever, so now we have to engage in that debate to protect women, to make sure that these kinds of harsh procedures to save a few dollars are not going to prejudice the health care of these women. It is exactly the same situation with respect to our seniors, who are going to have to face those kinds of brutal decisions.

Mr. PALLONE. Mr. Speaker, that is a perfect example.

Mrs. MINK of Hawaii. I think we have to constantly remind our seniors that this is not just a dollar, they should not mount this debate on whose money plan sounds better, because it is

the policies behind those money decisions that are going to end up bringing sorrow to them and grief, grief to their children, who are going to have to pay the bills. I thank the gentleman.

Mr. PALLONE. Mr. Speaker, I thank the gentlewoman for joining us. I yield to the gentleman from Texas [Mr. DOGGETT].

Mr. DOGGETT. Mr. Speaker, I appreciate the observations of our colleague, the gentlewoman from Hawaii, and the gentleman's response, because I think as you described how Medicare would be eventually destroyed, what the gentleman is really getting to is, to use the Speaker's own words, Speaker GINGRICH, saying that he was going to let it wither on the vine. That is, I suppose, an indication.

We have the Republican majority leader quoted down in Houston the other day, and my colleague, the gentleman from Texas [Mr. ARMEY], saying that he views Medicare as an imposition on his freedom. But they recognize that the Medicare Program, which it is now almost 31 years of existence since President Johnson signed it into law, we now have, instead of more than half of America's seniors having no health insurance, we have 99 percent covered.

So they realize that they cannot have a direct assault to just abolish and vote against the program. That is what they want to do. Simply, as the majority leader so candidly admitted, their philosophy is "Medicare is an imposition on our freedom." Most Americans, I think, believe that Medicare is one of the best things that this Congress has ever set up, just like Social Security, which our Republican colleagues have also questioned, but in lieu of a direct, frontal assault to just abolish Medicare, to do as BOB DOLE in fact said here just a few months ago, that he was so proud that he was one of those who stood and voted against, on the floor of this House before he ever got over to the Senate, who voted against creating Medicare in the first place, they would let it wither on the vine.

□ 1645

Mr. Speaker, we got a lot of things down in Texas that are withering right now. We have a little bit of a drought down there. But barring those unusual circumstances, I think most of the people that I know that are commonsense folks around central Texas, if they have something that is withering on the vine that they have entrusted to a gardener, they know the best thing to do is to get another gardener, and I think that is what we are going to have to do here if we do not want Medicare to wither on the vine.

I came across a book this week concerning this so-called Gingrich revolution and I wanted to know if my colleague from New Jersey has seen the part of this book that is written by two Washington Post reporters who have been studying this revolution and apparently getting behind the closed doors, which are really the signature of this revolution, all the secret meetings that go on, the secret task forces. This particular one is on page 72 of this new book, and I just want to quote from it.

It says, at a leadership meeting over dinner in GINGRICH's office, that is the Speaker of the House, NEWT GINGRICH, the fellow who wants Medicare to wither on the vine, on February the 15, that is February 15, 1995, KASICH, that is the chairman of the Republican Committee on the Budget, JOHN KASICH, our colleague from Columbus, OH, and his aids, expressed concern that a 7-year balanced budget would require Medicare cuts "unlike any this town has ever seen before." KASICH was hoping to have more flexibility. "Who said we have to do 7 years," he asked? GINGRICH remained adamant.

That is from this new study about Medicare cuts, the fact that they would, in the words of the House Republican Committee on the Budget chair, have to be unlike any this town has ever seen before.

Are you familiar with this new study?

Mr. PALLONE. Mr. Speaker, I am familiar with it, and I was making mention of some other aspects of it before. But I really appreciate the gentleman bringing that particular section up, because I think it points out one of the things that I and I know you have been saying from the beginning, which is this whole idea of dealing with Medicare in the context of the budget. That in itself is wrong. In other words, if we are going to restructure or make changes in the Medicare Program, why is it that we are dealing with it in the context of the budget?

In my opinion, the reason for that is very simple: Because they want to use the cuts in Medicare for tax breaks for wealthy Americans. They want to be able to use the money for that to achieve whatever their other goals are. It is not because they are trying to save Medicare or restructure Medicare in a way that is actually going to help the program. They are funneling that money into tax breaks. So every time we deal with the budget, we get the Medicare cuts once again.

Mr. DOGGETT. Instead of a trust fund, a slush fund. Instead of furthering and strengthening the trust fund, they would raid that fund in order to provide these special tax breaks.

Mr. Speaker, I know you have focused already on this trustees' report, and the key word there is trust. Who do the American people trust to ensure the long-term solvency of Medicare so it will be there not only when we retire, but when our children and our grandchildren retire, so provide them the kind of health care security they need.

I would just want to add one other thing. I see our colleague and one of the few physicians in this body, the gentleman from Washington, Dr. MCDERMOTT, is here who has worked so hard on this. But I think as we consider the millions of people that are going to be adversely affected if the Speaker is successful in letting Medicare wither on the vine and shrivel up and go away for middle-class Americans, I just wanted to bring a picture of a couple of Texans, hard-working Texans that are going to be impacted, because I think we have to bring this down to human scale.

Lewis Kerclusky is a fellow I met at a senior activity center in Austin. He is 94 years old, and he told me that he was there because he worked with old people. I was mighty impressed with the tact that he is still involved in working with old people in trying to help them get services and have the benefit of his assistance. Unfortunately, since all he has to rely on is his Social Security check and his prescriptions total almost $200 a month, he had to move in with his son, Ed. Ed is still working, but he is only about 3 years away from having to rely on Medicare himself.

These are the kind of hard-working people that built this into the greatest Nation in the world. And if he let Medicare and Social Security simply wither on the vine, if he says, as you were just discussing with our colleague from Hawaii, that they are suddenly now going to have to pay all that a health care provider would want to charge them above the Medicare payment, if we continue a system where he cannot even get coverage for his prescriptions, there is no protection under existing Medicare for those, and instead of strengthening Medicare and fulfilling our trust to America's seniors, we are going to weaken that system and let it be used as a slush fund, then people like Lewis and Ed are going to still be impacted in a very, very significant way.

I think it is important, even for people that are not as old as Ed or Lewis, or as old as you or I, or even the young man from Washington State who is joining us here, young people that are out there trying to start a family, trying to get kids through the public school, who is it that a senior who cannot make it, who cannot even pay his prescription, is going to turn to if they have a medical emergency and Medicare is not there to stand by them?

It is going to be those middle-class families that are having a hard enough time just making ends meet for themselves and their kids. They are going to be called on, instead of providing a college education, to take care of an unexpected surgery, instead of being able to do things for their family and get ahead and provide their kids the same future that they want for themselves,

they are going to be called on to provide for long-term health care.

I appreciate your focusing attention on what is really happening here, this trust issue, the trust of America's seniors and those who will be seniors in our Medicare system and our responsibility to stand there and see that that system does not wither on the vine, as much as Speaker GINGRICH might be determined to let it wither.

Mr. PALLONE. I appreciate the gentleman's comments. Mr. Speaker, before we move to the gentleman from Washington, I just wanted to say it is particularly important, and I thought that you mentioned, I guess it was Ed, one of your constituents who you said had a very large prescription drug bill.

Mr. Speaker, I naively thought when we started to deal with Medicare in this Congress and the possibilities for some changes that we would actually look towards positive changes such as preventive measures, like covering prescription drugs, because I have always felt that if we add certain services to Medicare, like prescription drugs, like home health care, that we actually would save money in the long run, because they are preventive measures that prevent people from having to go to a hospital or be otherwise institutionalized.

But we do not get any of this from the Republican proposals. Everything that they propose basically would cut the program, reduce services, force seniors to pay more out of pocket.

So when I hear statements from them about how they want to save Medicare or change Medicare, it is never in a positive way; it is always in a way that is actually going to make it more difficult, in my opinion, to get health care and to get quality health care.

I appreciate the gentleman's comments.

Mr. DOGGETT. Actually, it is Lewis, who has almost $200 a month in prescriptions not covered now. And I know the gentleman and Dr. MCDERMOTT will remember that when Republicans put out their big strategy, their PR plan on Medicare. They told their own Members, do not use the word "improve," because that is going to raise expectations that we might really do something to help seniors. They were supposed to use other words to create the impression that there was some immediate crisis, which there is not, that there was some immediate danger of bankruptcy, which there is not.

There is the need for long-term, bipartisan planning. But the only bankruptcy we face today is the kind of political bankruptcy they have when they insist on letting Medicare wither on the vine. I thank the gentleman.

Mr. PALLONE. I thank the gentleman and I would now yield to the gentleman from Washington, Dr. MCDERMOTT.

Mr. MCDERMOTT. Mr. Speaker, I want to thank the gentleman from New Jersey for coming out here day after day and bringing this issue to the attention of the American people, because I think there is lots of confusion. I was just sitting in the Committee on Ways and Means today, and we had before us the Secretary of the Treasury, Mr. Rubin, and the Secretary of Health and Human Services, Dr. Shalala, to talk about the trustees' report. And everybody is waving the trustees' report around now and talking about that this is the end of health care for senior citizens and everybody should be worried.

A little history needs to be brought out, people need to understand. Since the program was started in 1965, there have been 27 trustees' reports. Every year, a trustees' report, that is the job of a trustee, is to say how much money do we have and how long will it last? So each year, they look at the money, they look at what they are spending, and say this is how long it is going to last. At one point we had only 2 years to go, and it would be all gone. At another time, it was 17 years. So there have been all kinds of reports. They never were a crisis until last year when the Republicans took over the House of Representatives and said, we need some money for a tax break. So they grabbed this trustees' report and instead of doing what we had done since 1965, which was to say there is a problem, we are going to have to make some adjustments. And we made them. Every year, no fanfare, nobody ever heard about the trustees' report, nobody ever heard that the sky was falling. On a bipartisan basis, we made changes in the Medicare structure that would have carried it on as we intended to do.

In fact, the Democratic members of the Committee on Ways and Means came up with a proposal last year that for $90 billion in adjustments in a variety of different places, without hurting the basic program, we could protect Medicare until the 2005, for 10 years out into the future.

Now, the Republicans insisted that it be only their way of adjusting the program or there is going to be nothing. It is sort of their way or the highway. And in insisting on that, we have not done anything. So now we come to the trustees' report that was released yesterday, discussed in the Committee on Ways and Means today; everybody is going around acting as though the Earth is ending, because it is now 1 year less. Instead of 7 years last year, we only have 6 years worth of money in the pot to pay bills to 2001.

Now, if they have made the changes last year that we recommended for $90 billion, we could have been out to 2010. But their delay has actually made it worse. It is sort of like if you have a problem in your car, you hear a clanking noise and say, well, it is still running, I am not going to bother checking the oil and you just keep going until finally the motor freezes up, and then you say, oh, my goodness, if we had put the oil in last year, we would have prevented that. They have not done the preventive things that last year they could have done for $90 billion.

Now, to make this problem worse, or to make it even more laughable in some ways, last year they wanted $270 billion out of Medicare so that they could have a $245 billion tax break. They needed the money. Some of it was for Medicare, but most of it was to be spent on a big tax break. This year they say, you should be grateful. We are only going to take $176 billion out of Medicare. It is obviously way more than is necessary to do the job. The President has made a proposal of $124 billion in changes. So if you want to talk money, they are still asking for money that they are going to use in the tax break.

But the really insidious thing is the kind of changes that you have been talking about in the Medicare Program. If you take a senior citizen, the average senior citizen on Medicare is living on $11,000 a year. Now, there is not a whole lot of slush in $11,000 a year in this society. There are 11 million widows living on less than $8,000 a year. Their husbands have died, they are living on a Social Security check. The minimum is about $8,000.

□ 1700

What the Republicans are saying is we are going to give you $4,800 this year to go out and buy a health program. That is about what it costs. This year they could buy exactly what they have had.

Next year the inflation by the insurance industry, they expect it to go up by 7 percent. But the Republican proposal says, "We're only going to give you a 3-percent increase." That 4 percent that they do not give them has to come from somewhere. It either has to come out of that widow's $8,000, or she has to turn to her children and say, "I can't afford to buy the same health care package."

This argument about whether it is an increase or a cut, yes: they are increasing it 3 percent. But they are not giving you enough to buy it. It would be as though I said to you, "A quart of milk is 99 cents, here is 99 cents, go buy a quart of milk." Next year a quart of milk is $1.10. I say, "Well, Frank, I'm going to give you $1.05. Go buy a quart of milk." You obviously cannot buy a quart of milk if you do not have the amount of money that is necessary to pay for it.

The cut is that they are not giving them enough to keep up with inflation. By the end of 5 years, it is going to cost $1,000 more out of pocket. That means grandma has to open her purse and find another $1,000 to put with her Medicare money to buy the same program.

That is by the insurance companies' estimates. That is not some wild group out there that is trying to prove the Republicans are wrong. The insurance companies are very tightfisted actuaries who look at that and they say that is what it is, and they are not providing enough money to buy the same package.

So now that you have that picture in mind, the Republicans offer them an alternative. They say, "Why don't you go into an HMO. An HMO will take whatever we give you and then you won't have to pay any more money out of your pocket."

So they have financially jerked those people around. They have either got to take $1,000 out of their pocket or join an HMO or get it from their kids. Those are their three choices. If you go into an HMO, I do not think everybody has agreed that you are going to be able to choose your own doctor. There is every indication in HMO's that if your doctor is not on the list, you are going to have to quit seeing that doctor.

For somebody who is 25 years old, that does not seem like a big deal, because when you were 25, who had a doctor? I did not have one when I was 25. At 45, maybe you see a doctor once in a while. At 55, you see him a little more often. I see him a little more often. When you are 80 or 90 like my father, and he has had a doctor following his heart medication for 20 years, to suddenly say to him, "Well, Mr. MCDERMOTT, you cannot have your doctor, you're in this HMO and your doctor isn't a participating doctor, so choose a new doctor."

If you are 90 years old, that means you have got to sit down with somebody and tell your whole history and explain it, and what medications have you been on and how did it affect you. All of your past in a doctor's head is lost. That is why being able to choose your own doctor is important. What you want is somebody who knows your history. You do not want to go to somebody who never saw you before when you are 90 years old and have to explain your whole history and what has happened to you.

So that financial incentive that says, "You can stay in the regular Medicare Program, it's going to cost you $1,000 out of your pocket, or go to this HMO and you might not get your own doctor," those are the choices that the Republicans are offering senior citizens.

My view is that is not necessary. I looked very carefully at the Medicare Program when I put a bill in cutting $90 billion. I am a physician. I would not put together a program that I thought would hurt the quality of health care that people get. But you do not need more than $90 billion in cuts. All the rest of that money is being cut so that they can use it to give away in a tax break.

The issue that you were talking about as I came in here is one that I think is even more difficult to understand, and that is this whole question of pharmaceuticals. When you get to be old, you go to old people's houses, you will find on the dining room table a plastic box that has a bunch of little boxes in it. One is for in the morning, one is at lunchtime, one is in the evening and one is at bedtime, and they have their pills in them.

If they are like my father and mother, they spend $220 each month at the pharmacy. They have no way except to pay that out of their pocket. They are already paying enormous amounts out of their pocket. That is why this $1,000 coming in out of their pocket to get this same benefit package to pay the doctor, to pay the hospital, to pay the x ray, to pay the blood work in the laboratory and so forth is such an impact. It is not as though they are not paying something now.

If your father is paying $200 a month for pharmaceuticals, and then to pay $1,000 more a year, now $1,000 a year, divide that by 12, that is like $80 a month more that they have to reach in their pocket. What does $80 mean? Well, if you make $100,000, $80 is not all that much. You could probably absorb $80. But if you are living on $8,000 a year, like 11,000 widows are in this country, $80 is about 3 bags of groceries. It is a question. Do you want to go to the grocery store and get nutritious food, or are you going to have to send it off to buy your health care plan?

Those are the kinds of choices. And the baby boomers in this society, the people in the generation under me, I am 59. So, if you are about 55 or so, below, you are going to have your mother coming to you asking, or maybe not telling you and then you will find it out some other way that she is not going to the doctor, not buying the medication, or she will ask you and you are going to be between the vise of helping your mother and helping your own kid in the community college.

I mean, people in their forties, their thirties, forties, fifties are caught between their parents and their children. You care about them both. Which one are you going to help if you can only help one? "Well, mother, I'm sorry, you're old, you will have to deal with it yourself because I have got to help my kid." No; you cannot say that. Then you say to your kid, "I can't help you through college, you're going to have to make it on your own, good luck, because I have to help my mother."

That is the vise that this proposal puts middle-class, middle-aged, people in. People in my generation have never spent a dime, I have never had to give my parents one single dime for their health care. Medicare for 30 years has taken that issue right off the table. Along comes this proposal and says we are going to put it back on the table and each family can find it themselves.

Now some can find it. My mother and father have four kids, all of whom went to college, all of whom have good jobs. We can find a little extra to help our mother, but what about people that do not have that? Think about that. Think about the guy who is just laid off at 50 and his mother is 80. He cannot help her.

So it is this kind of thing, and I think that you are doing a real public service by coming out here and raising these issues, because the trustees' report is simply an annual report and we are going to correct it. We are not going to walk away from this. The Republicans would not dare walk away from this without fixing this program. They have no chance with the American public if they do not step up and fix it. They ought to drop the whole business of cutting taxes and deal with Medicare.

Mr. PALLONE. I appreciate the gentleman's comments because you really managed to put a lot of this in common sense terms and explain it for the average person, which is what we really need to do. I thank the gentleman for joining us tonight.

Again, as I said in the beginning, the reason why we are here is because we do believe that the Medicare Program is so important and we believe that the promise of Medicare, which is to provide quality health care coverage for senior citizens, the promise that a Democratic Congress and President Johnson made over 30 years ago must be continued, and that it really is not fair for today's seniors or future seniors to suggest to them that they cannot have the same kind of quality health care that we have now for senior citizens.

That is what we are afraid as Democrats will happen with this Republican leadership plan to change Medicare, that it will be so drastically changed that eventually it will simply disappear as a valuable program to provide health care coverage for all of America's seniors.

TRIBUTE TO A GREAT IRISH-AMERICAN, AND THE TERRIBLE TRAGEDY OF AIDS

The SPEAKER pro tempore (Mr. STEARNS). Under the Speaker's announced policy of May 12, 1995, the gentleman from California [Mr. DORNAN] is recognized for 60 minutes as the designee of the majority leader.

Mr. DORNAN. Mr. Speaker, I am actually going to discuss two things:

one, a short tribute to a good friend of mine, a political acquaintance who has developed into a good friend because of his good heart and what he and his whole large family has tried to do about the agony in Northern Ireland. His name is Thomas Tracy.

I put this little tribute to him in the Extensions of Remarks a month ago, but for some reason I felt that it was important enough for me to rise today and say it to the whole Nation through the wonders of C-SPAN, that million-plus audience of ours, and through you, Mr. Speaker, to the world.

And then I want to discuss the terrible tragedy of AIDS and how it is growing exponentially and almost unnoticed in our society. First to Mr. Thomas Tracy.

TRIBUTE TO THOMAS TRACY: DISTINGUISHED IRISH-AMERICAN LEADER

I just want to recognize, Mr. Speaker, Tom's honorable achievements for the Irish-American community. He gives to umpteen charities as most good businessmen do. But Tom recently was recognized for his service. He received the 1996 Distinguished Leadership Award by the American Ireland Fund in the beautiful city of St. Francis by the Bay and I was just heartbroken that our unrelenting pace around here, this all-important budget fight that we are engaged in, kept me from flying up with my Sally and some of our older children up there to San Francisco to add our congratulations to Tom's tribute.

Here is what this award acknowledges, Mr. Speaker. That an American of Irish heritage, to quote partly from the award, whose lifetime accomplishments personify the spirit of the Irish immigrants who contributed to making our Nation the greatest in the history of mankind.

If you take the troubled North and the Republic of Ireland and combine them, you are still not going to get to 5 million people. Far short of it. But in the United States of America, right through a primary grandparent, at least 25 percent of blood, is over 45 million Americans. On St. Patrick's Day, we know it reaches all 265 million. But some people say that that is a low figure, that it is realistically closer to 60 million out of the 260-plus million Americans.

I am especially proud of Tom because I am one of these rare Irishmen whose all 4 grandparents, came directly from Ireland, it is just becoming more rare, and I do not get too puffed up about it because I remember a cute story that John F. Kennedy looked at his own beautiful children, young John and his beautiful older sister Caroline and he said, "It's too bad that they're not 100 percent Irish like me."

And Jackie is supposed to have said to him, "Oh, you mean they're mixed breed" or something? And he never ever said that again.

My own five are half Danish and since my wife says she is Heinz 57, there is an extended Dornan family with, and I do not think I told you this, an 11th grandchild is on the way—my colleague from Florida did not know that—that there is none in that great gang of 11, and they all know about their Irish heritage, that is Irish on both sides. My mother's name was Mickey McFadden and her mother was Katie McDonough and my dad's mom was Mary Highland. It goes back to O'Donnells and just keeps on going.

So as a 100-percent Irishman, and I say that humbly, I am especially proud of Tom. I value my ancestry, because it has given me a feeling of being connected to a long history of people in love with life. The French have coined this beautiful phrase, Mr. Speaker, joie de vivre, the joy of life, and I have seen it in France from north to south, east to west but never have I seen it in any greater depth than in Ireland itself.

The Irish have suffered mightily through history. That is why their hearts have gone out to African Americans. It was probably one of the main motivating factors in my registering voters in a dangerous period of our country in the beautiful State of Mississippi and marching as I did with Martin Luther King on August 28, 1963 proudly in my Air Force captain's uniform, was all I had to offer.

□ 1715

But I identified as an Irishman with an 800-year turbulent history with the multicentury history of the suffering of those of African heritage in this Nation.

The essence of life is to persevere and conquer the challenges that God presents to us in life. An Irish Americans, like Thomas Tracy of southern California, they have excelled at that task. Tom has been associated with about 28 different issue-related organizations, including many devoted to achieving peace in Northern Ireland. Over the last 5 years Tom has spent much time and just so much generosity with his own financial resources trying to work toward that peace. Just so many trips to Northern Ireland and to Dublin that I lost track of them. Over just the last 5 years he has just donated himself with great energy toward that goal of peace in that troubled beautiful little Emerald Isle.

I share one of Mr. Tracy's other passions, our love for our Christian faith, our Catholic faith. We have both been dedicated to strengthening and protecting the church, and in particular our own diocese. Mr. Tracy has been deeply involved in the diocese of Orange, CA, where he served at key committees, numerous Catholic organizations to help people of every level in society, and he has been the leader in the effort to gain sainthood for Father Junipero Serra, who has already reached the first plateau of being referred to as Blessed Father Serra. His statue is one of the two statues representing the State of California in this beautiful rotunda area, the other being the great freedom fighting Reverend King, Protestant Minister, during the period in California leading up to the Civil War.

I thank Tom Tracy for his many contributions. He honors all of us who are Irish Americans for his dedication, his good will, and his brave heart.

Now, if I was going to put a title on that, I would ask our recorders to make it "Tribute to a Great Irish American, Thomas Tracy."

Then I would draw a line through the CONGRESSIONAL RECORD and start on a not so happy note.

Mr. Speaker, do you remember the legionnaires disease? Remember the American Legion was having a convention in the City of Brotherly Love, Philadelphia, and some got sick at the convention, and a few who were older went into respiratory failure, could not be saved, some died after they got home, and it began to hit the evening news coast to coast, night after night after night? It was a terrible tragedy.

You say legionnaires disease and doctors still come to attention and think about that frightening period. Part of it was frightening because it involved infectious spores getting into the air-conditioning system, and I would not even mention the hotel if I thought of it, because they probably had to rename it and refurbish the hotel. But here is my point. The death toll, the total death toll, Mr. Speaker, was 34 human beings. Thirty-four souls on their way to god earlier than their families had planned. Thirty-four.

I just got back from the Center for Disease Control, doing research for a point of personal privilege to answer our colleague, STEVE GUNDERSON of Wisconsin, on the charges, the horrible charges that he made against me on the House floor on May 14, and I will do it in the middle of the day. I am sorry to interrupt legislative business, but on Wednesday or Thursday of next week I will do it. If Thursday is a getaway Thursday, I will ask, demand, as is my right, I will ask the leadership, to coordinate with the leadership, because I do not have to ask their permission to do it, it is a right, a wonderful treasured right in this House, I will ask for the time on Tuesday or Wednesday.

But I have been doing research on AIDS, along with researching the circumstances surrounding that wild abuse of Federal buildings, so-called Jubilee Party that took place on Thomas Jefferson's birthday in April, April 13, and here is what my current research on AIDS is causing me to believe: That a homosexual lobby, does not want us to discuss the enormity of this death toll. They do not want anybody, frankly, to discuss this greater health problem in the history of our Nation unless they are the ones doing the discussing. They want to define all the parameters of the discussion so as never to put a tough edge on it, that this is basically a medical nightmare driven by behavior and conduct.

Keeping in mind that 34 death toll figure of legionnaires disease, and I do not have the time to go back to 1981, which by the way was Mr. GUNDERSON'S first year, Ronald Reagan's first year, it has been an amazing 16 years, but the cumulative figure as of the end of this month for deaths in this country is 360,000.

Now, anybody listening on C-SPAN, if they want to go get a pencil, I would tell them, Mr. Speaker, to go do it. But if they are too lazy to get up out of the chair and get a pad and pencil, this one is easy. Just think of a circle; 360 degrees. Three hundred sixty. That is how many have died, 360,000.

And it is probably a little low because in 1981 and 1982 and 1983 and 1984, the then Surgeon General, Dr. Everett Koop, told me that they were not counting many AIDS deaths that out of understandable and totally understandable empathy for families, rather than say that their young man or any family member had died of a fatal venereal disease, AIDS, they would say only on the death report the proximate cause; lung failure, dementia, Kaposi's sarcoma. They would just write down deceased of cancer.

And then all doctors, all doctors worthy of the name, decided that it did no good to fight this major public health problem, to hide the true cause, the breakdown of the immune system that brought about the pulmonary problems, the heart problems, the stroke, the cancer, the dementia, and we started keeping accurate figures by the middle of the 1980's. So according to Dr. Koop, about 20,000, maybe double that, were lost. I will say 20. Add it to the 320,000 dead as of New Year's Eve last year, 1995, that would be 340. And then this year, I am low, I am saying 20,000 dead by the end of this month, and that brings us to 360, when the truth is I am probably 5 or 10,000 low, but 360,000.

A third of a million is a good figure to try to memorize so you can discuss this intelligently with people. So, 34 legionnaires disease, 360,000 for AIDS.

Now, here are the figures just for the last 3 years. Dead in 1993, now there are lots, thousands of drug users in here, thousands of people that do both homosexual activity and drug use, and hemophiliacs are in here, a very small figure, an infinitesimal cause of infection unknown, the overwhelming figure, somewhere always between 65 and 75 percent is homosexual activity, basically sodomy of some kind.

1993: 42,992. Death toll per week, I just divided it by 52 a minute ago, 827 per week. What a horrible death toll. Not 34 in the entire course of legionnaires disease, but 827 a week.

1994: 46,050. That is 886 a week. And last year, the year when I enjoyed myself so much traveling around this country debating with good men like Senator BOB DOLE reaching for that secular holy grail of the Presidency, 1995, wonderful year for me and my family, a tough year, but while that year, those 12 months were slipping by, 48,979 people died of AIDS.

And children in here. It is horrendous. We have lost 4,000 children to AIDS over the years. Now, the homosexual lobby hates it when you call the children innocent victims because they all want to say they are innocent victims. But the children not one of them got it from behavior they got it from childbirth or from hemophilia or from the bad blood transfusion or some blood byproduct. Some 4,000 innocent little children over the course of this nightmare.

Now, I just now added up those 3 years. That is 138,021 out of the last 15 years. Out of the 360,000, in round numbers, almost half just in the last 3 years.

What is the half year figure going to be at the end of this month? I said 20. Well, if I look at 1995, it is going to be closer to 25,000. Where are we going?

I do not know if I will have time in my point of personal privilege to put these figures into the RECORD, so I am going to do it now for the wars of our Nation to give a balance of how large that figure of 360,000 dead people are.

Here are the figures, and then I will be able to refer to them in my point of personal privilege. I would hope that every youngster who has ever studied American history would memorize the Revolutionary War as I have and that will teach them something about their Congress.

Take the number of this House, 435 men and women, and add 4,000. That is how many died under George Washington, the Father of our Country, in the Revolutionary War; 4,435. Well, at the rate people are dying of AIDS, in 4.5 weeks, 5 weeks, we averaged a whole 6.5 years, from Concord Bridge April 19 of 1975, hardly a man is now alive, all the way up to Yorktown, October 19, a precise 6.5 years, 4,435. But not in 6.5 years, in less than 5 or 6 weeks we equaling that now in AIDS deaths.

I will go more quickly here but I hope somebody is writing it down. It took me a lot of time to research the this. The war of 1812: 22,060. I have that memorized since I was a little kid. I do not know why. And the Mexican War, 1,733—1,733 for manifest destiny, reaching out toward the heights of Chapultepec in Mexico.

The Civil War, the War Between the States, or for my southern friends here the war of northern aggression. I do not want to politicize this. They are all Americans, we know that. We do not know how many young southern lads died from other causes, like disease or Northern prison camps. We have a Northern figure on that, so that is a mystery forever, but in the North 224,097 died of the diseases associated with men coming together who had never lived in an urban environment and catching diseases that they had no immune system operating for, the thousands that died at Andersonville, 10,000 there alone, it is 224,097.

But set aside those extra deaths. In the Mexican War 11,500 died outside of battle combat. I want to talk battle deaths. Billy Yank, the blue of the North. Battle deaths. Gettysburg, Antietam, Stone Mountain, Murfreesboro, TN, all of it, Shiloh, 140,414. Johnny Reb fought Billy Yank with a great ferocity, because the death toll in battle is much lower. Under Robert E. Lee and the rest of the southern generals it is only 74,524.

Now, you do not have to add those together, people that are taking this down, I will do it for you: 214,938. Fair to round that off at 215,000. There it is, Mr. Speaker, 215,000 combat deaths. That is only adding 62—215,000 combat deaths.

Let me come back to my AIDS figure: 360,000. It is 145,000 more than we lost in the Civil War, and nobody talks about it here, because the homosexual lobby does not want us to talk about these horrible figures.

□ 1730

They just want money. I will give them more than they are asking for. Because it is a tragedy beyond cancer, heart disease, or stroke or the things that begin to bedevil us in our 60's and 70's and 80's. These are young people, mostly males, taken out in the prime of life when they should be returning God's creative gift of life and contributing most to this society, to this society.

The Spanish-American War, this is getting down toward Legionnaire's disease size, not quite, 385,000—excuse me, 385—385 people, less than 400 died in combat in the Spanish-American War, including a few people under Teddy Roosevelt, running up San Juan Hill because the Rough Riders horses had not arrived at Cuba in time. On Kettle Hill, now called the charge up San Juan Hill, just a few dozen men, taking Manila Bay in the Phillipine Islands, not a single man lost. Dewey said, "Fire when ready, Gridley," and killed hundreds of Spanish on their ships, not a single American sailor lost. Disease in that war, even that is not too horrible, given the change of climate for a lot of American soldiers, 2,061. But back to the combat deaths, 385.

Now we get into some serious killing in the name of making the world safe for democracy, my father's war, where he was on a train that was derailed by German fire and rolled down a hill with a hot stove that they had purloined from a little French railroad station, rolling around with all the hot coals burning men and the stove itself killing men. My dad got up, stood up, thought every bone in his body was broken, covered in blood and realized it was the blood of other men. My dad

was poison gassed twice, shrapnel, small wound in his face. And in that war, 53,513. It was ferocious combat, mostly in the last 6 months, after we declared war, April 6, 1917. There was a long, slow period in the beginning there, and Black Jack Pershing refused to have French officers over our men so it took us a long time, till basically the spring. And then serious fighting in the summer of 1918, all over at the 11th hour, the 11th day of the 11th month of 1918. Combat deaths, most of them loaded toward the end, 53,513, very close, by the way, to Vietnam, although not over 10 years, all in six months, 53,513, AIDS 360,000 plus.

Now let us go to World War II. I am sure that anybody who even has a clue of how many people were killed in battle from the Aleutian Islands to the North African deserts, under the sea, on the sea and every battle from Santa Cruz to Guadalcanal, all the way up to Okinawa and the invasions before that from Tarawa to Iwo Jima and then of the fighting cross Europe, General MacArthur's island hopping campaign, death from Bataan and Corregidor right down to the prisoners who died after the cessation of hostilities in mid-August of 1945. What was the combat death toll of World War II? It was 292,131. So AIDS has already killed 68, 70, 75,000 more than all the battle deaths on every continent of the world, even bombing in Australia in 1942, Japanese bombing. It has now eclipsed World War II.

Korea, 3 years of fighting, in 3 years and one month, compared to Vietnam's almost 10 years, 33,651 in Korea, one-tenth of the death toll of AIDS.

In Vietnam, a figure that changes tragically every quarter, every half a year by the finding of some remains or the solving of some mystery, Vietnam, hard figure to memorize because I had memorized it recently as 47,366 because that was the great fighter wing at Da Nang, the gunfighters, I see 3 more is added, 47,369. Compare that 10-year struggle that tore our Nation apart. There is another almost 11,000 there of people who died in plane crashes, all the poor flying safety situations that are always involved with a combat area, but Vietnam has torn this country apart. And given the course of the Clinton administration, it is still tearing our country apart. We are still lying through the bureaucracy to the American MIA wives who come to town with the aging mothers and fathers and brothers and sisters who are now double the age of their siblings that are still missing in action with the built-in bias, pro-Hanoi bias of this administration because of its leadership at the top. We are still suffering Vietnam.

But the death toll, including the missing in action, 47,369. All the names on the wall, including those 11,000 automobile and plane crash accidents during the course of that decade, it is 58,000 names on the wall, 58,000, add 302,000 and you have got the AIDS deaths.

What are we doing about this AIDS death toll? We have thrown $35 billion into research, Mr. Speaker. It has already cost our Nation $107 billion. Because I am going to deliberately restrain my innate passion during my point of personal privilege in the middle of next week so that people focus on my words and not on my delivery style or anything, I will not constrain my passion tonight. Let me tell you what is causing this unbelievable health nightmare, Mr. Speaker.

Homosexual activists refuse to apologize for or give up the wild, promiscuous lifestyle that is the main driving, evil engine of this public health catastrophe of 360,000 dead people. Here is what I learned in one of my many trips around the world to educate myself on this issue.

I have studied this trip in Bangkok, this nightmare trip of AIDS contamination worldwide, AIDS infection. I have asked about it in Arab countries where the figure is very low and they are loath to speak about it. I have asked about it in Beijing, where they said it, contemptuously, that is was a Western decadence problem, and they never would have a problem in China, and, oh, do they have a problem building now. Fascinating front page section story in the Washington Post, New York Times, I think, just a few weeks ago about how China is a nightmare ready to explode, way beyond our third of a million death toll.

Here is what I learned last week up at NIH. I have been up there several times. I have been to the Centers for Disease Control in Atlanta. I do not know that Mr. GUNDERSON has ever been up to Bethesda. I know he has not been to the World Health Organization in Geneva. I took my wife there. She was stunned when they told her 55, 60, 70 million worldwide would die before—no, 100 million or more would die before the thing even peaked.

My wife turned to me and said, how many died in World War II? I said 55 million. She turns back to Dr. James Chin and Dr. Jonathan Mann and said, you are wiping out 100 million and that is almost double World War II? I have researched this all over the world.

My last trip last week up to NIH tells me this? I said to a man I greatly admire, Dr. Tony Fauci, I cannot, God could not design a better research doctor and dedicated person to fight this problem. He was at the table in the cafeteria at NIH in Bethesda when he and Dr. Bob Gallo looked at one another and decided they had a fatal virus among homosexual males in LA and New York. They called it GRID, gay related immunodeficiency. I do not know why they would use that adjective "gay." There is nothing happy about 360,000 people dead. There is no gaiety here, no cheerfulness, mirthfulness. It is the saddest thing I have ever encountered healthwise or anybody has encountered in the history of our Nation.

Tony Fauci, as you may recall, Mr. Speaker, came up during the debates of 1988 between George Bush and Gov. Michael Dukakis, Vice President Bush. And Bush was lucky enough to go second.

I was sitting next to the future Secretary of Commerce Bob Mosbacher and his wife Georgette and the—who was the narrator then? Was it Bernie Shaw? Was it a panel? Was it Tom Brokaw? I think it was Tom Brokaw. He asked Governor Dukakis, who are your heroes? There was this long, painful pause. I remember I turned to Bob Mosbacher and I said, "He is thinking right now, other than myself, Michael Dukakis." That is how long the pause was.

Finally he said, "Dr. Jonas Salk." That was a quarter of a century ago, over polio. I thought, come on, Mr. Vice President, respond with Tony Fauci. It was like mental telepathy. I hope he says Tony Fauci. And there was no one else for a follow-up by Dukakis, just Jonas Salk.

So it comes to George Bush and he had the advantage. He had time to think about it. He said, there is a doctor, and he could not think of his first name, and he said, Dr. Fauci at NIH. And Mosbacher says to me, nice job of mental telepathy. I said more, more. Then he hit the ball out of the park. Probably won the election. This was his defining moment in 1988. He says, "And any cop on the beat anywhere in America." That did it for George Bush.

But that is how far back Tony Fauci goes in my mind. That is 8 years ago this coming October. Fauci is great. So at the end of this tremendous tour, where he introduced me to some wonderful HIV-infected people that are fighting for their lives in a program, I hope they have changed their conduct. I hope they tell other people not to engage in the high risk politics, in the high risk political and homosexual movements and the high risk sexual activity that is shortening their lives.

After it was all over, I walked through the tremendous labs and I met people from Palermo, Sicily, a young lady doctor working with Tony Fauci. I met people from northern Italy, from Bologna, from France, from all over the world. What a team they put together. And, Mr. Speaker, none of them have the money anywhere in Europe, let alone the rest of the world. It is not up to European or American medical standards. Nobody has the money that they have at NIH and the Centers for Disease Control that we in this Congress without any hesitation have given of the taxpayers' money that we are supposed to guard to try and find some kind of a—there never will be a cure, Dr. Fauci tells me, you cannot

get an infinitesimal retrovirus out of the T cell that it has worked its way into. That is impossible. It keeps replicating as they attack it anyway.

What we need is a vaccine to hold off the onslaught, to build up the immune system, to prevent the infection or, once they have it, to keep the T cell count up and extend the life into another decade beyond the decade or so that some stronger people have been able to fend off the onslaught of full AIDS.

We are out in the hall and we are about to leave. I said to Dr. Fauci, I said, "Tony, I am hearing some bad rumors. I am hearing that in the homosexual communities in the hot spots of America, Key West, Miami, New York, LA, San Francisco, that young homosexuals are doing two things—get this, Mr. Speaker—"they are playing Russian roulette with deliberate high risk unsafe sex because it adds to the erotic thrill to play roulette with the HIV virus." And he nods in affirmation. "Yes," he says, "that is happening."

And I said, and then I hear that there is kind of a communal thing that when you get hit a with a positive test on the HI virus, it is almost like you joined a greater community. You get to see Whoopi Goldberg or Barbara Streisand wearing a red ribbon at the Academy Awards or you see these great tributes paid to theatrically talented people who died at the Tony Awards, the award system for Broadway plays, that it is somehow or other a shared experience to get the virus and be on a greased path to dying of AIDS. He said, yes, that is true.

Then there is a third thing—imagine this, Mr. Speaker—he says, there is a third thing beyond deliberately playing high risk Russian roulette and wanting to join a bigger community of sufferers. He says, a lot of them, paraphrasing Dr. Fauci very closely here, a lot of them have a sort of exhaustion, a mental exhaustion, a frustration over trying to beat the HIV virus, and they are just sort of giving up and saying it is going to get me eventually anyway.

You put those three things together, high risk erotic sex, telling yourself that lie, two, the shared community, that we are all in this together and, three, I cannot stand this ugly game of trying to avoid it so I am throwing caution to the wind. I am abandoning hope. Abandon hope, all ye who enter here.

□ 1745

Wiliam F. Buckley once recommended that as a cruel joke, I assume as a tattoo on high-risk practitioners.

So there it is. It is starting to go back up. I honestly thought when I got the figures on 1995 from the Centers for Disease Control about an hour and a half ago, I was sure it was going to go 43,000 in 1993, 46,000 in 1994, and drop back to 42,000 or lower last year, but it almost breaks 50,000. So I can—I can feel it coming for the end of this month. Around the middle of July I will call the center down at the six Centers for Disease Control that handles this, or I will call Sharon Katz, who does a great job trying to keep me informed on this up here in D.C. She is congressional liaison for—legislative liaison for CDC, and say, OK, because they are only going to a yearly report.

Can you believe that, Mr. Speaker? When this thing started, I could get a weekly report, a published monthly report. Every month I could find out—I will show you what it looked like. I would get this: Table 13, monthly cases diagnosed during the interval of 1 month, case fatality rate, deaths occur in the interval. Then they went to quarterly, and they stayed that way until about 2 years ago, and they went to semiannually. Now they tell me no more semiannual report on June 30, you got to get a report once a year. Why? The reports are higher than ever. More people are dying than ever before, and now they are only going to tell us once a year.

So they told me informally we will give you round figures at the mid point of the calendar year on June 30, and if it breaks 50,000, then this has not peaked yet in spite of killing off 360,000 people, of which certainly 300,000 were hard partiers.

Drugs, which is one of the unknown stories of how this is transmitted so frequently in the homosexual—among the homosexual hard parties; the drug use among circuit-riding homosexual parties is almost as bad as it is at the lowest level of poverty in our big cities where drugs is a release from the depression of not being a player in the American dream. These are people that are just looking for hedonistic pleasure and an end in and of itself.

Now, Mr. Speaker, I give you a preview on my point of personal privilege. Here is my second draft. It is over 30 pages long. I can get through it in an hour. I am not a bad extemporaneous speaker, as speakers go around this place, but I am going to read this one on Wednesday or Thursday because I will not be accused of not having love for my fellow man.

I watched yet another stupid Phil Donahue show this morning where he had two young reverends on, one from somewhere in Colorado, one from Nashville, TN, and I guess it was a rerun from sometime around November where they had a play on Halloween that they called Hell House where they tried to show young people that the wages of sin is death, and why they got through the whole hour, because he put them against a lesbian Presbyterian minister and somebody from Planned Parenthood, of course, picking out somebody as beautiful as young Liz Taylor to, you know, use all the softened euphemistic words for killing babies in their mothers' wombs, and Donahue left objectivity when the first 10 minutes of the show was insulting these two handsome, in their mid to late 30's, these two Protestant ministers, and I was shocked, and so was my wife, that the ministers did not bring up that liberals approve of this when it is called scaring them straight in prison where you take young people to prisons who are flirting with crime, they are in their first arrest period, grand theft auto or something, or maybe caught carrying a gun, they have not used it yet, and they put them in a prison, and these big grizzly cons come in, rough talk to them, scaring them straight, or taking high school kids and showing them pictures, graphic, bloody, color pictures, of automobile accidents from prom night or any drinking night at a party and trying to get young people who think they are going to live forever to conceptualize in their head that there but for the grace of God would be me torn to shreds in a small Japanese-made car that is lying on the highway in three or four pieces with five or six dead teenagers or one who survives to be paralyzed all of his or her life. They say, my gosh, I am drinking at parties and driving. Why is it OK to show teenagers, and I am all for this graphic pictures of teens dying when they drink and drive, or what MADD, Mothers Against Drunk Driving, does, to say this is what people do when the drunk crosses the line and because he is sotted out of his mind, usually is so limp he survives, but he front-ends a van full of children and kills 27 people on a bus, which happened in Kentucky or Tennessee a few years back. That young driver is still in prison, I assume, that killed, burned to death all those children. Or how many times did we read about the innocent family driving along at 45 miles per hour and some drunk comes across the divider on a two-lane road, no divider, just across a line, and crashes into their car killing them. Why is it valid to show them these pictures, but it was not valid for these reverends to show an abortion scene, an AIDS death, the young teenager in the casket and the family all crying. It was a fascinating show, but there was all the careful language, and here is what the lesbian minister kept saying:

My lesbianism, my homosexuality, my gayness, is a gift from God, a gift from God. How many times do I hear this? It is a gift, gift, gift, gift? Well, in the case of HIV and AIDS, it is the gift that does not stop giving, and what it gives in the end is a terrible, terrible death.

What a tragedy to think of 360,000 young people. The Presbyterian minister kept saying how people reject children. How rare must that be for a family to reject someone who is dying

of AIDS when they come to their family. I think that must be a minority, I know, every family that I have ever heard of that lets that poor young person die inside the womb, the nurturing unit of the family. That has been my experience. That is what the priests and nuns and ministers that I talked to say. We maybe went through a rough period when people did not understand it, but the scene I have in my mind is a young person, usually a male, who contracted it in his early 20's, he is dying in his late 20's; that is the bubble in the middle of where most of these deaths are from 25 to 35, that is the largest category out of the 360,000, and he is there with his mother putting her cool hand on his fevered forehead, his father holding his hand, saying I still love you, son, picturing them all those times, the campouts, or the Little League, or the Pop Warner Football, and the reverend, a priest, a minister, a rabbi; they are giving the last rights, telling them Jesus loves you, God loves you, you are forgiven, your soul is white, you are going directly to heaven because you suffered so much on this Earth.

I do not see this grinding religious right, vengeful nastiness that people talk about.

A reporter, I know he is a nice fellow, he wrote a stupid article on the front page of this new competing paper with Roll Call called the Hill, and he said—he even singled me out and said the Republicans had to go along with voting for money for AIDS, they were embarrassed to do it. Who embarrassed us into it? And here is the line that he sort of apologized for. Point well taken, Congressman, he said. He writes in there, even BOB DORNAN voted for the Ryan White money.

The vote I think was 430 to 3 or 4; yeah, 430-something to 3, and the three people who voted had a very good reason for voting no. All three are friends of mine, that there is no accounting for this money, that it is given to homosexual groups, and that they squander millions of dollars of it in propaganda efforts that are causing more people to become enamored with sodomy, and they are killing themselves with more anal sex, and our tax dollars is going toward that end.

But the overall cost of little Ryan White, a hemophiliac whose blood supply that he was using to keep his life extended was polluted deliberately by high-risk people in San Francisco and other places who knew they were contaminated with the AIDS virus, but they wanted to go in and get paid for a blood donation so they could go out and get drugs.

This is a proper name for the bill; maybe Ryan White, but how many times have I heard Phil Donahue twist this whole thing and was one of young Ryan's pallbearers, how often has the movement used the Ryan family to, they think, get money out of us that even I have to go along with it.

I willingly voted for that money, and I say it again, Mr. Speaker, more money until we can turn this thing around and get a vaccine because I tell you at the tail end of this, when AIDS hits, there is not much unsafe sex going on, there is not any smoking marijuana, there is not much drug abuse except the drugs like morphine to take the pain away. There is no partying time.

But I turned on PBS the night before last. Did you see, Mr. Speaker, the 3-hour special on Tiananmen Square? It was gripping. And going into it and coming out of it was an ad for something on Public Broadcasting next week about a show on Broadway, Angels Over Broadway; I do not know what the title is. It is written by a homosexual about—to put a glorifying spin with a tragic, tragicomic spin on this AIDS crisis, and they showed a scene from like a park bench of two young male homosexuals, and one is speaking to another, and he says, yes, the angel of death has come with his wine-colored kiss, and he holds out his arm, and there are Karposi's lesions, and he looks at his friend and says, yes, I am a legionnaire. Maybe you think of legionnaires' disease, only 35. I am a legionnaire.

It made me think of Dr. Tony Fauci a week ago saying, Bob, they are getting exhausted with fighting off the roulette of maybe getting it, so they give up and just end up contracting it and become a legionnaire.

Well, in my work around here over the last 16 years as this has built with the 2-year gap from gerrymandering where I was not here, in 1983 and 1984, and there was not a single speech, Mr. Speaker, in this Chamber or the U.S. Senate during those 2 years I was out, 1983 and 1984. Nobody really knew about it in 1982. It had only been discovered in the middle of 1981.

So when I came back, I called the Library of Congress. How many speeches on AIDS in this Chamber? Bill Dannemeyer was working on it, my colleague from California; HENRY WAXMAN, another colleague from California, had jumped over 5 to 10 years of seniority and become chairman of the Subcommittee on Health, and I said how many speeches had been given?

Mr. Speaker, not a single Member ever came to this leadership lectern or those two lecterns in the well and had spoken about AIDS from its first reported beginnings all the way through 1985 until I took the well, and I have spoken on it over and over and over again, and I speak from the compassion of the heart that I think is pure and brave to stop the killing of one another of young Americans, and I am not getting much help from organized groups that will put on the disgusting display that went on at the historic Andrew W. Mellon auditorium.

If the hour had not caught up with me, I was invited to come by and take a tour of that facility. I have been in there, several tuxedo dinners when I first got here in the early—late 1970's early 1980's. I have not been by there awhile, but I drove by last night, and guess what, Mr. Speaker? What the homosexual jubilee party is there called Screw Alley along the side, its not an alley at all. If there is any alley, it would be behind the building, and that is blocked off with cyclone fences because the Ronald Reagan building is being built immediately behind it, and if there ever was an alley, it would be turned into a beautiful atrium walk area. The two sides of the building have exquisite carriage side entrances with modern, leveled-off places for disabled Americans in wheelchairs to get in.

□ 1800

The beautiful front, with six massive Doric columns, faces precisely on the architectural line from the center of the building, the Mellon Auditorium is on the opposite side or south side of the street, the National Museum of American History.

As I stood on the sidewalk and looked up at the Mellon and thought about this party on Thomas Jefferson's birthday, and thought about 2,000 writhing, half-naked bodies, and people going out into the darkness to have illicit sex and urinating on both sides of the building, and by the way, everything that I put in the CONGRESSIONAL RECORD, everything that I sent around in the Dear Colleague letter by Marc Morano, a young reporter I have known for years, because he did work for Rush Limbaugh, Morano was not alone. He had an associate with him. Some homosexual reporters from one of the city newspapers backed it up on the May 15 edition of the Washington Times.

These carriage entrances on the side are one of the three front entrances of this building, and there were no construction cones. They had six rent-a-cops, Mr. Speaker, six from a group called APACS, that was the lowball bidder, to control 2,000 people determined that night, inadvertently or by high-risk Russian roulette, to get themselves infected and join the greater community.

As I stood on the sidewalk and looked at one of my favorite museums, right up there with the National Museum of Art, the Aerospace Museum, and the Natural History Museum, I look across the street and something struck me. Inside the wall, on the side facing the Mellon Auditorium, is the Star-Spangled Banner, 20 or 30 times bigger than Old Glory behind you, Mr. Speaker; the actual flag from the night of September 13 and 14, 1814, when Francis Scott Key, prisoner on a British ship, looked at this massive flag by

the dawn's early light, and composed on the deck of this British man-of-war our Star-Spangled Banner.

I may open my special order, not a special order, I will do one that night, too, for cleanup purposes, but by point of personal privilege, I may put that in the beginning, that across the street from the Mellon, on the very wall, I paced it off, 40 Dornan steps, pretty close to a yard, I guess, across Constitution Avenue, there is a big hemispheric pond to accommodate the circular driveway in front of the National Museum of American history. So I went up to the edge of the pond, detoured left, squared it off, and started counting again, and from the front of the Mellon to the wall, upon the inside of which is this massive, original Star-Spangled Banner, it is 106 paces, 106 paces from the front of the Star-Spangled Banner itself, blocked only by the thickness of the wall that it is on, and people are urinating on Constitution Avenue and acting like it is some Roman basshanal, all in the name of, brace yourself, Mr. Speaker, raising, according to the gentleman from Wisconsin [Mr. GUNDERSON], in this well, $50,000 for the Whitman-Walker Clinic.

I learned up at NIH, Mr. Speaker, that one of the selected few lucky people in the Government program using Interleukin IL–2, which seems to be successfully rebuilding their immune system, getting their count from below the 200 figure, where they are declared an AIDS victim, back up to 1,000 almost. And I asked what is mine, what is a normal healthy person's, and they said 600 to 800, probably more like 600. This seems to be working to extend lives, but they will always be infectious with AIDS until the day God calls them, but they can maybe have a dream of a normal life.

Do you know what it costs for one of these lucky patients in the Government program? One hundred thousand dollars a year. So at this jubilee, and by the way, I want to explain to you what jubilee is, they were more concentrating on the cherry, its third definition of virginity in that dictionary, that is their clever title. I am going to show the ads for this bacchanal in some of the homosexual newspapers. I will tell you what the word jubilee means; right now do you know what that word is? It is a Judaic, a Hebrew word. Every 50 years every prisoner would be freed, debtors would be relieved of their debts that they had not yet paid off. It is a 50-year religious celebration of piety and reverence toward God, kind of like a super Yom Kippur of 50-year, half a century point.

And in the Catholic Church, I had forgotten, it is a formal title for a 25-year religious celebration, the holy year of jubilee that the Pope in Rome will declare for a year of joy and prayer and thanks to God for any good that we have managed to treasure in our lives; jubilee, a religious or Christian ceremony. In African-American history it is a series of religious songs and hymns. African-Americans in the slave days would have their jubilee songs, singing about the day of freedom.

To take that word and apply it to cherry, with a sexual overtone, and then to have these pictures that I am going to bring to the floor, carefully censored for the tender eyes of the new crop of pages, I will show how this bacchanal was advertised.

Mr. Speaker, one final thing on this tragedy that I have done more hard work on than most Members that I know around here, and I am sick and tired of getting my motives questioned and my integrity challenged with vile words like "hater" and "bigot" and "prejudice." I went up to the Armed Forces Medical Intelligence Center.

When I got on the Permanent Select Committee on Intelligence 8 years ago, I made up a list of all of the intelligence operations around this Nation and around the world that I would visit. Unfortunately, I put way at the bottom of the list, medical intelligence. I thought it was like the museum that I dearly enjoyed at Walter Reed, going back to the conquering of yellow fever and the building of the Panama Canal, which a young colonel named Walter Reed eventually lent his name to this largest of all Army hospitals in the world.

I have looked at some of the historical things at Bethesda, but I just had not gotten up to Fort Detrick, MD. Finally I went up there, because someone in the Permanent Select Committee on Intelligence upstairs said they give a frightening briefing on the growth of AIDS around the world.

I think I told our Speaker pro tem, a fellow Air Force officer, I think I told him this in the Cloakroom, and if I did, forgive my advancing years here in retelling something, but the nation of Zimbabwe is no longer fit, I say to the gentleman from Florida [Mr. STEARNS] for U.N. peacekeeping or peacemaking duty. They infected so many people in the torn country of Somalia that Boutros Boutros-Ghali has said, "You are not fit for U.N. service anywhere in the world any longer."

Zimbabwe is about to be quickly followed by Uganda, by Kenya, the jewel of all the British-African possessions, where the late Bill Holden still has his beautiful camera safari at Treetops Lodge. Kenya is about to be blackballed for any future service, written off. Guess why? Zimbabwe two commanders ago, their General Shalikashvili died of AIDS. The last commander after him died of AIDS. The current commander is infected with HIV, as is 75 percent of his officer corps, 75 percent of his NCO corps, and 75 percent of his Air Force and line soldiers. That is three out of four. I did not say 7.5; 75 percent are infected with AIDS in Zimbabwe. Is this incredible? The whole army is going to die off soon.

I have a point here. When Uganda and Chad and Kenya and Rwanda and Burundi and Malawi and all of the rest of the countries in that terrible belt south of the Atlas Mountains and north of South Africa, but now it is starting to rip into South Africa, the evil of apartheid was a false break because of cruelly restricting the free flow of peoples, and it kept out AIDS for a while. Now is tearing apart South Africa.

Of course, Rhodesia is the other white enclave that held out. It changed its name to the ancient city of Zimbabwe when it achieved its independence. Get this, Mr. Speaker. If Zimbabwe cannot pull a duty in Bosnia, guess who is going to be asked to ante up more than our fair share? The United States of America, Great Britain, France; countries where, when somebody has HIV, they are no longer worldwide deployable, they are no longer combat trainable, they will never drive a tank, a truck, fly a plane, a helicopter, or sail on a ship or under the waters in a sub.

That is why I am trying to make our military 100-percent HIV-free, and lavish love and medical attention on the regiment size of 1,000 people that we have left, put them in the VA and make sure they get equally, if not better care, than they get right now on active duty when they admit, when they are honest, that they are not pulling their load or their fair share.

How can we go from 1,400,000 Americans on active duty all the way down to where we are now, and keep on active duty the people that are infected, while we are putting healthy men and women out of active duty? This nightmare of world AIDS' exponential growth is not being discussed in this Chamber or in the U.S. Senate, one, because it involves that potent little word, s-e-x, but mainly because the people that have a grip on what should be the truth about this epidemic, and how it is spread by heterosexual behavior and conduct, promiscuous conduct and lack of sanitation worldwide, and in this country, which is the most sanitary Nation in the world, without a question of Europe, driven mainly by homosexual conduct and behavior.

Mr. Speaker, I appreciated this time set the scene for my point of personal privilege, question of personal privilege on the floor, where I will defend my honor, defend my heart which I believe to be pure, and explain why I know more about AIDS and HIV than any Member of the House or Senate, including the three forced-out-of-privacy homosexuals that still serve in this Chamber. I know more than they do, and I know what the truth is on how to save hundreds of thousands of more young Americans, mostly males, from dying in the next decade, since we did

such a pathetically poor job in educating young people on how not to kill themselves in this last decade.

BENEFITS OF THE DAVIS-BACON ACT

The SPEAKER pro tempore (Mr. STEARNS). Under a previous order of the House, the gentleman from New York [Mr. OWENS] is recognized for 60 minutes.

Mr. OWENS. Mr. Speaker, on May 22 of this year, the Senate, the other body, heeding the voices of more than 21,000 construction contractors and millions of American workers throughout the Nation, voted to reject any plans to repeal the Davis-Bacon Act. By the overwhelming margin of 99 to zero the Senate endorsed bipartisan reform to preserve Davis-Bacon.

I think that is very significant that the Senate, the other body in this Congress, has taken a strong stance in favor of reform, with the assumption that any law, any institution, any structure would benefit from reform. But the Senate is not following the lead of the House and demanding that there be a repeal of the Davis-Bacon Act.

I think this is a vindication of the system that was set up by the Founding Fathers when they said that we needed two Houses, one which could accept, and the analogy was made of the saucer and the cup, the pouring of tea or coffee into a saucer to cool it off; and the other, of course, would generate the heat that is in the cup.

I think the House of Representatives is a body where there is a great deal of heat and energy. We have 435 Members, after all. When you multiply even the minimal energy of one person by 435, you get a great deal of heat and energy.

The heat and energy in this body sometimes spins out of control. We need the wisdom and the patience of the Senate to sometimes bring us back to reality. I want to congratulate the Members of the Senate, all 99 Members who voted that Davis-Bacon should not be repealed, that the Davis-Bacon Act should be reformed.

Mr. Speaker, I stand before this body, and today I would like to dispel the myth that the prevailing wage determination in the Davis-Bacon Act is inflationary, and that it adds billions of dollars to the Federal budget.

I have talked before about Davis-Bacon and racism. Davis-Bacon is not the source of racism. If there is racism in the construction industry, Davis-Bacon is certainly not generating or not nurturing it. Davis-Bacon is the antidote. Davis-Bacon has done more to counteract the impact and the effects of racism than any other Federal law or local law on the books.

It is through Davis-Bacon that we have maximum cooperation between unions and contractors, and through the maximum cooperation of unions and contractors that we have gotten the kind of training programs that have begun to slowly but surely and steadily increase the number of minority workers who are qualified in the various skill areas in the construction industry.

Prevailing wage laws were enacted to maintain community wage standards. They were enacted to support local economic stability, and they were enacted to protect taxpayers from substandard labor on State and Federal projects. These laws set clear parameters to ensure that contractors bid on public projects on the basis of skill and efficiency, and not on how poorly they pay their workers.

As I have stated before, Davis-Bacon was created by two Republicans. Both Davis and Bacon were Republicans. Both Davis and Bacon were concerned primarily about the middle class. Both Davis and Bacon were concerned about families and communities. The Davis-Bacon Act, when it was created in the early 1930s, was there to help stabilize communities. It was there to guarantee that families are not destabilized, and families are not subjected to the kind of wild things that happen when you can transport workers from one area under substandard wages and pay them substandard wages and be able to have unscrupulous contractors bid on projects at very low levels, and take over the work of the local contractors, who are paying good wages to local workers who are part of a local community and stabilize that community.

That was what we were trying to avoid in the early 1930s. Davis-Bacon continues to help to stabilize communities and to guarantee that the pool of construction workers, their skills, and their incomes will be there to help stabilize their families and their communities.

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Unfortunately, the House Republicans, the Republican majority here in this House, is driven by antiunion hysteria, which I do not understand. There is some kind of contract with an unscrupulous group of contractors, I think, in the case of Davis-Bacon, because they will not let up.

Certain House Members keep going and they refuse to recognize the facts. They come from areas that are certainly not paying very high wages. If you look at the Davis-Bacon wages of the areas that many of the Republican majority Members come from, you will find that they are very low wages and sometimes close to minimum wages. And they cannot really complain about Davis-Bacon driving up the cost of local construction. But the facts do not seem to matter. There is a kind of hysteria determined to reverse the fair and equitable standards that Davis-Bacon has established.

They have worked themselves into a feeding frenzy, and they made absurd charges about Davis-Bacon. Davis-Bacon is racist. These charges are made by people who normally are not concerned with racism, but they use this as a charge to be able to belittle and denigrate Davis-Bacon. They also charge that contractors are forced by Davis-Bacon to pay inflated wages, and that this has been the result of what Davis-Bacon has accomplished.

The gentleman from Pennsylvania [Mr. GOODLING], who is the chairman of our Committee on Economic and Educational Opportunities, appearing before the appropriations subcommittee on the Department of Labor, Health and Human Services earlier this year, stated that quote, quoting representative GOODING, the chairman of our committee: The 1931 Davis-Bacon Act drives up construction costs for any Federal construction projects valued over $2,000 by requiring contractors to pay a government-determined wage rate.

Chairman GOODLING's remarks before the appropriations subcommittee is proof positive that Republicans are not ready to really listen to the facts and take responsibility for leading this body in a move to have labor and contractors, labor and management come together for the benefit of stabilizing communities and for the benefit of stabilizing workers whose families very much need this kind of stability.

The actual wages of construction workers is going down. They are as much a part of the wage gap and the wage stagnation in America as any other set of workers. If you take away Davis-Bacon, many of them will be subjected to violent swings in the conditions that set their incomes and their salaries.

The Republicans have put on a sneak attack and fright campaigns in the hope that the American people will buy into a conspiracy theory, a theory that Davis-Bacon is out there conspiring to drive up the costs by guaranteeing workers something that is unreal. Chairman GOODLING suggested that there is some kind of institutionalized and entrenched collusion at the Department of Labor. And to quote him again, "There appears to be a deliberate effort to manimpulatee data for political gain." There appears to be a deliberate effort to manipulate date for political gain.

If you look at the Department of Labor and the history of the Department of Labor, if you examine the surveys that they do in determining prevailing wage rates, you will find that it is impossible to establish that there is any kind of collusion or any kind of conspiracy. In fact, there are many cases where the surveys done by the Department of Labor actually lower the wages of construction workers relative to the highest-paid workers in

that particular area. I am going to talk about that in a few minutes.

Mr. Speaker, we have a booklet here which shows the results of some of the surveys that are done. They show that often the construction workers are paid below the wages of the average salary for workers in similar kind of jobs in given localities.

Further evidence of the dream world existence among the Republicans who are fighting Davis-Bacon is that many of them have bought into the party rhetoric that Davis-Bacon inflates wages. Again, this is our primary topic today, to look at the wages, look at what is really happening with Davis-Bacon wages. It comes as no surprise that many of the most vociferous foes of Davis-Bacon comes from States that have extremely low wage determinations which include no health or pension benefits. No only do we have in States like North Carolina very low wages paid to Davis-Bacon workers, workers who are covered by Davis-Bacon on Federal construction jobs, but those workers, the same workers in those areas have no pension benefits, they have no health benefits.

I was in a hearing this morning covered by the Employer-Employee Relations Subcommittee of the Economic and Educational Opportunities Committee, and the hearing was focused on pensions. They pointed out the fact that there are only a small percentage of Americans who are covered by pensions. Two-thirds of the people do not have pensions of any kind beyond Social Security. For more and more people, the coverage for people is going down. There are more and more people who are uncovered as the years go by. We had more people covered 20 years ago who had pensions and pension benefits than have it now.

So there is a whole category of construction workers who not only have no health benefits; they have no pension benefits as well. These are the same people, the same people who want to criticize the Davis-Bacon prevailing wages also are the people who fought against the minimum wage. Minimum wage at least establishes a floor. Unfortunately, in many areas the Davis-Bacon prevailing wage rate is close to the minimum wage rate.

Minimum wage, as we have pointed out before, is too low. It is presently $4.25 an hour, and we voted a few weeks ago on the floor of this House to raise the minimum wage. And after we raise it, if we get the other House to pass the bill, after we raise it, it will go from $4.25 an hour over a 2-year period to $5.15 an hour. This is very low, but there are many Davis-Bacon workers, people who are covered by Davis-Bacon who are very close to this minimum wage.

Mr. Speaker, how can $4.25 an hour with no benefits be called inflationary by any rational and thinking person? How much longer can he go? At those rates, no one can support a family. Surely none of my esteemed colleagues would want to maintain that you can live on $4.25 an hour, working 40 hours a week every week of the year. Construction workers, as we know, do not work on a regular basis like other folks. They have very uneven working periods due to the weather and a number of other factors.

So here we have a situation where the Republicans in the House, the Republican majority in the House is insisting that we must go ahead and do something radical again. We have a situation where extremism is the only answer to the problem. The Members of the Senate have looked at the problem, and they have said: We need to have some reform, and we are willing to go forward with reform.

But they did not say we need to be radical and extreme, and we need to repeal Davis-Bacon. They started with that discussion. There were people in the Senate who were maintaining that we should repeal Davis-Bacon.

What happened on May 22, 1996, just a few weeks ago? They started with a discussion of a repeal of Davis-Bacon. And then it was proposed by Senator SANTORUM that they once and for all for this session of Congress decide that we are either going to repeal or reform. He was in favor of reform.

Senator SANTORUM, and I quote him, I quote him from an ad that appeared in Roll Call, and it is available for all who want to see it. Senator SANTORUM said, "We have just voted, we just voted on whether to repeal Davis-Bacon. Many of us are not for repeal of that. We believe that there need to be reform of the Davis-Bacon law and that we, in fact, should assume that for the purposes of the budget we are going to be reforming Davis-Bacon. I think there is bipartisan support for reform of Davis-Bacon. I wanted the Senate to go on record for that reform measure."

That is what RICK SANTORUM, a Republican from Pennsylvania, said on May 22, 1996, as a result of the leadership taken by Senator RICK SANTORUM, formerly a Representative from this body, a Republican, as a result of the leadership that he took the Senate voted 99 to 0 for Davis-Bacon reform, not repeal, Davis-Bacon reform.

The Senate voted for Davis-Bacon reform because they understand that Davis-Bacon should be kept alive and remain in force because it encourages the private sector to invest more than $400 million in vital training programs, $5.75 billion for privately funded health care, and $4.3 billion for privately funded pensions. The Senate understood that Davis-Bacon is not racist.

In fact, national civil rights organizations and the Congressional Black Caucus strongly support Davis-Bacon because it provides training and employment opportunities for minorities through apprenticeship programs. Davis-Bacon does not mean union rates. Unfortunately, I do not think that is so great. I think we should have union rates because union rates are far closer to what reality is in terms of people needing a decent wage, because Davis-Bacon does not seek to solve that problem.

Davis-Bacon was not designed to solve the problem of collective bargaining, just as Davis-Bacon has nothing to do with racism or civil rights. It was not designed for that purpose. It has, as a byproduct, produced a situation where you have contractors and unions willing to work together. Because Davis-Bacon helps to stabilize the industry, you have had great benefits flow for civil rights for the improvement of the opportunities for minorities to work in the construction industry. But that is not what it is about. Davis-Bacon is not for civil rights, not designed to correct the problem of racism.

We need lots of measures to go to work on correcting problems of racism throughout our whole society, and certainly some problems within the construction area, but this is not what Davis-Bacon is designed to do.

Mr. Speaker, Davis-Bacon was not designed to replace collective bargaining. Davis-Bacon does not mean union rates. Seventy-one percent of prevailing wage rates issued by the U.S. Department of Labor are nonunion rates. Eighty percent of the wage decisions issued by the Department of Labor contain a rate of $10 or under. Davis-Bacon does not set the wage rate; it reflects existing community standards.

Mr. Speaker, I submit this statement of the Senate's vote, 99 to 0. It appeared in advertisement form in Roll Call.

I submit the material for the RECORD.

WHY DID THE SENATE JUST VOTE 99–0 FOR DAVIS-BACON REFORM?

On May 22, 1996, the United States Senate, heeding the voices of more than 21,000 construction contractors and millions of American workers throughout the nation, voted to reject plans to repeal the Davis-Bacon Act. By the overwhelming margin of 99–0, the Senate endorsed bipartisan reform to preserve Davis-Bacon.

The Senate voted for Davis-Bacon because:

It encourages the private sector to invest more than $400 million in vital training programs, $5.75 billion for privately funded health care and $4.3 billion for privately funded pensions;

Davis-Bacon is not racist. In fact, national civil rights organizations and the Congressional Black Caucus strongly support it because it provides training and employment opportunities for minorities through apprenticeship programs;

Davis-Bacon does not mean union rates: 71% of prevailing wage rates issued by the U.S. Department of Labor are non-union rates. 80% of the wage decisions issued by the Department of Labor contain a rate of $10 or under. Davis-Bacon doesn't set the wage rate, it reflects existing community standards.

Ultimately, the U.S. Senate rejected the scare tactics and misinformation employed by Davis-Bacon's detractors:

We just voted on whether to repeal Davis-Bacon. Many of us are not for repeal of that. We believe that there needs to be reform of the Davis-Bacon law and that we, in fact, should assume that for the purposes of the budget. I think there is bipartisan support for reform of Davis-Bacon. I wanted the Senate to go on record for that reform measure—U.S. Senator Rick Santorum (R-PA), Congressional Record, May 22, 1996.

Stop the lies. Reform Davis-Bacon now. Pass H.R. 2472/S. 1183.

Mr. OWENS. Mr. Speaker, there are efforts afoot, and part of this comes from the same committee, the committee I serve on, the Economic and Educational Opportunities Committee. It comes from a subcommittee I serve on, the Subcommittee on Workforce Protections, an effort to promote a concept called the TEAM Act where they try to say that they want to take steps to give management and labor a chance to work more closely together, and they think we need to legislate this. Those of us who oppose the TEAM Act say that the legislation and the context of union-busting that is taking place in the country now is another form of intimidation, another form of ambush that can be set for workers and that we do not need a TEAM Act; what we need is more freedom to organize.

We need new regulations, and perhaps a change in the law, not perhaps, but certainly a change in the law which would allow workers to organize more freely and without having to go through the tremendously long waiting period and the bureaucratic struggle they have to undertake now in order to organize, get a vote, and be recognized.

The advantage at this point is on the side of management, and management has used that advantage in many ways. So, we oppose the TEAM Act.

Mr. Speaker, here is another way to have management and labor work together without interfering with the collective bargaining process and without interfering with the union organizing process. The contractors in Davis-Bacon, those who are part of the process of building Federal buildings and have for years found the stability of the Davis-Bacon Act and the kind of environment that it creates to be good for business, not for higher profits necessarily, but for stability which gives them a workforce that has skills, a workforce that is stable and will be around, that allows them to treat their workers in some kind of humane way and give fringe benefits like health care and pensions. The Davis-Bacon employers are very different from the non-Davis-Bacon employers.

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The contractors who are against Davis-Bacon are the ones who are the most unscrupulous contractors seeking to maximize profits by exploiting workers. They want to take one group of workers in one part of the country at very low rates and move them to another part of the country, and capitalize on the fact that they are exploiting those workers.

Usually those workers are not as skilled as the people who come up in a situation under Davis-Bacon, and they usually provide a whole series of problems. They generate a whole series of problems in construction. They do not do as good a job, they have many problems. We have some very substandard buildings that have been constructed and others that have to be corrected. There are problems when you have workers who are working at the very lowest wages, workers who do not have health care benefits and workers who cannot look forward to a stable long-term job and any pension benefits.

So, we have instead, a situation where contractors, employers, management, have taken the initiative to put forward the best possible condition for workers. Workers, on the other hand, have responded and they have in many cases made alliances to the benefit of the total community. It is the total community that Davis-Bacon is concerned with, and it is not inappropriate for the Federal Government to be concerned about the total community.

When it goes to build a building, building a building or constructing any project within a community or a locale is not the only thing the Federal Government should be concerned about. The Federal Government has to be concerned about what it does to that community and what the response is in terms of the labor market and the total environment of that community.

This is not anything unusual. We have a defense budget which has been slowed down. We have not dealt with closing bases in a helter-skelter manner. Closing bases has been a slow process. We appointed a commission. We have taken every precaution to make certain that the closing of bases, which are military bases, be done in ways which do not injure communities, be done in ways which minimize the dislocation of workers.

So the Federal Government is in the business of defending the country. Military bases are constructed as part of a process to contribute toward the defense of the country, but the Federal Government does not ignore what our military posture and our military changes with respect to bases or the movement of any facility does to communities.

Why should it be any different in the construction of large Federal projects, whether you are constructing highways, bridges, or you are constructing buildings? Why should it be different? Why should the Federal Government not try to maximize the impact on that community?

I congratulate Senator SANTORUM because he comes from Pennsylvania. Davis came from New York, Bacon from Pennsylvania, vice versa. I do not remember, but one of them is from Pennsylvania, one is from New York. It is altogether fitting and proper that a Pennsylvania Senator should take the initiative at this time and provide some light on the subject for his fellow colleagues in the Senate.

Let me just talk a bit about the Contractors Coalition for Davis-Bacon and some of the statements that they have made. These are businesspeople. I do not think the Republican majority wants to be in a position of turning its back on small businesses or large businesses. They are the ones who say that the future of the country is certainly tied up with what happens in the private sector.

I do not exactly agree that the private sector can make magic, but I think a partnership between the private sector and the public sector is very much in order, and in Davis-Bacon you have a great partnership between the Government and the private sector, between management and labor, and that is what some of these contractors are talking about. I want to just quote from a few of them.

Thomas H. Parkinson, president of the Burris Construction Co., Mount Laurel, NJ:

The Davis-Bacon Act insures that we are bidding on a basis that will allow the use of skilled labor. To think that merely reducing the cost of labor will provide a cheaper product is ludicrous.

Matthew Card, president of KEC Engineering, Corona, CA:

Davis-Bacon provides added value to virtually every facet of our lives, from the superior quality of our public improvements to a more stable productive society that has the ability to contribute constructively to the future of our great country. Fair wages are a requirement to attract high quality people to provide high quality construction products. One only has to look outside our borders to see the destabilizing and potentially dangerous effects of widespread low wages and poverty.

Ronald J. Becht, executive director of the Northern California Drywall Association based in Saratoga, CA:

As you know, the Davis-Bacon Act does not specify union or nonunion nor should it; it does, however, establish a minimum wage to be paid all workers which enables those contractors who have made the commitment to pay for worker training and who are able to retain their work force by paying a higher wage, to at least compete with those who are not willing to fund the future of their industry. Elimination of the Davis-Bacon Act which stabilizes wages would only serve to exacerbate the current problem of skill shortages in the construction industry. Since the public entity is required to award to the low bidder, low wages would be further depressed by unscrupulous contractors in a mad scramble to underbid each other in order to win public contracts—to the detriment of all.

Troy T. Comer, Jr., executive vice president, Associated General Contractors of Indiana:

This is going to be a tough issue for the Congress to address, because there is a lot of misleading and incorrect information floating around which would give the impression that repeal of the Davis-Bacon Act would save the taxpayers heaps of dollars. We disagree. Quality of construction and the taxpayers are well served with the Davis-Bacon Act.

Judith L. Striebinger, president of Eastern Steel Constructors, Inc., Fallston, MD:

To think that not maintaining a standard for wages and benefits will, in any way, be an asset can only be mentally developed by people who are outsiders looking in and not aware of the complexities of the industry.

Experience increasing difficulty in executing projects leading to higher cost and extended construction schedules at a time when our industry is under severe cost pressure.

That is a quote from W. Douglas Ford, executive vice president of Amoco Corp., in the BNA Construction Labor Report on November 22, 1995.

I quote from Robert Gasperow, executive director, Labor Research Council:

Attracting qualified young workers has to be the biggest long-term problem the industry has. It is possible that the industry has sufficient numbers of workers but their quality is not good enough.

And the final quote from Matthew Brown, Associated Press, in the Salt Lake Tribune:

Beyond the upbeat statistics for soaring construction employment and a doubling in the value of commercial construction over the past 3 years is a desperate campaign to find workers with enough skills to get the job done.

We have a problem in the quality of work that is being produced by the fact that too many unscrupulous contractors are already at work in the construction industry and seeking to now destroy Davis-Bacon protection.

Mr. Speaker, I submit in its entirety a statement called Contractors' Coalition for Davis-Bacon—Reform Yes, Repeal No.

CONTRACTORS' COALITION FOR DAVIS-BACON
"REFORM—YES, REPEAL—NO"

Here's what some of our contractors have to say about the Davis-Bacon Act:

Thomas H. Parkinson, President, Burris Construction, Mount Laurel, NJ: "The Davis-Bacon Act insures that we are bidding on a basis that will allow the use of skilled labor. To think that merely reducing the cost of labor will provide a cheaper product is ludicrous."

Matthew Card, President, KEC Engineering, Corona, CA: "Davis-Bacon provides added value to virtually every facet of our lives, from the superior quality of our public improvements to a more stable productive society that has the ability to contribute constructively to the future of our great country. Fair wages are a requirement to attract high quality people to provide high quality construction products. One only has to look outside our borders to see the destabilizing and potentially dangerous effects of widespread low wages and poverty."

Ronald J. Becht, Exec. Director, Northern CA Drywall Contractors Association, Saratoga, CA: "As you know, the Davis-Bacon Act does not specify union or non-union nor should it; it does, however, establish a minimum wage to be paid all workers which enables those contractors who have made the commitment to pay for worker training and who are able to retain their workforce by paying a higher wage, to at least compete with those who are not willing to fund the future of their industry. Elimination of the Davis-Bacon Act which stabilizes wages would only serve to exacerbate the current problem of skill shortages in the construction industry. Since the public entity is required to award to the low bidder, low wages would be further depressed by unscrupulous contractors in a mad scramble to underbid each other in order to win public contracts—to the detriment of all."

Troy T. Comer, Jr., Exec. Vice President, Associated General Contractors of Indiana, Inc.: "This is going to be a tough issue for the Congress to address, because there is a lot of misleading and incorrect information floating around which would give the impression that repeal of the Davis-Bacon Act would save the taxpayers heaps of dollars. We disagree. Quality of construction and the bottom line are what really count, and we think the taxpayers are well served with the Davis-Bacon Act.

Judity L. Striebinger, President, Eastern Steel Constructors, Inc. Fallston, MD: "To think that not maintaining a standard for wages and benefits will, in any way, be an asset can only be mentally developed by people who are outsiders looking in and not aware of the complexities of the industry."

John D. Porada, Exec. Director, Associated General Contractors of OH, Cleveland Div., Cleveland, OH: "The construction industry is a highly competitive and high risk business that must attract the most productive workforce in the quest to be the lowest responsible bidder. Joint labor/management apprenticeship training programs provide the resources needed to train workers and is primarily self sufficient without the need for major financial assistance coming from the government. Repeal of the Davis-Bacon Act could have a very negative impact on the continuance of this type of joint apprenticeship training programs."

Dominick J. Graziano, President, Dominion Construction Services, Inc., New Kensington, PA: "We have had no problem complying with the intent of the Davis-Bacon Act and wish to add that it has in turn guaranteed those municipal or governmental bodies a higher degree of quality and conformity with the design intent by eliminating just anybody who wished to call himself a contractor. It has functioned as part of a base to provide experienced contracting and insure that all contractors bidding on prevailing wage projects bid in an air of equal and fair process with respect to such expenditures of public revenue."

Kimberly Igo, President, Kim Con Inc. Sarver, PA: "Repealing Davis-Bacon would destroy the equal bidding process and would cause the loss of many skilled tradesmen which I have access to with a mere phone call. This would also hurt the families of the people who put Congress members in office. Like you, they too deserve a fair wage."

John Busse, Chairman, Master Builders' Association of Western PA, Pittsburgh, PA: "The absence of the prevailing wage will force employers to drive down wages to the lowest possible level in order to compete for federal construction projects. Further, repeal of the Davis-Bacon Act will negatively impact training, health insurance, pensions, federal and state taxes, social security and local economics."

Ned W. Bechthold, President, Payne & Dolan, Inc., Waukesha, WI: "Welfare reform must be accompanied by an atmosphere that will allow minorities and others to work in our central cities at rates of pay that will permit them to raise families. Davis-Bacon accomplishes this."

Francis X. McArdle, The General Contractors Association of New York, Inc. "Our heavy construction contractors survive and thrive on the effectiveness of their workforce, not on the shine of the equipment. The best assets leave each day at the end of the shift. Those assets are most productive when they are paid enough to work without family worries and are able to contribute to their communities."

"Experience increasing difficulty in executing projects leading to higher cost and extended construction schedules at a time when our industry is under severe cost pressure."—W. Douglas Ford, Executive Vice President, Amoco Corp., BNA Construction Labor, Report, November 22, 1995.

"Attracting qualified young workers has to be the biggest long-term problem the industry has. It is possible that the industry has sufficient numbers of workers but their quality is not good enough."—Robert Gasperow, Executive Director, Labor Research Council, BNA Construction Labor Report, October 18, 1995.

"Beyond the upbeat statistics for soaring construction employment and a doubling in the value of commercial construction over the past three years is a desperate campaign to find workers with enough skills to get the job done."—Matthew Brown, Associated Press, The Salt Lake Tribune, July 8, 1995.

Mr. Speaker, I am saying that we have no small item here on the agenda. Certainly the Democrats on the Committee on Work Force Protections are battling an onslaught, an assault against working families that is being waged across the board. As I have said before, they have attacked the Fair Labor Standards Act, they have attacked OSHA which provides protection for workers including construction workers. They have attacked the right to organize by drastically proposing to cut the budget of the National Labor Relations Board and there is legislation to curb the powers of the National Labor Relations Board. As I have previously stated, we were caught by surprise by this onslaught against working people. The Contract With America did not say anything about trying to make the workplace of Americans less safe. OSHA was not mentioned in the Contract With America. So we were caught by surprise. It was a sneak attack on working people, a sneak attack on people out there who go to work every day and deserve to have safe places to work, a sneak attack on people who do not deserve to have the Fair Labor Standards Act tampered with.

They are proposing now to get overtime. They want the overtime of workers to be captured by management, by employers. Instead of paying overtime, they are proposing to extend the provisions in law which provide for compensatory time, compensatory time which is very difficult to control and to enforce without it being to the advantage

of the employers and the management at the expense of the workers.

What does all this have to do with my district, the 11th Congressional District in Brooklyn? What does it have to do with the large percentage of people out there who are unemployed? We have had unemployment at the level of 20 percent for adults and close to 30 percent for young adults for a long, long time. One of the areas that I get the most complaints about is men who want to work, so they would like to have more work to do and they would also like to work on contracts which have Federal funds involved. We have quite a number in New York City of projects that involve Federal funds, the projects which are related to transportation, projects which are related to government buildings. There are a number of areas where young men, healthy men want to get jobs.

What we find often in the streets of New York and on various federally related projects in New York is you find people who are complete strangers from the outside, even with Davis-Bacon in force, they are getting through and disrupting the labor supply at the local level. Our men in Bronxville and our men in Bedford-Stuyvesant and our men in East New York and our men in East Flatbush who want to work on the construction industry—I should stop saying men because there are women now who also work on these jobs—are finding that they have people from the outside who are working for the companies who have come in and bid it on a low basis, even with all the constraints and the oversight of the controller's office. In New York City, it is the office of the controller that oversees prevailing wages. I am told that they do a pretty good job of that, but even then there are large numbers of contractors who are not local contractors who come in and take advantage of government work because of the fact that they are able to maneuver around some of these prevailing wage laws.

There have been some scandals recently and they have fined many contractors for violating Davis-Bacon. The last thing we want to do is have a situation where Davis-Bacon is not there as a control on the contractors who bring in outside workers. This thing can go to worldwide levels. It is not exaggerating to say that if you do not heed the lesson of Davis and Bacon, two Republicans, who in the 1930's saw a problem with Government contracts being let to people who could come from any part of the country and use cheap labor from one part of the country to undercut the wages in another part of the country, if you do not heed that wisdom, you may have the situation where under NAFTA and under GATT, they will be coming from outside the country.

Eventually NAFTA and GATT will bring down all the walls and you will have contractors who can come from any part of the world and bid on contracts in any areas of the United States. You have an advantage going to those contractors. You can have Japanese contractors who operate out of Mexico. They have the skills and whatever it takes to put together the proposals and to come in at low cost but they will use workers that come across the border from Mexico. Or you would have workers who are transported in from Bangladesh. There is a certain percentage of people in every job that could come from outside according to the way the GATT and the NAFTA laws work. So it could go to ridiculous proportions if you just take away all of the kind of protections that are provided by the Davis-Bacon Act. This thing could keep going.

Prevailing wage is a sound concept. Prevailing wage probably is more sophisticated than the minimum wage. The minimum wage applies across the country assuming that economic conditions are the same in all parts of the country. The minimum wage does not take into consideration that there is a higher standard of living, the cost of living is higher in one part of the country than it is in another. Davis-Bacon does that. Davis-Bacon does not try to disrupt one community and bring it down to the level of the lowest common denominator in America. If you did not have Davis-Bacon, then all construction workers would be making these fantastically low salaries that are paid in places like North Carolina.

let us just take North Carolina as an example. I have a book here which has prevailing wages all across the country in various places, from Abilene, TX, all the way to New York City.

□ 1845

And you would be surprised at what it shows in terms of the comparison between the wages that Davis-Bacon workers make and the average pay for all workers. In many instances the pay of workers under Davis-Bacon is far lower than the average.

I wonder how the Labor Department computes these prevailing wages, because generally they come under the average worker's wages in these areas. Any Member of Congress who would like for me to give them a rundown on their area, I would be happy to do it. We can tell them what is happening with respect to Davis-Bacon rates and we can bring some light onto the situation.

The heat, the energy of the House is out of control, and the Senate has showed it wants to bring light into the situation. I think the House should make an effort to try to bring some light into the situation.

Let us take a look not just at North Carolina but the 10th Congressional District in North Carolina. Representative CASS BALLENGER, my colleague who heads the Subcommittee on Work Force Protection. Representative BALLENGER probably does not know that boilermakers in this area, who work for no fringe benefits, and boilermaker is one of the highest skills, I started at the top, a boilermaker's hourly wage is $16.20. They are highly skilled people. The fringe benefits for them, they do have some fringe benefits, they amount to about $4.10 an hour. Add it together and the average annual salary for a boilermaker in the 10th Congressional District is as high as $22,680. That is as high as you get.

Let us take the other extreme and take a look at the laborers in the 10th Congressional District of North Carolina and we find that they make $4.41 an hour. The laborers. And they have no fringe benefits. No health care, no pension. And their annual pay comes out to $6,174.

These annual pays are computed on the basis of 1,400 hours for the construction industry employees, and we can see that in North Carolina, in the 10th District, all the categories except one, boilermaker of one level and boilermaker of another, they are the royalty, all the other categories are lower.

Boilermaker, as I said before, makes $16.20. Another boilermaker classification makes $12.96 per hour. And then you get to electricians. Very skilled people, $10.26 an hour, and no fringe benefits. The average annual salary of an electrician in the 10th Congressional District in North Carolina is $14,364.

Now, I am using statistics that come from the survey done by the Labor Department and these compilations done by the National Alliance for Fair Contracting. They have compiled this, but it is based on the survey done by the Department of Labor.

A plumber makes $7.42 an hour, no fringe benefits. Average salary of a plumber under Davis-Bacon, $10,388 in the 10th Congressional District of North Carolina. Now, plumbers in New York would go, wow. Plumbers in most of our large cities would go berserk if you tried to offer them $7.42 an hour.

Cement mason in the 10th Congressional District of North Carolina, $6.11. Carpenter, $6.63. Truck driver, $4.67. Millwright, $5.27 an hour. I told you the laborer is the very lowest, $4.41 an hour. As anyone can see, $4.41 is slightly above the minimum wage of $4.25 an hour. Pavement roller operator, $4.98 an hour. And we think those guys have good jobs, good paying jobs, but even under Davis-Bacon, when Government funds are involved, these are the salaries, these are the hourly wages.

Asphalt raker, I just said $4.93 an hour. All these people have no fringe benefits, the last ones I have read. Only two categories have any fringe benefits. The bulldozer operators. We always think of bulldozers, they are symbolic of what construction contractors outside do on the highways in preparing for new buildings, when they are

building the cellars. A bulldozer operator has a kind of prestige in the minds of kids and a lot of other people as being standard for working class America's very best.

In North Carolina bulldozer operators make $5.96 an hour and no fringe benefits. That comes out the $8,344 per year, less than the minimum wage of a person who works on a steady job all year long, because construction work is based on 1,400 hours for construction industry employees.

So here we have a situation in the district of the chairman of the Subcommittee on Work Force Protection, the committee in the House that is leading the fight to destroy Davis-Bacon, and the workers there are only slightly above minimum wage in most categories, and in categories which require considerable skills they are working at jobs that do not have any fringe benefits and are generally very low paying.

We can take examples right across the country and find the same kind of problem. Let us take a few examples, If we go to Abilene, TX, what is surprising is that in Abilene, TX, a place like that, we have the average pay for all workers, people who work for a living and work for hourly wages, their averages pay is $20,000 a year for all workers.

All of the Davis-Bacon construction worker are below what other workers are making. This is annual income. Annual income is $20,000 for the average worker, the average worker's pay. an electrician makes $14,000. Electrician. Backhoe operator, $13,000. Iron worker, $12,000. Carpenter, $11,000. and laborer, $8,552. These are wages that are under the wages that other workers are making in the same area.

Prevailing wage has really not given them any kind of advantage. Prevailing wage is not designed to do that, unfortunately. I wish it were. Prevailing wage is just what it says; it is based on the prevailing wage. I wonder and I question why it always seems to be that the prevailing wage falls in so many instances under the average wages being paid in a given locale.

Let us take another example. Gainesville, FL. In Gainesville, FL, the average pay for all working people who work on hourly wage jobs is $21,300 per year. The closest you get to that is the electrician under Davis-Bacon, $10,800 a year. Now, we do not have to be mathematical geniuses to see we are talking about a little more than half, a little more than half of what the average worker makes in Gainesville.

We are not comparing Gainesville to New York or Chicago; we are comparing the Gainesville workers in other categories, the average worker level, $21,300 under Davis-Bacon, an electrician $10,800, a cement mason, $9,800, carpenter $9,109, iron worker, $8,355, backhoe operator, $6,000, laborer, $6,000. In Gainesville, FL, Davis-Bacon really does not help workers to rise above or even match the local level.

Let us go back to North Carolina. Greensboro, Winston-Salem, High Point, NC, in the same area, same survey applies to them all. If you average the pay of the workers in Greensboro, NC, you come out with an average annual salary of $23,000. The average annual salary for all wage earners, all workers, is $23,000.

The best you can do in terms of coming close to that under Davis-Bacon is a boilermaker who makes $12,000, an electrician, $11,600, an iron worker, $10,274, a bricklayer, $10,118, a painter $9,421, carpenter, $9,000, backhoe operator $8,682, cement mason, $6,267.

Is Davis-Bacon enriching workers at the expense of the American taxpayers? What we hear on ABC's "20/20" is a distortion. ABC's "20/20" had a documentary piece on Davis-Bacon which did not make any pretense of being objective. If ever there was a contracted piece seeking to discredit a program that has been in existence since 1931, it was the piece that ran on "20/20", which described Davis-Bacon as being a swindle of the taxpayer.

They gave none of the facts about how the survey was done to determine what the prevailing wage is. They gave none of the facts about how the salaries of the workers that they depicted in Chicago compared to other construction workers. They distorted the situation and made it appear that Davis-Bacon was responsible for the fact that so many of the workers were white versus the workers who were unemployed in the same area who were black, as if Davis-Bacon was designed to solve the race problem. It is not.

They did not talk about a program which relates to Davis-Bacon called the service contract, based on the same principle. Federal workers who are service workers, also governed by the prevailing wage law, called the service contract law, and that does have large numbers of minorities, blacks and other people, who are covered by that provision.

But the real point here is not to relate to who is covered, minorities, mainstream, et cetera. I dealt with that before, and I would like to focus here on the astounding fact that Davis-Bacon workers do not get close to the average pay of other workers in the same area. Inflation is not caused by Davis-Bacon workers.

Jacksonville, FL: Average pay for all workers, $24,000 dollars; average pay for working people, wage earners, $24,000. The closest you get to that in Davis-Bacon is the iron workers in Jacksonville, FL. They make $15,000 average, $15,200. And the backhoe operators, way down to $10,000, carpenter, $9,951, and the laborer down to $7,000.

I can find it for any Member who would like to know the facts. As I said before, the Senate has spoken. The other body has made it clear that they do not feel that Davis-Bacon should be repealed. The wisdom of 1931 of Davis and Bacon still prevails. It makes sense to use Federal money for construction projects. Whether you are constructing highways or bridges or building Federal buildings, it makes sense to go into a community and try to maintain the stability of that community by paying the workers at the same level that other workers are paid.

Unfortunately, Davis-Bacon is certainly not close to, in most cases, what really is the prevailing wage. For some reason it always comes under. Not always, there are a few exceptions, but it comes way under in most cases what is really the prevailing wage.

Davis-Bacon is not driving up the cost of building, I assure you. In Macon, GA, we have the same pattern. We are talking about the average pay for all workers in Macon, GA, $23,000, workers who are hourly workers.

□ 1900

The closest you get to that with Davis-Bacon workers are electricians who make $12,476; ironworkers $12,391; the bricklayers all the way down to $11,363; a carpenter, 9,000; backhoe operator, 7,546.

On and on it goes. Oklahoma City, a lot of furor around Oklahoma City, and there are people who are saying you cannot rebuild the Federal facility in Oklahoma City until you get rid of Davis-Bacon. I have heard that said several times.

Davis-Bacon is not a problem in Oklahoma City, I assure you. The wages are higher than they are in Macon, GA, thank God, and they are higher than they are in Gainesville, FL. They are higher than they are in North Carolina. Thank God for that. But they are not above the average worker's income. The average workers are being paid some $24,370. Asbestos workers in Oklahoma City are paid $23,200. You are getting close. The average pay—I am sorry, the average pay of all workers is $23,000. Asbestos workers on Davis-Bacon projects actually come in above the average workers. For the first time you have an example of they come in above. Everybody else comes in below. Backhoe operator, $19,800; electrician, $18,871; carpenter $15,631; labor, $10,672.

You can see from all of these salaries that these are members of the middle class who will have to be put at the lower end of the middle-class scale. The middle class—it may be you have a steady job, but if these are members of the middle class, as they were when Davis and Bacon first made the law, the wages of construction workers were kept at a level where they were far higher in comparison to other workers and they worked in the middle class.

We have destroyed the middle class, even under Davis-Bacon. The salaries

have gone down. What the people are trying to do who want to repeal Davis-Bacon is wipe out the middle class that is generated through the construction industry, working people who work very hard, I assure you. Construction work is some of the dirtiest, hardest, most dangerous work in America. They deserve to be paid far better than any of the wages that you see here. Raleigh-Durham, Chapel Hill, NC, the average pay for all workers is $23,000. North Carolina. They are paying other workers far higher than they are paying Davis-Bacon workers.

Average pay for all workers in the Raleigh-Durham, Chapel Hill area is $23,000. Boilermakers are the highest under that, and they are almost—they are a little more than half, $12,000; electricians, $11,000; ironworkers, $10,000; bricklayers $10,000. So in the Raleigh-Durham area, to work under a Davis-Bacon contract and to be paid the very best, the boilermakers, means that you make half as much as the average worker makes. When I say half, I am talking about $12,164.

The myth is a big lie. It is not really a myth. Myths have some basis. To have such a discrepancy between the facts and the reality means that somebody is perpetrating a big lie. Somebody is. There is some collusion here, a conspiracy here. The conspiracy is not in the Department of Labor. The conspiracy is not here on Capitol Hill.

The conspiracy is out there with all those people who are generating these lies, the people who can go to ABC news, I guess producers of 20/20, and have 20/20 produce such a lopsided, distorted picture of Davis-Bacon. That did not happen by accident. That has to be a conspiracy to make that kind of lopsided journalism, to put it on the air on a major network. I suppose we will hear more of that, but I invite all of the journalists, especially those at the ABC network, those who put together the 20/20 piece, to come and take a look at the picture across the country. Tulsa, Oklahoma, average household—I mean the average pay for all workers is $21,599.

There is one category that gets above that, boilermakers, but the ironworkers, $19,000; electricians, $15,000, and it goes down. Tulsa, OK, Oklahoma City, they seem to be far better than North Carolina. But no matter where you go, you will find the same pattern. That is, that Davis-Bacon workers are making less, in some cases criminally less than the average working person who is working on an hourly wage job.

The facts speak for themselves. As I said before, the Senate has voted 99 to 0, the other body has voted 99 to 0 not to repeal the Davis-Bacon Act. They are willing to discuss a reform of the Davis-Bacon Act. Anything that has existed for as long as Davis-Bacon can afford to be reformed. There are changes that could be made which would benefit the people who the act was designed to help.

Let us reform, let us join the Senate, let the House join the Senate in indicating that the business of reform is an appropriate business. It is an honorable business. That is all we are going to engage in.

To wage war against Davis-Bacon, to try to carry out a contract to destroy it is to try to destroy families and communities. The myths that keep—that are continually perpetrated, I will run through a few of them:

The Davis-Bacon Act requires all contractors to pay union wages, even when the average wage in an area is well below the union rate. That is a myth, a big lie. Of the 12,500 prevailing wage schedules issued by the Department of Labor during fiscal year 1994, roughly 29 percent reflect all union wage rates, while 48 percent of the wage schedules are nonunion. Mixed schedules, those that contain both union and nonunion wage rates, make up the remaining 23 percent of the universe of wage rates out there.

The perception that the Davis-Bacon Act rate is synonymous with the union rate is a holdover from the days when the rate paid to 30 percent of the workers in a classification could be considered the prevailing rate. For more than a decade, union wages are the locally prevailing rate only when the union rate is paid to at least 50 percent of the workers in a particular classification, which is very rare that union workers, the union rate is being paid to 50 percent of the workers in a particular classification.

The Davis-Bacon Act is inflationary and adds billions of dollars to the Federal budget. That is the other myth. The payment of prevailing wages does not necessarily inflate costs, but does prevent costs from being cut at the expense of employees' wages.

The director of the Congressional Budget Office, Robert D. Reischauer, testified before Congress on May 4, 1993, that the higher wage rates do not necessarily increase costs. If these differences in wages were offset by hiring more skilled and productive workers, no additional construction costs would result.

A 1992 study commissioned by the International Union of Operating Engineers compared the average cost per mile for highway and bridge construction in five high-wage States to five low-wage States and found that the construction costs per mile were actually lower in the high-wage States. In the States where the Davis-Bacon was, the prevailing wage was higher, the actual construction cost was lower because the workers were more productive, more skilled, and more highly motivated.

The Davis-Bacon Act is discriminatory in origin and blocks affirmative employment of women and minorities in the construction industry. I have dealt with that already. That is a myth. That certainly does not stand when you examine it closely.

Davis-Bacon was not designed to be a civil rights act. Davis-Bacon, however, has accrued to the advantage of workers who were locked out by providing training programs of combined efforts of management and labor which have benefited minority workers a great deal.

The other myth, the Davis-Bacon Act is poorly administered and wage determinations are woefully out of date.

Wage and Hour has made a number of improvements in the administration of the Davis-Bacon Act over the last few years, including making wage determinations available on line through Fed-World, computerization of the wage determination updating system, and improved training and outreach efforts.

Wage and Hour would like to be able to conduct more surveys; however, resources are limited.

This is how the Davis-Bacon prevailing wages are determined, by the Wage and Hour section. They are limited resources. The budget has been cut by the Republican majority, and they are under great strain to try to enforce the act properly.

What happens is that the workers are put at a disadvantage. If these Davis-Bacon surveys of the prevailing wages were updated and kept up to date, wages would go up, not down. We would have a situation where Davis-Bacon workers would be making more, if we had the personnel and the resources that have been denied by the Republican majority out there to administer the law properly.

Another myth is that Davis-Bacon Act is no longer necessary in today's market economy. The purpose and need for the Davis-Bacon Act is as great today as when the act was first passed. Competition for work in the construction industry remains intense. In the aftermath of the Los Angeles earthquake, construction workers and contractors from outside areas sought to bid for the extensive work by offering lower rates.

Unlike private industry, the Federal Government and most federally assisted entities must put primary emphasis in awarding construction contracts to the lowest bidder, and it is difficult, if not impossible, for agencies to award to the contractor with a slightly higher bid because that contractor does better work.

The Davis-Bacon Act encourages contractors who compete based on efficiency and quality rather than who pays the lowest wages.

As you know, the Los Angeles earthquake meant that large amounts of Federal money, billions of dollars went into Los Angeles and to the California economy. In fact, the California economy rebounded greatly as a result of

the between $6- and $8-billion of Federal money that went into California. Most of that was for construction, rebuilding. The fact that Davis-Bacon was in force meant that the community benefited more, not less.

I submit in its entirety an item labeled "Davis-Bacon Act, Myth and Reality," along with other items I submitted for the RECORD:

DAVIS-BACON ACT, MYTH AND REALITY

Myth: The Davis-Bacon Act requires all contractors to pay union wages, even when the average wage in an area is well below the union rate.

Reality: Of the 12,500 prevailing wage schedules issued by DOL during FY 1994, roughly 29% reflect all union wage rates while 48% of the wage schedules are non-union. Mixed schedules, those that contain both union and non-union wage rates, make up the remaining 23% of the universe.

The perception that the DBA rate is synonymous with the union rate is a hold over from the days when the rate paid to 30% of the workers in a classification could be considered the prevailing rate. For more than a decade, union wages are the locally prevailing rate only when the union rate is paid to at least 50% of the workers in a particular classification.

Myth: The Davis-Bacon Act is inflationary and adds billions of dollars to the Federal budget

Reality: The payment of prevailing wages does not necessarily inflate costs, but does prevent costs from being cut at the expense of employees' wages.

The Director of the Congressional Budget Office, Robert D. Reischauer, testified before Congress on May 4, 1993, that "higher wage rates do not necessarily increase costs * * * if these differences in wages were offset by hiring more skilled and productive workers no additional construction costs would result."

A 1992 study commissioned by the International Union of Operating Engineers (IUOE) compared the average cost per mile for highway and bridge construction in five high-wage states to five low-wage states and found that the construction costs per mile were actually lower in the high-wage states.

Myth: The Davis-Bacon Act is discriminatory in origin and blocks affirmative employment of women and minorities in the construction industry.

Reality: In 1993, the NAACP passed a resolution supporting the Davis-Bacon Act. The DBA protects all construction workers from exploitation and wage cutting. Former Secretary of Labor Ray Marshall has written that the "workers most often victimized by unscrupulous contractors are the minority workers."

Available data refute the argument that Davis-Bacon operates in a manner that discriminates against minorities and women. In fact, there is no difference in the employment of minorities and women by Federal construction contractors and contractors who do not do Federal construction work.

Disadvantaged workers can be employed on DBA contracts under approved training programs that offer opportunities for real careers rather than the dead-end jobs that could result without the Davis-Bacon framework. The Department of Housing and Urban Development's STEP-UP apprenticeship program is an example of how DBA can work in harmony with structured training programs that provide meaningful employment opportunities for unemployed public housing tenants.

Myth: The Davis-Bacon Act is poorly administered and wage determinations are woefully out-of-date.

Reality: Wage and Hour has made a number of improvements in the administration of the DBA over the last few years including making wage determinations available online through Fed-World, computerization of the wage determination updating system, and improved training and outreach efforts.

Wage and Hour would like to be able to conduct more surveys; however, resources are limited. Thus the survey program is carefully planned to target those areas where the the most Federal construction is planned and where there is evidence that wage patterns have changed. To the extent that wage rates are out-of-date, that usually results in wage rates that are too low rather than too high.

Wage and Hour is exploring new ways to reinvent the process to make it work even better.

Myth: The Davis-Bacon Act is no longer necessary in today's market economy.

Reality: The purpose and need for the Davis-Bacon Act is as great today as when the Act was first passed. Competition for work in the construction industry remains intense. In the aftermath of the LA earthquake, construction workers and contractors from outside areas sought to bid for the extensive work by offering lower rates.

Unlike private industry, the Federal government and most federally-assisted entities must put primary emphasis in awarding construction contracts to the lowest bidder, and it is difficult if not impossible for agencies to award to the contractor with a slightly higher bid because that contractor does better work.

The Davis-Bacon Act encourages contractors to compete based on efficiency and quality rather than on who pays the lowest wages.

ERNEST D. MENOLD, INC.
Lester, PA, May 28, 1996.

Re Davis-Bacon reform, S. 1183.

Senator RICK SANTORUM,
U.S. Senate, Washington, DC.

DEAR SENATOR SANTORUM: I am writing to thank you for the key role you played in defeating the attempt in the Senate to repeal Davis-Bacon and to offer instead Davis-Bacon Reform legislation in the form of S. 1183.

Next year Ernest D. Menold, Inc. will celebrate its 50th year in business. Over the course of those many years I, and my father before me, have taken great pride in watching young apprentices enter our industry, develop into skilled mechanics, raise families, send their children to college, have their medical needs taken care of, and for many, retire with dignity to enjoy the fruits of their years of hard labor. We take as much pride in those accomplishments as we do in the jobs we have done and the reputation we have built.

We are proud to be one of the more than 22,000 socially responsible contractors in this country who share in these same accomplishments. We hope that our federal government will always see fit to play a leading role in setting the standards that will allow the American construction worker to look forward to a stable, productive and rewarding career in our industry.

Again, thank you for your support on this issue.

Very truly yours,
ERNEST R. MENOLD, P.E.,
President.

THE GENERAL CONTRACTORS ASSOCIATION OF NEW YORK, INC.
New York, NY, November 7, 1995.

TERRY G. BUMPERS,
Director, National Alliance for Fair Contracting, Washington, DC.

DEAR MR. BUMPERS: I enjoyed your letter to Brian Lockett. If the occasion arises, you can distribute this letter to anyone who questions the commitment of heavy construction contractors to union contracting. The General Contractors Association of New York, Inc. represents the heavy construction industry active New York City. We have over 700 contractors using the collective bargaining agreements, that have negotiated with fourteen different locals of the building and construction trades. Our members are firmly committed to union contracting because it is the only sure way to obtain a steady supply of trained and capable workers in New York City over the long term. The support of prevailing wage legislation and union contracting is our protection for the future for all of our members.

The prevailing wages in the heavy construction industry of New York City, at over $35.00 an hour in wages and fringe benefits, would seem high to many. But the annual take home pay of most of our workforce still leave them eligible for most subsidized housing programs in New York City. We know that we pay a fair wage that allows our workers to support their families and to contribute to their communities in their non-working hours. But we're not paying them enough to live on Park Avenue.

We also know what happens in New York City when there is no prevailing wage legislation like Davis-Bacon protecting the wage levels of construction workers. We have seen in the unregulated building sector in New York City that wages can be driven down to under $10.00 an hour by preying on the desperation or illegal status of workers. At that level workers earn barely enough to survive. We know that the unregulated industry has no steady workforce, appalling safety records, and little stake in the continuing health of the communities in which its workforce must reside.

Our heavy construction contractors survive and thrive on the effectiveness of their workforce, not on the shine on the equipment. The best assets leave each day at the end of the shift. Those assets are most productive when they are paid enough to work without family worries and to contribute to their communities. We know that decent wages are the key to attracting competent people to enter and stay in the heavy construction workforce.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. JACKSON-LEE of Texas (at the request of Mr. GEPHARDT), for today, on account of a death in the family.

Mrs. LINCOLN (at the request of Mr. GEPHARDT), for today, on account of medical reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Member (at the request of Mr. PALLONE) to revise and extend his remarks and include extraneous material:)

Mr. CLEMENT, for 5 minutes, today.

(The following Members (at the request of Mr. KOLBE) to revise and extend his remarks and include extraneous material:)

Mr. LUCAS of Oklahoma, for 5 minutes, today.

Mr. RIGGS, for 5 minutes, today.

Mr. MICA, for 5 minutes, today.

Mr. ROHRABACHER, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. PALLONE) and to include extraneous matter:)

Ms. JACKSON-LEE of Texas.
Mr. RICHARDSON.
Mr. STARK.
Mr. PALLONE.
Mr. SISISKY.
Mr. EDWARDS.
Mr. COYNE.
Mr. NADLER.
Ms. RIVERS.
Mrs. MALONEY.
Mr. FILNER.
Mr. CLEMENT.
Mr. HINCHEY.
Mr. BONIOR.
Mr. PAYNE of New Jersey.
Mr. WARD.
Mr. BARCIA.
Ms. SLAUGHTER.

(The following Members (at the request of Mr. KOLBE) and to include extraneous matter:)

Mr. CAMP in three instances.
Mr. WALKER.
Mr. MARTINI in two instances.
Mr. DAVIS in two instances.
Mr. CHRYSLER.
Mrs. ROUKEMA in two instances.
Mr. LAZIO of New York.
Mrs. VUCANOVICH.
Mr. TORKILDSEN.

(The following Members (at the request of Mr. OWENS) and to include extraneous matter:)

Ms. HARMAN.
Mr. FORBES.
Mr. DOOLEY of California.
Mr. HEINEMAN.
Mr. MEEHAN.
Ms. WOOLSEY.
Mr. MENENDEZ in two instances.
Mr. GORDON.
Mr. KLECZKA in two instances.
Mr. MCHUGH.
Mr. COLLINS of Georgia.
Mr. SHAW.
Mr. DOYLE.
Mr. ABERCROMBIE.
Mr. EMERSON.
Mr. SOLOMON in two instances.
Mr. LANTOS.
Mr. POMEROY.
Mr. GOODLING in three instances.
Mr. GILMAN.
Mr. WELDON of Florida.
Ms. LOFGREN.
Mr. BENTSEN.
Mr. FAZIO of California.
Mr. COBLE.

SENATE BILLS REFERRED

A bill and concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1406. An act to authorize the Secretary of the Army to convey to the city of Eufaula, Oklahoma, a parcel of land located at the Eufaula Lake project, and for other purposes; to the Committee on Transportation and Infrastructure; and

S. Con. Res. 63. Concurrent resolution to express the sense of Congress that the Secretary of Agriculture should dispose of all remaining commodities in a disaster reserve maintained under the Agricultural Act of 1970 to relieve the distress of livestock producers whose ability to maintain livestock is adversely affected by disaster conditions existing in certain areas of the United States, such as prolonged drought or flooding, and for other purposes; to the Committee on Agriculture.

ADJOURNMENT

Mr. OWENS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 12 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, June 7, 1996, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

[Omitted from the Record of June 5, 1996]

3430. A letter from the Board of Trustees of the Federal Hospital Insurance Trust Fund, transmitting notification that on April 6, 1993, the Board notified each House of Congress that the reserves of the hospital insurance [HI] trust fund were expected to be exhausted in 1999, on April 11, 1994, the Board affirmed the 1993 notification with a change in the expected date of exhaustion to 2001, and on April 3, 1995, the Board reported that the expected exhaustion date was 2002; as shown in the 1996 trustees report, the HI trust fund is estimated to be exhausted in 2001, the status of the HI trust fund still does not meet the Board's test of short-range financial adequacy, pursuant to section 709 of the Social Security Act; to the Committee on Ways and Means.

[Submitted June 6, 1996]

3431. A letter from the Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Pork Promotion, Research, and Consumer Information Order—Increase in Importer Assessments (Docket No. LS-96-001 FR) received May 30, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3432. A letter from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule—Montgomery GI Bill—Selected Reserve: Miscellaneous (RIN: 2900-AI04) received June 5, 1996, pursuant to U.S.C. 801(a)(1)(A); to the Committee on National Security.

3433. A letter from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule—Educational Assistance for Members of the Selected Reserve (RIN: 2900-AE43) received June 5, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on National Security.

3434. A letter from the Managing Director, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Cassville and Kimberling City, MO) (MM Docket No. 95-179) received June 5, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3435. A letter from the Director, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (New Port Richey, Naples Park, Sarasota and Sebring, FL) (MM Docket No. 93-65) received June 5, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3436. A letter from the Managing Director, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Campton and Frenchburg, KY) (MM Docket No. 95-170) received June 5, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3437. A letter from the Managing Director, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Part 80 of the Rules Concerning U.S. Coast Guard Vessel Traffic Services [VTS] Systems in Sault Ste. Marie, MI; San Francisco, CA; and Morgan City, LA (WT Docket No. 95-132) received May 31, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3438. A letter from the Chief Executive Officer, Corporation for National Service, transmitting the semiannual report on activities of the inspector general for the period October 1, 1995, through March 31, 1996, and the semiannual management report on audit followup for the same period, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

3439. A letter from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule—Public Use Regulations for the Alaska Peninsula/Becharof National Wildlife Refuge Complex (U.S. Fish and Wildlife Service) (RIN: 1018-AD34) received June 6, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3440. A letter from the Chief of Staff, Social Security Administration, transmitting the Administration's final rule—Federal Old-Age, Survivors and Disability Insurance; Determining Disability and Blindness; Extension of Expiration Date for Musculoskeletal System Listings (RIN: 0960-AE43) received June 3, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DREIER: Committee on Rules. House Resolution 448. Resolution providing for consideration of the bill (H.R. 2754) to approve and implement the OECD Shipbuilding Trade Agreement (Rept. 104–606). Referred to the House Calendar.

Mr. CLINGER. Committee on Government Reform and Oversight. H.R. 3184. A bill to streamline and improve the effectiveness of chapter 75 of title 31, United States Code (commonly referred to as the "Single Audit Act"); with an amendment (Rept. 104–607). Referred to the Committee of the Whole House on the State of the Union.

Mr. SHUSTER. Committee on Transportation and Infrastructure. House Concurrent Resolution 172. Resolution authorizing the 1996 Summer Olympic Torch Relay to be run through the Capitol Grounds, and for other purposes (Rept. 104–608). Referred to the House Calendar.

Mr. SHUSTER. Committee on Transportation and Infrastructure. H.R. 3186. A bill to designate the Federal building located at 1655 Woodson Road in Overland, MO, as the "Sammy L. Davis Federal Building" (Rept. 104–609). Referred to the House Calendar.

Mr. SHUSTER. Committee on Transportation and Infrastructure. H.R. 3400. A bill to designate the U.S. courthouse to be constructed at a site on 18th Street between Dodge and Douglass Streets in Omaha, NE, as the "Roman L. Hruska United States Courthouse"; with amendments (Rept. 104–610). Referred to the House Calendar.

Mr. SHUSTER. Committee on Transportation and Infrastructure. H.R. 3364. A bill to designate a U.S. courthouse in Scranton, PA, as the "William J. Nealon United States Courthouse"; with amendments (Rept. 104–611). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. SHUSTER (for himself, Mr. OBERSTAR, Mr. BOEHLERT, and Mr. BORSKI):

H.R. 3592. A bill to provide for conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BUYER (for himself, Mr. FILNER, and Mr. SOLOMON):

H.R. 3593. A bill to require that reductions in force procedures under the new personnel management system of the Federal Aviation Administration be subject to veterans preference; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Government Reform and Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

H.R. 3594. A bill to amend title 38, United States Code, to ensure compliance with veterans preference requirements at the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. BARRETT of Nebraska (for himself and Mr. BEREUTER):

H.R. 3595. A bill to make available to the Santee Sioux Tribe of Nebraska its proportionate share of funds awarded in Docket 74–A to the Sioux Indian Nation, and for other purposes; to the Committee on Resources.

By Mr. CLINGER (for himself and Mr. ENGLISH of Pennsylvania):

H.R. 3596. A bill to provide for the establishment of the Oil Region National Heritage Area, and for other purposes; to the Committee on Resources.

By Mr. DUNCAN:

H.R. 3597. A bill to provide for a study of the establishment of Midway Islands as a national memorial to the Battle of Midway; to the Committee on Resources.

By Mr. KLECZKA:

H.R. 3598. A bill to amend part A of title XI of the Social Security Act to prohibit certain misuses of the Social Security account number; to the Committee on Ways and Means.

By Mr. MANTON (for himself, Mr. KING, and Mr. GILMAN):

H.R. 3599. A bill to authorize the President to enter into a trade agreement concerning Northern Ireland and certain border counties of the Republic of Ireland, and for other purposes; to the Committee on Ways and Means.

By Mr. RAMSTAD (for himself, Mr. WOLF, Mr. EMERSON, Mr. KLECZKA, and Mr. MCNULTY):

H.R. 3600. A bill to establish a commission to be known as the Harold Hughes Commission on Alcoholism; to the Committee on Commerce.

By Mr. TAUZIN (for himself, Mr. BARTON of Texas, Mr. HAYES, Mr. NORWOOD, Mr. LINDER, Mr. OXLEY, Mr. STEARNS, Mr. TOWNS, and Mr. BAKER of Louisiana):

H.R. 3601. A bill to repeal the Public Utility Holding Company Act of 1935, to enact the Public Utility Holding Company Act of 1996, and for other purposes; to the Committee on Commerce.

By Mr. ZELIFF (for himself, Mr. PETE GEREN of Texas, Mr. CLINGER, Mr. EHLERS, Mr. EMERSON, and Mr. COBLE):

H.R. 3602. A bill to reduce the hazards of dam failures, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. TORRES (for himself, Ms. ROYBAL-ALLARD, Ms. ESHOO, Mrs. MINK of Hawaii, Mr. BECERRA, Mrs. CLAYTON, Mr. PORTER, Mrs. ROUKEMA, and Mr. HORN):

H. Con. Res. 182. Concurrent resolution expressing the sense of the Congress regarding the need for the President to seek the Senate's advice and consent for ratification of the 1994 Inter-American Convention on the Prevention, Punishment, and Eradication of Violence Against Women; to the Committee on International Relations.

By Mrs. VUCANOVICH (for herself, Mr. CALVERT, Mrs. CLAYTON, Mr. HOBSON, Mr. HUTCHINSON, Mrs. JOHNSON of Connecticut, Mr. LIPINSKI, Mr. MYERS of Indiana, Mr. PETRI, and Mr. WAMP):

H. Res. 449. Resolution relating to breast implants, the Food and Drug Administration, and breast care; to the Committee on Commerce.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 52: Ms. DELAURO.

H.R. 359: Mr. SMITH of New Jersey and Mr. FLAKE.

H.R. 580: Mr. ZELIFF.

H.R. 887: Ms. ROS-LEHTINEN.

H.R. 972: Mr. TIAHRT.

H.R. 1023: Mr. LEWIS of California.

H.R. 1073: Mr. BECERRA, Mr. CLYBURN, Mr. MOAKLEY, Mr. KENNEDY of Massachusetts, Ms. VELAZQUEZ, Mr. ROSE, Mrs. MALONEY, Ms. HARMAN, Mr. ROEMER, Mrs. KENNELLY, Mr. NADLER, Mr. SCHUMER, Mr. DE LA GARZA, and Mr. DEAL of Georgia.

H.R. 1074: Mr. DEAL of Georgia, Mr. BECERRA, Mr. CLYBURN, Mr. MOAKLEY, Mr. KENNEDY of Massachusetts, Ms. VELAZQUEZ, Mr. ROSE, Mrs. MALONEY, Ms. HARMAN, Mr. ROEMER, Mrs. KENNELLY, Mr. NADLER, Mr. SCHUMER, and Mr. DE LA GARZA.

H.R. 1202: Mr. DURBIN and Mr. CALVERT.

H.R. 1462: Mr. GONZALEZ, Mr. POSHARD, Mr. CHABOT, Mr. GALLEGLY, Mr. BILBRAY, Mr. CUNNINGHAM, Mr. HALL of Ohio, and Ms. ROYBAL-ALLARD.

H.R. 1552: Mr. SAXTON, Mr. DICKEY, Mr. HALL of Ohio, Mr. SHAW, Mr. SMITH of New Jersey, Ms. FURSE, Mr. HAMILTON, Mr. SHUSTER, Mr. MORAN, Mr. OBERSTAR, Mr. SPRATT, Mr. BREWSTER, Mr. GUNDERSON, Mr. DOOLEY, and Mr. JOHNSON of South Dakota.

H.R. 1656: Mr. MARKEY.

H.R. 1711: Mr. LAHOOD and Mr. RIGGS.

H.R. 1842: Mr. LUTHER.

H.R. 2122: Mr. ENSIGN.

H.R. 2338: Mr. ENGEL.

H.R. 2416: Mr. QUINN and Mr. KLECZKA.

H.R. 2578: Mr. BREWSTER, Mr. BONILLA, Mr. ACKERMAN, Mr. DELLUMS, Mr. FATTAH, and Ms. NORTON.

H.R. 2652: Mr. MCNULTY.

H.R. 2727: Mr. ROTH and Mr. TRAFICANT.

H.R. 2757: Mr. INGLIS of South Carolina.

H.R. 2925: Ms. HARMAN.

H.R. 2930: Mr. FLANAGAN and Mr. BLUTE.

H.R. 2943: Mr. PICKETT.

H.R. 3077: Mr. BEREUTER.

H.R. 3079: Mr. HALL of Ohio.

H.R. 3083: Mr. HASTINGS of Washington and Mr. CRAPO.

H.R. 3114: Mr. HOUGHTON.

H.R. 3142: Mr. LIVINGSTON, Mr. ZELIFF, Mrs. MALONEY, Mr. JONES, Mr. COBLE, Mr. MOORHEAD, and Mr. WISE.

H.R. 3182: Mr. BISHOP, Mr. COBURN, Mr. PAXON, Mr. CALVERT, and Mr. EVANS.

H.R. 3199: Mr. SMITH of Texas, Mr. LIVINGSTON, Mr. YOUNG of Alaska, Mr. BEVILL, Mr. CLYBURN, Mr. COSTELLO, Mr. WAMP, Mr. FARR, Mr. ZELIFF, and Ms. HARMAN.

H.R. 3201: Mr. SENSENBRENNER, Mr. FAWELL, Mr. SHUSTER, Mr. HAYWORTH, Mr. BRYANT of Tennessee, Mr. HORN, Mr. HUTCHINSON, Mr. LINDER, Mr. FROST, and Mr. WAMP.

H.R. 3207: Mr. CAMP, Mr. LEWIS of Georgia, Mr. HUTCHINSON, Mr. DEAL of Georgia, Mr. STUMP, and Mr. GANSKE.

H.R. 3217: Ms. SLAUGHTER, Mr. FLANAGAN, and Ms. WOOLSEY.

H.R. 3226: Ms. NORTON.

H.R. 3266: Mr. TAYLOR of Mississippi, Mr. SPRATT, and Mr. POSHARD.

H.R. 3307 Mr. HANCOCK, Mr. SHAW, Mr. LINDER, and Mr. GOODLATTE.

H.R. 3310: Mr. TATE and Ms. KAPTUR.

H.R. 3338: Mr. CREMEANS, Mr. LATOURETTE, Mrs. MEYERS of Kansas, Mr. LUTHER, Mr. BISHOP, Mr. KOLBE, Mr. DOOLEY, Mr. CHABOT, Mr. HOSTETTLER, Mr. EHRLICH, Mr. CHAMBLISS, Mr. CALVERT, Mr. HAYWORTH, Mr. BUNNING of Kentucky, Mr. RAMSTAD, Mr. HASTERT, Mr. TALENT, Mr. OXLEY, Mr. HERGER, Mr. WELLER, Mr. METCALF, Mr. CUNNINGHAM, Mr. GOODLATTE, and Mr. BUYER.

H.R. 3362: Mr. CUMMINGS, Mr. ACKERMAN, Mr. CLYBURN, and Mr. MORAN.

H.R. 3391: Mr. BARTON of Texas, Mrs. MYRICK, and Mr. COOLEY.

H.R. 3423: Mr. CALVERT, Mr. WATTS of Oklahoma, Mr. BEREUTER, Mr. CANADY, and Mr. INGLIS of South Carolina.

H.R. 3424: Mr. EVANS, Mr. FROST, and Mr. HOLDEN.

H.R. 3442: Mr. FOLEY.

H.R. 3450: Mr. WELDON of Pennsylvania.

H.R. 3463: Mr. TORRES, Mr. CONYERS, Mr. WAXMAN, and Mr. BROWN of California.

H.R. 3468: Mr. BAKER of Louisiana, Mr. SABO, and Mr. GALLEGLY.

H.R. 3520: Mr. MASCARA and Mr. ACKERMAN.

H.R. 3522: Mr. DURBIN.

H.R. 3525: Mr. HOKE, Mr. CANADY, Mr. CALVERT, Mr. HORN, Mr. BEREUTER, Mr. FRANKS of Connecticut, Mr. STOCKMAN, and Mrs. MORELLA.

H.R. 3551: Mr. ZIMMER, Mr. KING, and Mrs. MINK of Hawaii.

H.R. 3556: Mr. JACOBS and Mr. LUTHER.

H.R. 3580: Mr. NORWOOD, Mrs. FOWLER, Mr. HERGER, Mr. BLILEY, Mr. STUMP, and Mrs. VUCANOVICH.

H. Con. Res. 124: Mr. TORKILDSEN.

H. Res. 398: Mr. TORRICELLI and Mr. ZIMMER.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1462: Mr. VOLKMER.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 3540

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 79: Page 97, after line 5, insert the following new section:

HUMAN RIGHTS PROGRESS IN ETHIOPIA

SEC. 573. The Department of State should closely monitor and take into account human rights progress in Ethiopia as it obligates fiscal year 1997 funds for Ethiopia appropriated in this Act.

SENATE—*Thursday, June 6, 1996*

The Senate met at 9 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, ultimate judge of our lives, in this moment of quiet reflection, we hold up our motives for Your review. We want to be totally honest with You and with ourselves about what really motivates our decisions, words, and actions. Sometimes we want You to approve of motives that we have not reviewed in the light of Your righteousness, justice, and love. There are times we are driven by self-serving motives that contradict our better nature. Most serious of all, we confess that sometimes our motives are dominated by secondary loyalties: Party prejudice blurs our vision, combative competition prompts manipulative methods, negative attitudes foster strained relationships. Together we ask You to purify our motives and refine them until they are in congruity with Your will and Your vision. In the name of Jesus who taught us the liberating, healing motivation of glorifying You by serving others. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

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

SCHEDULE

Mr. LOTT. Thank you, Mr. President. The Senate will immediately resume consideration of House Joint Resolution 1, the balanced budget constitutional amendment. Senators are reminded, a vote will occur on passage of the balanced budget amendment at 12 noon today. Following that vote, the Senate may consider other Legislative or Executive Calendar items that can be cleared for action. I know that there are some bills that are pending that could be taken up. I know that there has been work underway on executive items. So I am sure that that information will be provided by the majority leader immediately following the vote at 12 noon. Mr. President, I yield the floor.

BALANCED BUDGET AMENDMENT TO THE CONSTITUTION

The PRESIDING OFFICER. The Senate will now move to consideration of House Joint Resolution 1, which the clerk will report.

The assistant legislative clerk read as follows:

A joint resolution (House Joint Resolution 1) proposing a balanced budget amendment to the Constitution of the United States.

The Senate resumed consideration of the joint resolution.

Mr. LOTT. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time in the quorum call be equally divided on both sides.

The PRESIDING OFFICER (Mr. BROWN). Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. STEVENS. 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 senior Senator from Alaska is recognized.

Mr. STEVENS. Is there controlled time, Mr. President?

The PRESIDING OFFICER. There is controlled time, equally divided.

Mr. STEVENS. I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator yields himself 5 minutes. The Senator has the floor.

Mr. STEVENS. Mr. President, the budget deficit for 1996 is estimated at $144 billion. It is projected to nearly double by the year 2002 under current budgetary policies and will continue to grow each year thereafter. It is growing at an astounding rate, over $335,000 a minute. I am sure people are tired of hearing this, but in my opinion, we have to keep repeating it.

The average young couple starting life today will pay about $113,200 in interest on this debt.

I have a number of children, six of them. I have eight grandchildren. I am very worried about the future as far as they are concerned in terms of what their share of this national debt will be if it continues to grow at this astounding rate.

It was projected that my youngest granddaughter's share of this debt will increase 25 percent in just the next 5 years, and that she will pay something like $187,000 in taxes in order to pay the interest on the national debt during her life.

I have been impressed by what the leader, Senator DOLE has been saying. Interest rates are 2 percent or more higher than they would be if the debt and the deficit were under control. It is not a matter of trying to pay down the debt overnight; we cannot. It is over $5 trillion. It is not a matter of trying to eliminate the deficit overnight; we cannot. The debt is mounting too fast.

What we can do is pass House Joint Resolution 1 which would be a symbol to our people and to the world that we are prepared to set a new standard for the Federal Government. The Federal Government of this country will do exactly what every State in the Union must do, balance the budget annually, bring interest rates under control, and try to find a way to start paying down the debt.

That is what this battle is all about. It is not about this generation and the deficit created under it. It is about whether this generation is going to solve the problem created during their lifetime, or are we going to pass it on to our children and grandchildren?

I do not believe you can have any more graphic example than the experience that Senator DOLE shared with some of us the other day. He told us about how he visited with this young couple, and because of the 1-percent increase in interest rates, they were not able to buy the house they wanted. It meant $65 more per month. That is getting down where the rubber hits the road.

Many of us remember those days when we had to figure out, to the penny, what we were doing as young couples in order to have a home and to buy a car and to be able to plan ahead for our family.

These higher interest rates are denying young couples today the access to the type of housing they need to raise a family.

I think that is the worst part of this situation we are dealing with right now, the disincentive for young people to start their families, to plan ahead and provide homes for them. That is not only the American dream, it is the American lifestyle. We ought to have a way to get back to that lifestyle. We ought to not deny it for future generations.

I do believe when we look at this problem today, whether or not we are going to send this constitutional amendment to our States for ratification, we ought to think of future generations, not just ourselves.

We need to think of our children and our children's children. Given our enormous debt, will their taxes be out of sight? They will be. Will they be paying into Social Security retirement funds that will not be there when they retire? They will be. Will the interest on the debt squeeze out the type of services that ought to be provided by the Federal Government? The answer is yes.

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

Interest in the national debt is growing now to the point where it will be 20 percent or more of Federal spending by the year 2002.

I support this constitutional amendment. In the past I have questioned whether there was a basic commitment to the discipline that is necessary in Congress to carry it out without cutting necessary discretionary spending. I believe there is a commitment in this Congress and we ought to send this constitutional amendment to the States.

Mr. GRAMM. Mr. President, how much time do I have under the previous order?

The PRESIDING OFFICER. The time is equally divided between the two sides.

Mr. GRAMM. Mr. President, I yield myself 10 minutes.

Mr. President, today we are once again engaging in an ancient debate about whether or not there ought to be binding constraints on the ability of the Government to incur debt. I say this is an ancient debate because it actually started at the very beginning of the constitutional process.

When Thomas Jefferson first saw the Constitution, he was serving as Minister to France and, therefore, was not in the country when it was written. When he first saw the Constitution, he made, in a letter, the following statement: "I wish it were possible to obtain a single amendment to our Constitution. I would be willing to depend on that alone for the reduction of the administration of our Government to the genuine principles of its Constitution. I mean an additional article taking from the Government the power of borrowing."

Now, I submit, Mr. President, that today we are engaged in the same debate that was initiated the very first moment Jefferson saw the new Constitution. It was recognized at that point, by no less a keen observer than Thomas Jefferson himself, that there was a problem in the Constitution. Fortunately, at that time, we were on a gold standard and the amount of money in the economy was limited by a requirement that it be converted into gold at the rate of $20.67 an ounce, and except during wartime, when this requirement was suspended, we had a relatively stable situation. Every time this requirement was suspended, however, we had an explosion in prices, and when we went off the gold standard in the 1930's, this constraint on the amount of money in the economy was totally removed.

We now find ourselves in the situation where we have not balanced the Federal budget since 1969. Every year since 1969, we have run a deficit. The cumulative debt of the Federal Government, which converts into a debt for each individual citizen, has risen from $1 trillion to $2 trillion to $3 trillion.

I know throughout this debate we have had charges hurled back and forth between the Democratic side of the aisle and the Republican side of the aisle as to who is responsible for this situation. I, for one, do not have any trouble saying that the blame can be found on both sides of the aisle, both in the Congress and in the White House. The plain truth is, our Democratic colleagues who want more Government have consistently underestimated the cost of the Government that they want, and in doing so they have planted the seeds for more and more Government spending without being willing to look the American people in the eye and say, "We are going to have to raise taxes to pay for this additional Government."

Might I also say that, on our side of the aisle, we are very generous in promising less Government and more freedom—we love to talk about cutting taxes. But when it gets down to the bottom line of cutting Government spending, we have never ever been willing to cast the votes needed to place ourselves in a position where we are living up to the high commitments we have made.

Some of our colleagues have said, "Well, why do we need a binding constraint on Government?" They are forgetting, however, what is the purpose of the Constitution. If the Founders had trusted Congress to respect freedom of religion, freedom of assembly, and freedom of the press, and if the Founding Fathers had trusted Congress to protect private property, there would never have been a Constitution. The whole purpose of the Constitution is to limit the power of Government. In fact, the genius of the Constitution is that it actually says there are certain things that Government just cannot do.

Does anybody believe that this Congress, this President—that any Congress, or any President—can be trusted to balance the Federal budget, to limit the growth of Government spending, or at least have the courage to pay for it by raising taxes? I do not believe this Congress can be trusted, and I can not envision any Congress which could be elected that, year in and year out, could be trusted to act in this manner.

Let me explain why: Every time we vote on a spending bill, all the groups who want the money are looking over the Congressman's left shoulder, sending letters back home, telling people whether their Representative cares about the old, the poor, the sick, the tired, the bicycle rider—the list goes on and on and on. But nobody is looking over the Congressman's right shoulder to see if he cares about the future of the country or the future of our children.

What happens, as we vote on these individual bills, is that the average beneficiary may get $1,000, or $1,500 while the average taxpayer may spend only 50 or 75 cents. You do not have to have a Ph.D. in economics to know that one person will do much more to get $1,000 or $1,500 than a lot of people will do to prevent spending 50 cents. So what happens on vote after vote after vote, is that we end up spending more and more money.

Well, as a result, what has happened to taxes? When I was a boy, 8 years old in 1950, the average family in America with two little children sent $1 out of $50 it earned to Washington in taxes. Today, the average family with two children is sending $1 out of every $4 it earns to Washington in taxes. If we do not create a single new Federal program in the next 30 years, if we simply pay for the Government we have already committed to, in 20 years the average family will be sending $1 out of every $3 to Washington, and in 30 years the average family will be sending $1 out of every $2 to Washington, DC.

This is the cold reality we face. In my opinion, there is only one thing we can do, short of a crisis, to change this picture, and that is to adopt a balanced budget amendment to the Constitution. A constitutional prohibition against deficit spending, which allows for a period of time to come into compliance, will end all of this foolishness. The President will be forced to sit down and work with Congress and the Congress will be forced to work with the President, because under this constitutional constraint we will have no other choice. If we want the games to end, if we want the Government to be forced to live on a budget, if we want to stop the explosion of the tax burden, if we want to have any real chance of preserving Medicare and Social Security for our parents and for ourselves, and if we really care about the future of our country, the most important single change we could make in America Government is to adopt a balanced budget amendment to the Constitution.

Mr. President, I had a previous agreement for 15 minutes. I yield myself the final 5 minutes.

The PRESIDING OFFICER. The Senator is recognized for an additional 5 minutes.

Mr. GRAMM. Jefferson and Adams, after having both served as President and after having had one of the most bitter political debates in America history, started a correspondence, much of which is now known as the "Jefferson-Adams Debate." Adams, ever the pessimist, argued that Americans would discover that they could use Government to redistribute wealth, and that in doing so they would tax productive effort, reward indolence, and that ultimately democracy would fail. Jefferson, ever the optimist, agreed that Americans would make the discovery that they could use Government to redistribute wealth, and

agreed that all the tendencies that Adams identified would clearly be present, but Jefferson argued that Americans would realize that what Government could take away from someone else to give them today it could also take away from them and give to someone else tomorrow. Jefferson believed that opportunity would always be so prevalent in America that Americans would ultimately reject Government's redistribution of wealth.

We are, today, living out the Jefferson-Adams debate, and the future of our country is going to depend on the outcome of this dispute.

I believe that Jefferson was right. I believe that if America understood what we are choosing every day by choosing more and more government and choosing less and less freedom, I believe that if we could just let Americans look at the end of the path we are following and then decide which fork in the road to take, there would not be any doubt as to which path they would choose—they would choose Jefferson's.

The problem is that the whole spending process distorts the view and prevents us from seeing clearly the end of the path we are now following. Even in the Republican budget which we tout this year, we will spend $17 billion more on discretionary spending than we promised to spend last year, and we are the party of fiscal responsibility. The Democrats would start dozens of new programs, that would bankrupt the country, without ever telling anybody that they would require a massive increase in taxes.

There is only one way we can bring this to an end, and that is to pass a balanced budget constitutional amendment, send it to the States, let the States ratify it, and then have it imposed on Congress. "Congress shall make no law which raises the deficit." This is the constraint we need.

There are those who have argued, "Well, you are endangering Social Security by forcing the Government to live on a budget." Does anybody really believe that we protect Social Security by going deeper and deeper in debt every single day? Does anybody believe that the explosion of Government programs can ultimately do anything except destroy Social Security? Does anybody believe this continued spending spree under Democratic and Republican administrations, under Democratic and Republican Congresses, can do anything other than undermine the creative genius of our country?

We can cut interest rates, we can expand economic growth, we can create more jobs, create more growth, and create more opportunity for our people, but we can only do it if we stop the deficit and force a real debate, and the real debate is this:

Do the Democrats want more Government enough to raise taxes to pay for it? Do Republicans want more freedom enough to cut spending to make it possible? Both parties are living a lie today. We could end that by passing a balanced budget amendment to the Constitution.

We were one vote short the last time we voted on this because six Democrats, having voted for it in the past, changed their votes when it really counted.

I hope today will be the beginning of a change. I hope people see this as a golden opportunity to change America. I doubt they will, though I am confident that some day we are going to pass this amendment. The sooner we can pass it, the better off the country will be and I continue to hope we will do it today.

I yield the floor.

Mr. HATCH. Mr. President, I yield 5 minutes to the distinguished Senator from Rhode Island.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. CHAFEE. Mr. President, why are Federal budget deficits bad? One reason is that for every year that we run a deficit we have to borrow to pay for the shortfall. In the beginning of our country until today, we have borrowed—this Nation of ours currently is in debt nearly $5 trillion—$5 trillion with the overwhelming majority of that having occurred in the past 15 years. The cost of servicing that debt—in other words, paying the interest on that debt—is currently $240 billion a year. That is not paying the principal. That is solely paying the interest on the debt.

Interest now is the third largest payment that the U.S. Government makes every year. We pay Social Security. We pay defense. And then the next largest item is interest on the debt—$240 billion a year.

Suppose we did not have to pay that interest on the debt? Suppose that $240 billion was available instead to improve our education system, or to do something about better maintenance for our highways, or to clean up our environment in a better fashion than we are currently doing, or to bolster our efforts to combat crime. A whole list of very, very attractive items would be available—potential expenditures to improve our Nation if we were not paying $240 billion a year interest on the debt.

The deficit places a tremendous strain on the national economy through higher interest rates. The interest rates would be far lower. And this is not just me saying this. This is testimony we have had before the Finance Committee by the Chairman of the Federal Reserve, Mr. Alan Greenspan. Investors in the United States and borrowers in the United States are required to pay higher interest because of the tremendous national debt that we have and the high interest rates that are having to be paid to service that debt.

If the interest rates were low, what would happen? People would pay less on their mortgages every year, less on their borrowing for a new automobile, and less on the borrowings they have made for their children's education.

The Federal deficit also places a drag on future economic growth. Our potential to expand the economy is directly linked to the amount we invest in physical and in human capital—newer and better machinery, a better trained work force with improved skills, and, thus, higher productivity and a higher standard of living if we had a pool of national savings available for that investment. Regrettably that is not true. National savings in our country has declined dramatically over the last decade—the last 10 years—in part because the Federal Government has engaged in a policy of not saving through its deficit spending. This is, in part, because now what can we do about all this? How will a constitutional amendment to balance the budget help us? What it will do principally is to impose fiscal discipline upon this Nation of ours.

The Federal Government has failed to balance its budget for 26 straight years. With a balanced budget amendment in effect, this Nation of ours—and us as elected Senators, and likewise in the House of Representatives—will be required to balance the budget, would be required to face up to the tough decisions, and if we want to spend money, we have to raise the money to pay for it. We cannot borrow.

So this balanced budget amendment represents a first and most important step on a long and difficult journey to fiscal responsibility and to passing this Nation on in better condition to our children than we received it.

Mr. President, every previous effort to balance the budget without an amendment to the Constitution—I previously was not in favor of an amendment. Instead, I thought we could do it through Gramm-Rudman-Hollings, or through firewalls, or through caps on discretionary spending, or pay-as-you-go rules. All of these we have tried. None of them has succeeded to date. When the targets became too difficult to meet, we simply changed the law. That is the way we did it in the past. But we will not be able to do it once this amendment is in effect.

So, Mr. President, it is my earnest hope that this amendment will be adopted today.

I thank the Chair.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. WELLSTONE. Mr. President, I yield myself such time as I might need.

Mr. President, let me, first of all, say that I think this proposal on the floor of the Senate suffers from the same structural problems that have been

with it from the very beginning. It is good politics. It is easy for everybody to vote for it, even if they are not serious about balancing the budget. It is painless. But I do think there are a couple of problems that are very important problems to the people in my State of Minnesota.

First of all, there are a number of us who would be interested in this formulation about balancing the budget if, in fact, we had an amendment that said there could be no raid on the Social Security trust fund. That ought not to be a part of the equation of balancing the budget. But we cannot get support for that amendment.

So, No. 1, I think the talk about a constitutional amendment to balance the budget without the ironclad guarantee, not just to senior citizens, but to their children and their grandchildren, that we will not raid the Social Security trust fund, is a proposal that is deeply flawed.

Why are my colleagues so reluctant to support an amendment on the proposition that in balancing the budget between now and 2002, we will not raid the Social Security trust fund? In the absence of that kind of guarantee, I am not going to vote for any amendment, constitutional or otherwise, to balance the budget, unless there is the absolute assurance given to senior citizens and their families.

I am so tired of this politics that tries to divide the old from the young, senior citizens from their children and grandchildren. Unless we have that guarantee, this proposal is deeply flawed. There are a number of us who want to vote for that alternative, but we do not get the support for it. People in Minnesota and around the country are not interested in an effort to balance the budget on the backs of senior citizens. They are not interested in an amendment that says we will balance the budget, with no guarantee that we are not going to raid the Social Security trust fund to do it. That is flaw No. 1.

Flaw No. 2. People in cafes in Minnesota—I think the cafes are the best place to be; I think this is the best focus group. You sit down and you talk with people. They say, look, we balance our budget at home—and we do. But when we balance our budget at home, here is how we do it. We make a distinction between investment for the future and our daily or monthly or yearly operating expenses. We do not cash flow a car that we buy. We do not cash flow the home that we buy. It is on the basis of a fairly long-term mortgage, and we do not cash flow our children's education, higher education. We make an investment. It is a very good family practice and a very good business practice, a sound business practice, to make such an investment if you know that it will pay for itself over and over and over again.

We had an amendment last time that said, look, let us talk about a constitutional amendment to balance the budget, but let us make some distinction between the investment budget, investment we make now—education, physical infrastructure, or whatnot—which pays for itself over and over again versus our daily operating budgets. That amendment was voted down. Every family in Minnesota and in America knows the distinction between spending money on a vacation during the summer, when maybe you should not do it, versus spending money on your child's higher education. We had an amendment that wanted to make that distinction. I have talked to one of the coauthors, Senator SIMON, about such an amendment. But, no, that amendment also is not part of this.

So if you are talking about a constitutional amendment to balance the budget and (a) you have to guarantee that this does not lead to a raiding of the Social Security trust fund, and (b) you have no distinction made between an investment budget and an operating budget, you have a deeply flawed proposal.

The third point. We can balance the budget—and should. I voted for the President's proposal to balance the budget by the year 2002—CBO scored. I do not think people really know what all this CBO scored means, but I will say it. Actually, I thought that proposal was by no means perfect and that we could do much better.

Mr. President, you have a proposal that is flawed on several counts. Then we get to the sort of—as my children would have said it when they were younger—"get real" phase of this. We do not need this to balance the budget. We can do it. The question is, how?

I will tell you one of the things that I find just more than a little bit ironic. At the very time that some of my colleagues, whom I deeply respect, are talking about a constitutional amendment to balance the budget, they trot out a son-of-star-wars proposal. The Pentagon does not want it, the Joint Chiefs of Staff do not want it, and it is $70 billion more on top of what we are already spending on star wars. We do not know whether it will work. It is not proven. Research has not been done. The Pentagon and the military tell us we need to, first of all, do research to see whether or not this would work and to defend our country in what ways. But the very people who are talking about a constitutional amendment to balance the budget, no guarantee we will not raid the Social Security trust fund, who will not pass our amendment that makes it clear that you cannot do that, are the very people that trot out the son of star wars, with $70 billion more for a system the Pentagon itself does not want in this form right now.

Mr. President, the very people who are voting for a constitutional amendment to balance the budget have now in the budget proposal voted for $11 billion more than what the Pentagon wants. The first time in my adult life—no, it is the second time; it happened before. This is the second time around. This is the second time in my adult life where the Congress is appropriating more money than the Pentagon says it wants. These are the same people who want to cut financial aid to higher education, cut educational opportunities for children, cut into Head Start, cut into job training, and they want to go $70 billion more for son of star wars, and they want to spend $11 billion more above and beyond that $70 billion than the Pentagon even wants. And the last time around, in the last budget, it was $7 billion more we were going to spend. My friends who say they want to balance the budget want to spend $7 billion more on the Pentagon than the Pentagon wanted, and I came out here with a modest amendment which said, please, could you not take half of that $7 billion, $3.5 billion, spend $3.5 billion less since the Pentagon said it does not need it and put it into deficit reduction, and the amendment was defeated.

So everybody understand the politics of today. This proposal was defeated before. It will be defeated probably by a wider margin today. The Senator from Nebraska [Mr. EXON] has come out in the Chamber and said this is absolutely outrageous, because I see what my colleagues are doing here; they want to spend more and more and more and then they want to do a constitutional amendment to balance the budget.

Well, to use what I think is an old Yiddish proverb, you cannot dance at two weddings at the same time. And people in the country are just getting a little tired of it. That is what this proposal is all about. You have people in the Senate who say we are for balancing the budget by the year 2002, and do not worry, senior citizens; this will not be done on your backs and we will not raid the Social Security trust fund, although that surplus is sitting out there, we can assure you of that. But then when it comes to actually voting for that, these folks will not do that.

Mr. HATCH. Will the Senator yield on that point?

Mr. WELLSTONE. I would be pleased to.

Mr. HATCH. It seems to me that is one reason why we need a balanced budget amendment. If there are Senators that will not do that now, then under the balanced budget amendment we are going to have to. We are going to have to raise taxes and reduce spending or have a supermajority vote to spend more. But if I could just ask one last thing, and I do not mean to interrupt my colleague.

Mr. WELLSTONE. That is fine.

Mr. HATCH. One last thing. And that is that I have heard these arguments

before. I heard President Clinton on the news the other day say as he was walking outside the White House, "Let's just balance it." I have heard that for the whole 20 years I have been here: "Let's just balance it." Both sides have said that over the years.

I think both sides have flaws here. I think both sides have spent too much, both sides have taxed too much, both sides have not done what should be done. That is why we need a balanced budget amendment, because then the game is over. The Federal Government is going to have to live within its means or vote with a high consensus to not live within them, but at least that vote will be done on the record, in front of the American people, rather than the phony way things are done today when people just stand up here and say, "Let's just balance it." I have to laugh. That is the biggest joke in our history. We have 60 years of not balancing it very often, and 27 years in a row of not balancing it at all.

That is what bothers me. That is why Senator SIMON and I and others have fought so hard to try to get this amendment passed, so that the game will be over for both sides.

I would also use a Yiddish expression, and that is chutzpah. It takes chutzpah to continue to just spend and tax the American people and to sell out the future of our children. And frankly, that is what is going on here. I am willing to blame both sides. I will be happy to say the Republicans are to blame here, too. I will be as bipartisan as I can be, just like Senator SIMON has been, but both of us know that if we do not do something about it, it is only a matter of time until we are going to have to monetize the debt and we will pay it off with devalued dollars that roll off the printing press not really worth anything—barrels of dollars that will not be worth anything printed up so the Government can escape its debt liability. But at that point, the United States will no longer be the great power it has always been. And that is what it is coming down to, because we cannot continue to go the way we are.

What really bothers me, and I will end——

Mr. WELLSTONE. That is fine.

Mr. HATCH. What really bothers me is this argument that we have to preserve and protect Social Security by defeating the balanced budget amendment, which is the only way to preserve and protect Social Security, or at least the current Social Security system. I think if we pass this amendment, we will not only have to preserve and protect it as it is now, we are going to have to find a way of reforming it so that it will last well into the next century and take care of our children and our grandchildren as well, not just those who are living today. The only way we are going to do that is if we really get serious about it and force the Congress to do it. And the only way you are going to do that is by passing a constitutional amendment. I do not think anybody who looks at it sincerely can doubt the wisdom of what I just said.

The fact is that this amendment has been around for a lot of years. It is a consensus amendment. It is the one amendment that has a chance of passing, the first amendment that has ever passed the House of Representatives, the first one and maybe the only one that will ever pass the House of Representatives, and yet we in the Senate are going to stand and block it.

What really hurts me to a great degree is that at least six Senators who have always voted for it are voting against it under the guise that they are protecting Social Security, when in fact the only way you can protect Social Security is to get our spending habits under control, and the only way to do it is to give us the fiscal discipline to do it in the constitution.

I thank my colleague for allowing me to make these comments, but I felt I had to make them in light of what my friend has said.

Mr. WELLSTONE. Mr. President, my colleague may want to make more comments because I just respectfully—parliamentary inquiry. I have the floor, is that correct?

The PRESIDING OFFICER. Yes.

Mr. WELLSTONE. I thank the Chair. First of all, I am always more than pleased to hear the analysis of my friend from Utah—a lot of times we say in the Chamber "whom I deeply respect," and it sounds like flattery, but whom I really do deeply respect. There is just no doubt of his ability as a legislator and his expertise in the Senate, but I am in profound disagreement with that analysis on two points.

First, if in fact we want to make it crystal clear that we are going to balance the budget by the year 2002 and in no way, shape or form is the Social Security trust fund money going to be used for that, then let us have the amendment out on the floor and let us vote for it.

Mr. HATCH. Will the Senator——

Mr. WELLSTONE. Let me just finish if I can. That is my first point. That is, I think, an important reassurance which we must give.

My second point is that I am absolutely in agreement with my colleague that when you look to the future, especially around the year 2030 and you get to a ratio of two workers and only two workers or working people to every one retired person—in that sense demography is destiny—we have our work cut out for us. But I think it is a flawed economic analysis to argue, well, the way we do that is in fact through a constitutional amendment to balance the budget. The way we do that is in a lot of different ways, but one of those ways is to make sure that we have an economy that is producing enough living-wage jobs, that is to say, jobs that people can count on that pay a decent wage with decent fringe benefits so that that working generation, which is the way the Social Security system works, is able to contribute to those who are retired, and then when we are retired, we hope that also there will be a successful enough economy so that base will be there. That is a whole different set of issues that have to do with whether or not we are going to invest in job training, that have to do with whether or not we are going to invest in education, that have to do with whether or not we are going to have an economy that produces high value products with a skilled labor force—all of which, I would say to my colleague, has much to do with whether or not we make the right investment decisions in the private sector and in the public sector.

Mr. HATCH. Will the Senator yield?

Mr. WELLSTONE. If I could just finish—that is my first point.

My second point is, I must say that when my colleague talks about the past 20 years, I do not have that perspective. Maybe that is the difference. I have not been here that long. I know that in the last 3 years since the President was elected we have halved the deficit. It has gone down. Those facts are irreducible and irrefutable.

I know, if we want to talk about the past, there were people here in the early 1980's, starting around 1981—David Stockman has written about this eloquently, as he looks back on those times—who passed what was euphemistically called the "Economic Recovery Act." George Bush, President Bush, once called it "voodoo economics." We were going to have these massive tax cuts. That was great politics. We could say to people in the country, "We ask you to make a supreme sacrifice. Will you let us cut your taxes so the economy will grow and everybody will be better off?" And people said, "Absolutely." So we did that; disproportionate money going to those who had the most income. And, in addition, we dramatically increased the Pentagon budget, not to mention the explosion of tax expenditures. By the way, I say to my colleague from Utah, I do not see any evidence that my colleagues here are willing to take that on, all those loopholes in deductions, all those subsidies that go to oil companies, tobacco companies, pharmaceutical companies, you name it. We do not take any of that on.

So what did we have, an overall debt that was about $900-and-some billion? Now what is it, $4, $5 trillion, or thereabouts?

I must say, yes, I was not a part of that. I was not a part of the claim for trickle down economics. I never made those claims to people. And I know if we were not paying the interest off on

that debt built up during the 1980's we would have a balanced budget right now.

So I am not arguing—I will finish. I have the floor. But I am not arguing that we not make the tough decisions. I am not arguing that we should not be fiscally responsible. As a matter of fact, I come to the floor with amendments for lots of cuts. What I argue with is some of what I think are distorted priorities. People want to do more and more for the Pentagon. They now have a son of star wars. But for some reason, my colleagues do not seem to believe that a good education is a strong national defense against ignorance, against prejudice, against hopelessness, against despair, against children not doing well, against not having skilled workers.

So this is a debate about a flawed proposal, structurally, and about priorities. That is what this debate is about.

Mr. HATCH. Will my friend be kind enough to yield on that point?

Mr. WELLSTONE. I will be pleased to yield for a question, but I would like to keep the floor.

Mr. HATCH. Let me just say, I believe my friend makes a very good case for the balanced budget amendment. Because even though he criticizes some things that others have done, and compliments some things that he has done, the fact is that the system is running the same as usual. One thing that I would just like to point out and I ask the question, is it not true that the six Democrats who always voted for the balanced budget amendment before—and, perhaps, all Democrats on that side—who now refuse to support the balanced budget amendment under the guise that they are preserving or protecting Social Security by refusing to support a balanced budget amendment that does not exclude Social Security from the balanced budget calculation, that all six of those Democrats, and I believe every Democrat who will use the Social Security argument as an excuse for voting against the balanced budget amendment, I would ask my friend, did not every one of them vote for President Clinton's fiscal year 1997 budget which did not exclude Social Security receipts from deficit calculations? And, even though my colleague claims the deficit is going down, the debt since we first debated and voted down the balanced budget amendment has gone up $320 billion in 15 months. While we fiddle around here the Nation is burning. We fiddle around on trivialities when, in fact, passing the balanced budget amendment is the only way we are going to get things under control.

Will my colleague agree the Democrats voted for the Clinton 1997 budget, which itself did not exclude Social Security, and used those Social Security surpluses in their budgetary deficit calculations?

Mr. WELLSTONE. I say to my colleague there is one fundamentally important distinction. The Democrats did not enshrine in the Constitution the potential raiding of the Social Security trust fund. It is that simple. I do not think senior citizens or their children or their grandchildren want us to do that, nor should we do so.

I also would say to my colleague, my critique was not restricted to just that one point alone. I argued that this proposal, I think, is flawed in two or three fundamental ways, and then went on to discuss priorities. So that is the distinction.

Mr. President, let me just finish up, because I see my colleague from New Mexico is on the floor. There are others who want to speak.

I reiterate what I said earlier. This proposal is deeply flawed, I think on policy grounds, structural grounds. There should be an ironclad guarantee that we do not enshrine in the Constitution, raiding the Social Security trust fund. We should make a distinction—I have said this over and over again, I say to my colleague from Utah—between investment and operating budgets. And we ought to be very careful in not tying our hands so that we do not have, through specifically fiscal policy, the ability in times of economic downturn to do what we need to do to make sure that recessions do not turn into depressions.

Those are some of the structural arguments. My other arguments have to do with priorities. One more time I will point out to people in the country the politics of this vote. It is transparent. We had the vote before. It is not going to pass. Senator EXON has come to the floor, who has voted for it before, and he said this is just outrageous. The very people who are proposing this now bring out son of star wars for another $70 billion. These are the very people who want to spend $7 billion more than the Pentagon even wants. Now they are talking about what kind of tax cuts they can give. And this just does not add up. It does not add up at all.

So it is wrong on basic policy grounds. It is wrong from the point of view of playing politics. And, finally, I have to say, as somebody who has had amendments out here—and a good number of these amendments have not been agreed to, but I actually think these amendments are quite connected to where most of the people in the country are—for the life of me I do not understand why this interest in going forward with this expensive son of star wars system, this star wars system, and at the same time colleagues are so eager to cut into job training programs, educational opportunity programs, Head Start programs, and environmental protection programs and all of the rest. When it comes to going after subsidies for oil companies or tobacco companies or pharmaceutical companies or big insurance companies and a whole lot of others of these tax expenditures, which are giveaways, a big part of the budget, the silence of my colleagues is deafening. They do not want to do it. These are the big players, the heavy hitters. These are the folks who have the clout.

When it comes to going after the Pentagon contractors some of my colleagues who are pushing this proposal the hardest want to spend more money than the Pentagon even wants to spend. And they continue with this idea of tax cuts, adding up to a significant amount of money, disproportionately flowing to those people who need it the least, all in exchange for reductions in the quality of health care for senior citizens, children, you name it.

These are distorted priorities. So we have two sets of issues going on here, and on all counts this proposal should be defeated.

I yield the floor.

Mr. HATCH. Mr. President, I yield to the distinguished chairman of the Budget Committee.

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

Mr. DOMENICI. Mr. President, I hope the American people understand all these arguments about what Republicans want to spend money on, what Democrats want to spend money on, who wants to cut taxes, who does not want to cut taxes, have nothing whatsoever to do with a balanced budget. It is an absolute, utter smokescreen. The truth of the matter is, you either want a balanced budget built into the Constitution or you do not. For those Democrats and the one Republican who voted against the balanced budget and never came to the floor, never inserted in the RECORD any excuse, but rather said, "I am against it as a matter of policy," I laud them. I praise them. They just happen to be against it. They do not think it ought to be done.

But for those Senators, and I gather there are none on our side, who take to the floor and make excuses about why they are against it such as, "We are raiding the trust fund for Social Security," it is a charade, it is an absolute smokescreen.

Senators DASCHLE and DORGAN and others have produced a constitutional amendment which would require a balanced budget in the year 2002 excluding the Social Security trust fund. They argue that including Social Security in the balanced budget amendment effectively authorizes the raiding of the Social Security trust fund and its surpluses for purposes of balancing the budget.

Mr. President and fellow Senators and those who are listening, I believe this argument and the Daschle-Dorgan proposal, I repeat, is nothing more than a smoke screen. It is intended to divert the public's attention from the

real issue, constitutionally required fiscal discipline. You either want it or you do not want it. We happen to think it is long overdue. Second, it provides an excuse for some who supported a balanced budget amendment in the past to vote against it now, now that their votes really matter.

But I believe the American people will see through this smokescreen because it is obvious that this is a charade and it is not about Social Security. Rather, it is plain and simple about defeating the balanced budget amendment. That is what it is all about, defeating the balanced budget constitutional amendment.

It is obvious—not those Democrats who will vote against it on principle or our one Republican who votes against it on principle—but it is obvious that others are not serious about their constitutional amendment because it would have one clear result which they adamantly oppose, deeper spending cuts in domestic programs, or, which they allege to be opposed to, tax increases. It will be one or the other under their proposals—huge, deep spending cuts in domestic programs, which they avow they are not for, or huge increases in taxes, which they run around saying they are not for. One or the other must occur under their balanced budget amendment, which they call pure.

Over the next 6 years, from 1997 until 2002, the cumulative unified budget deficit, that is the total receipts less total outlays—a simple proposition—will be $1.1 trillion, according to CBO. Over that same period, Social Security will run a surplus of $520 billion, including $104 billion in the year 2002.

Mr. President, if we adopt the Daschle-Dorgan approach, we would be forced to make much deeper spending reductions than any plan on the table.

Let me give you the best estimate I can of what it will require, I say to Senator HATCH.

If applied proportionately across the budget, that plan will require $92 billion more in Medicare cuts. Of course, they will disavow that. They are not for that. They are for a balanced budget without Social Security, without that trust fund being in the budget. It will require $46 billion more in Medicaid cuts. Of course, they will say that is not the case. They do not want that. It will require $36 billion more in welfare cuts, $62 billion more in mandatory spending, and $38 billion more in the discretionary accounts of the Government. Is that what they really want?

Frankly, some will get up and say, "No. We're going to do it another way." How? There is only one other way, and that is to dramatically increase taxes. I do not mean a little bit—a huge amount. Is that what they want? Maybe. But they are not saying that.

So I conclude that those who are now hiding behind the veil of Social Security being adversely affected by a unified balanced budget, their real goal is plain and simple and as patent as can be. It is to kill the balanced budget amendment, nothing more, nothing less.

The sponsors of the Daschle-Dorgan proposal argue that our balanced budget amendment would raid Social Security. If that is the case, then the Democrats who proposed it and the President who talks about that are raiding Social Security, too. In fact, every budget plan by the President and the Democrats in the past 18 months, which claims to reach balance in the year 2002, includes Social Security in the deficit estimates. They claim balance; and it is a balance which includes Social Security in every single budget produced.

Most recently—January 19, 1996; the end of the negotiations—Senators DASCHLE and DORGAN held a press conference with others to promote their approach to balancing the budget. Somehow they must have forgotten that their plan reached balance in 2002, in their words, "raiding Social Security."

Moreover, the President's 1997 budget, although filled with gimmicks, like every other balanced budget presented this year, gets nowhere near balance in the year 2002 if the Social Security trust fund is excluded. Yet Democrat after Democrat—not those who vote against it as a matter of principle; but those who want to tell the American people they are for a constitutional balanced budget—but Democrats of that yoke, one after another, claim that the President's proposal "balances the budget in 2002." Yet 45 Democratic Senators voted for the President's balanced budget plan during the last month of debate on the budget resolution. I will wager that almost every one, knowing that the public wants a balanced budget, took full credit for it and said, "We just voted for a balanced budget." It was a balanced budget of the exact type that this constitutional amendment will require.

I mention this only again to highlight the hypocrisy of such proposals. They say they cannot support a balanced budget that includes Social Security surpluses and yet every budget they produce and call balanced supports exactly that.

This is not about protecting Social Security. Those who claim that it is and put a cover over their vote by claiming that it is are trying to suggest that our balanced budget amendment does not protect Social Security.

Let me be clear. We made a promise to our Nation's seniors that we would balance the budget by 2002 without touching Social Security benefits. We kept that promise. Of course, the same cannot be said of some of the other proposals.

The President, in 1993, in his $260 billion tax increase, the largest in history, raised the portion of Social Security benefits subject to taxes from 50 to 85 percent. This effectively cut benefits for millions of middle-class senior citizens by $25 billion over 5 years.

In 1995, 19 Democrat Senators voted for a substitute balanced budget under reconciliation that cut the Consumer Price Index and thus Social Security COLA's. I will admit there was great bipartisan support for it. But for those who now say they do not want to touch Social Security, they do not want to harm it in a constitutional balanced budget, they voted already to harm it to cut the CPI.

Indeed, my good friend, Senator MOYNIHAN, known as a defender of Social Security, called for a CPI reduction of 1 percent each year to balance the unified budget by the year 2002.

Of course, very recently 46 Senators, 24 Democrats and 22 Republicans, voted for the Chafee-Breaux alternative which included a COLA reduction of five-tenths of 1 percent. This proposal would cut Social Security spending by $40 billion.

So, not only did that proposal count the surpluses toward the balanced budget, it increased those surpluses by cutting benefits. I hope that no Senator that voted for Chafee-Breaux will vote against the balanced budget amendment using the protection of Social Security as an excuse.

Again, I want to repeat, the Republican budget does not touch Social Security at all. I have said all along that the best way to protect Social Security is to balance the budget so that we have a strong, growing economy. In legislation implementing the balanced budget amendment, if it were to pass, we could provide procedural safeguards to preclude cutting Social Security benefits or raising Social Security taxes to balance the unified budget. That is not an issue of the amendment. It is an issue of the will of the Congress as a matter of policy, once it is adopted.

When we amend the Constitution, we must be taking the long view. Although some claim they are worried about raiding the Social Security surpluses, I am concerned about the looming and massive Social Security deficits that are on the horizon. These Social Security deficits threaten to push the unified budget to levels far above those we are experiencing today.

Over the period from 2020 to 2030, the Social Security trust fund will run a cumulative deficit of $4 trillion. In 2030 alone, the annual Social Security deficit will be $1 trillion, or $225 billion in constant dollars, which is 56 percent higher than the projected unified budget deficit for all of government.

If we adopt the Daschle-Dorgan constitutional amendment approach, the Constitution would allow these massive deficits in the unified budget to

occur even as we would be telling the American people that our budget is balanced in accord with the Constitution.

Let me repeat that: If you put something in the Constitution, I assume you would hope it would exist until 2020 or 2030. If you adopt the Daschle-Dorgan approach, you will be building into the budget of the United States by the year 2020 an opportunity for us to tell the American people we are in balance, even though the Social Security trust fund can be out of balance by hundreds of billions of dollars.

The truth of the matter is that not only would that kind of budget make a mockery of the constitutional balanced budget requirement, it would also be devastating to the American economy because—and I want to make this point—it is the unified budget deficit, regardless of what is said here on the floor, it is the unified budget and its deficit, not the deficit excluding Social Security, which tells us how much Government must borrow from the public each year. That is what we want to know: How much do we have to borrow. The unified budget tells us how much Government must borrow. It is this Government borrowing that has real economic consequences for national savings, for investment, for inflation, for interest rates and for economic growth.

Now, to remove any remaining doubt that those who take the coverup of Social Security as their defense against the balanced budget amendment, so that they would remove any doubt that they are more interested in killing the balanced budget amendment than in protecting Social Security, I want to make it known that we were willing to compromise with them to get an agreement. We suggested the idea of revising the balanced budget amendment to require both a balanced unified budget in 2002 and a balance excluding Social Security in 2006, which I believe anyone looking at the flow of expenditures and what is practical would say that is probably where we ought to be.

We proposed an amendment to this proposal that would make it such, 2002, balance under unified; 4 years later, balance excluding Social Security. There is nothing inconsistent with requiring both. In fact, you get to balance excluding Social Security, you have to first balance the unified budget—no way around it.

Moreover, I believe we need a permanent requirement regarding unified budget balances to protect against a time when Social Security runs large deficits. Those who reject this offer are really, once again, showing us they are not interested in getting an agreement on the balanced budget. They are, instead, interested in defeating it.

Now, Mr. President, and fellow Senators, what we are talking about is the following. It is the difference between economic prosperity and long-term stagnation. As we look out there among our people, one of the things they are most worried about is stagnation in their economic condition, that wages are not going up as fast as they should, that the dream for their children might be less than theirs, which somehow stirs a strong cord in the hearts and minds of Americans. If we do not build into American policy constitutional fiscal restraint that leads to a balanced budget, the difference is going to be simple. It is going to be whether we have prosperity or whether we have stagnation. No doubt about it.

Mr. President, to prove that for you, I want to cite a Congressional Budget Office report. According to the Congressional Budget Office, their so-called base scenario, here is what we can expect in 2030 if we do nothing.

Debt held by the public will reach 180 percent of our gross domestic product. At the end of 1995, our debt stood at 50 percent. In 1945, at the end of the war, it was 114 percent. The budget deficit will reach 15 percent of gross domestic product. In 1995, it was 2.3 percent. Net interest rate on the cumulative debt will cost 8 percent of the gross domestic product. Net interest rates are only 3 percent now. Social Security, Medicare and Medicaid will cost 18 percent, all alone, of the gross domestic product. These programs cost 9 percent now.

It assumes these massive deficits will do no harm to our economy. That is the rosy scenario. CBO states in its report: "In the end, these deficits will weaken the economy, end long-term upward trends in real GDP per capita that we have enjoyed throughout our history. With Federal debt growing so rapidly, the economy will enter a period of accelerated decline."

Mr. President, this is a real debate. This is about one of the most important issues for our future that will come before this body.

I went to some length to produce my argument today because I believe those who claim Social Security is the issue and trust funds of Social Security are the issue are perpetrating a huge smokescreen, at best, and, at worst, a monstrous charade. There is no doubt in my mind the best way to help Social Security now and in the future is to balance the budget as prescribed in this constitutional amendment. Without it, the very seniors they attempt to say they are for are put in very serious jeopardy, as are their children and grandchildren.

I yield the floor.

Mr. HATCH. How much time do we have left?

The PRESIDING OFFICER. The time of the Senator is 1 minute remaining.

Mr. HATCH. Mr. President, let me use the remaining time to say I have never heard a more phony argument in my life than the argument that they, the Democrats, are trying to protect Social Security, and yet every time President Clinton's budget comes up here not protecting Social Security the way they say they want to protect it, they vote for it. I am not willing to say people are hypocritical on this matter, but I am willing to say that it is a lousy argument. It is clearly an argument designed to give those who use it an excuse for them to vote against the balanced budget amendment. I have never heard a more disappointing display than yesterday, as Senator after Senator came on this floor and jumped all over BOB DOLE, who has done his best to get a balanced budget amendment through.

I think some of the most sordid politics I have seen in years occurred in some of the arguments yesterday. And the arguments are phony arguments. This is a very, very important opportunity for us to try and get the Congress to be required to do what is right. This is the only chance to get them to do that. I hope people will vote for this amendment—if not today, count on it, it will be back next year.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SIMPSON. 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. SIMPSON. Mr. President, I ask unanimous consent that I might speak for 7 minutes.

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

Mr. SIMPSON. Mr. President, now maybe we can get to where the rubber hits the road. I have been given the grisly task of chairing the Subcommittee on Social Security and Medicare and Family Policy. I have heard the debate going on about the looting of the Social Security trust fund. Mr. President—and I know they will rush onto the floor. The doors will clatter open in a moment.

Let me tell you that there is no Social Security trust fund. It is a huge stack of IOU's. The trustees know that, all thoughtful Americans know that. It is listed in the trustees' report. It is a huge stack of IOU's. There is no place in there with your name on it or my name on it. When a young person pays in today, it goes out next month to the beneficiary. In the year 2011, there will not be enough payroll tax to cover it. There will be a huge accumulated surplus then. And then you go and take the IOU and say, "I am cashing this in." That is the double hit that is coming.

I related this last week. We are all aware that the Social Security program and its relation to any balanced budget constitutional amendment will

always be an issue of fervent controversy. In fact, many individuals, and the well-organized interests and, oh my, the citizens and, oh, my, the AARP—do not miss their work here—have cited the need to "protect" Social Security as a moral justification for opposing any such constitutional amendment. We have heard more of that on the Senate floor this week, and we will hear it forever.

I trust that my colleagues will pardon me to say that I find this completely baffling—bizarre and baffling. I see no possible sensible justification for using Social Security as an excuse for opposition to the balanced budget amendment—none. It is but an excuse which excites the interest groups, which may be sold as a way to cover a vote against a balanced budget amendment. "CYA" here does not mean corporate youth activity. It is without substantive merit, in my view.

Let me explain fully that this is my duty as chairman of the Social Security Subcommittee to try to determine the facts. At least everybody is entitled to their own opinion, but no one is entitled to their own facts. How is the Social Security trust fund managed? This is how it is required under the law to be managed. It is a rather unfortunate that one would even have to do this, but too many in Congress, and out in the land, do not seem to "get it," I believe is the phrase they use on us around here.

This is an enlargement of an excerpt from section 201(d) of the Social Security Act. Allow me to read from it to you:

It shall be the duty of the managing trustee to invest such portion of the trust funds as is not, in his judgment, required to meet current withdrawals. Such investments may be made only in interest-bearing obligations of the United States, or in obligations guaranteed as to both principal and interest by the United States.

This section continues later:

Each obligation issued for purchase by the trust funds under this subsection shall be evidenced by a paper instrument in the form of a bond, note, or certificate of indebtedness issued by the Secretary of the Treasury.

We can and we still do call these things T-bills, savings bonds, whatever. But it refers to any such Treasury bond or certificate.

Before I continue, allow me to translate this bit of mumbo jumbo. What this means is what the law requires. It is what the law demands—that when the Social Security payroll taxes come rolling in, most of them are immediately used to pay the benefits to today's recipients. The leftovers are not put in some vault or box, where we keep them, save them, and hold them for tomorrow's retirees. They are used to buy Government notes now. That is the law, that has always been the structure of Social Security. It is what is required of us. It is not "raiding" anything. It is not "breaking a promise" to anyone. That is how Social Security currently works, and it is how it was intended to work. That is what I mean when I say that the fund holds "floating IOU's." It is holding those notes from the U.S. Government, and those notes are promises to pay up at a future date.

Let me take you to section (f) the Social Security Act. Do not miss this one. This is the section that explains how the future benefits are going to be paid:

The interest on and the proceeds from the sale or redemption of any obligations held in the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund shall be credited to and form a part of the Federal Old-Age and Survivors Insurance Trust Fund and the Disability Insurance Trust Fund respectively.

Listen closely to this part:

Payment from the general fund of the Treasury—

Are you listening?

to either of the trust funds of any such interest or proceeds shall be in the form of paper checks drawn on such general fund to the order of such trust fund.

Here we see the obvious. The payment back to Social Security at a future date will come from general revenue—taxpayers' money. Only from the general fund will it come.

The general Government, until the appropriate time, thus holds this big bag of IOU's to Social Security, and then it has to make good on those from the general revenues, not from some separate trust fund. It comes out of general revenue when the IOU's are due. That is how it works, and that is how it was intended to work. There is no way around it, no tricks, no gimmicks, no big lump of money in a trunk sitting there that we can emotionally plead to save from raiding if we exclude Social Security from a balanced budget amendment. Those benefits are to be paid with moneys raised from the general revenues—period.

Another way of putting it, if I may, is today's workers will support today's retirees and tomorrow's workers will support tomorrow's retirees, period. That is the law. This is how Social Security works. All of this posturing and fear mongering about how somehow a contract is being broken and that looting and pillaging, and God knows what else, and other sins are taking place, is so much guff and nonsense. It is so much like the old professor of mine. He said, "SIMPSON, this is opium smoke." That old professor was right. The benefits of future beneficiaries were never available to be looted. They are IOU's, and all of the cash will be raised from general revenue when those bonds became due.

Let me just show you one final chart. I want you to pay, please, strict attention to this one. These are the annual operating balances projected for Social Security as of last year. You can see that, indeed, there is a sizable surplus today, and some are using this as an excuse to oppose the balanced budget amendment. This $60 billion figure appears small because—I ask unanimous consent for an additional 4 minutes.

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

Mr. SIMPSON. They are using it as an excuse to oppose the balanced budget amendment. This $60 billion figure appears small because it is an annual figure, a consolidated figure which also includes the disability payments and does not represent the total size of the accumulated Social Security reserves which are supposed to add up to another $2 trillion. They will get to $2 trillion—everybody needs to know that; we all know that—before the big drawdown, the big meltdown, comes.

But you know what we always hear about this surplus. "We don't want this surplus to be counted toward balancing the budget." It is said plainly, passionately, and persuasively.

I ask you to look at the much larger picture. By the year 2020 we are also facing huge annual operating deficits, meaning that we would have to dip into the principal and the interest in this trust fund, the IOU stack, which I have already shown you is not there and eventually will only come from general revenues at that time.

Look at the size, look at the enormity of these promised obligations, all of which we have no possible way of paying unless we raise payroll taxes, and the seniors are telling you to do that to correct the program because they "ain't paying" them. Payroll taxes—that is how you get here, and other taxes, to raise them dramatically when the time comes. There is $7 trillion in unfunded liability in the Social Security system alone.

Does anyone seriously believe that the way to "protect" Social Security is to save it from a balanced budget amendment? Can anyone seriously maintain that the fate of Social Security hangs on the budgetary treatment of funds in 1996 when these are the balances projected in the outyears? We all know this. That is no secret to anyone. To use Social Security as a pallid excuse to defeat a balanced budget amendment is absurd, hypocritical budget blather of the most odious kind. We all know what the real threat to Social Security is. It is the situation you see on this chart. It is the threat that we will do nothing. That is the threat. That is the threat—the threat that we will let it go bankrupt on its own. But that is a debate for another day. I will not be around when the big bill comes due. But I hope in the year 2030, they will tap on my box and tell me how it all went because I can tell you where it is going to go.

My purpose today is to, hopefully, dispense with the idea that there is some promise that has been made to save the Social Security surplus in

some way that we are currently violating. No. We are doing with Social Security precisely what the law demands and commands us to do—to buy T bills. If we can be charged with failing to do anything, it is failing to balance the budget. That is what will make it harder to make good on those IOU's when they come due. It will be very hard to raise the general revenue to do that. So as long as we keep blithely adding trillions to the debt—I ask unanimous consent for 2 more minutes.

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

Mr. SIMPSON. Mr. President, let me close by saying I agree with my friend and colleague, Senator PAUL SIMON of Illinois, that the assured best way to protect Social Security is to pass the balanced budget amendment, or if you do not like the balanced budget amendment, to force ourselves to balance the budget. That is the one thing and the only thing that will make it possible to pay off those sacred promises to future retirees. I do not see people who like to cast those tough votes. They do not show up.

But in any event, let me say again that I find it very unseemly that anyone who refuses to help in that effort will use the looting of Social Security as an excuse not to impose a balanced budget requirement. I hope that all of you will read the Social Security Act for yourself and the sections of it—section 201—and think it over closely, and then read the trustees' report. If we have a more accurate public understanding of exactly how Social Security does, indeed, work, it is my earnest, and yet possibly most naive, belief that the argument over the balanced budget amendment can take place on a more honest and informed basis.

I thank the Chair.

Mr. DEWINE addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. DEWINE. Mr. President, I ask unanimous consent to speak for up to 8 minutes.

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

Mr. DEWINE. Mr. President, I rise today in strong support of a balanced budget amendment to the Constitution.

Here we are again. One more time, we find ourselves about to cast really a historic vote. In March 1995 the Senate failed by one vote to pass this measure, a measure that has been demanded by the American people, this measure that is absolutely necessary if we are going to rescue America from bankruptcy of our children's or our grandchildren's generation.

It has been pointed out on this floor that the Federal debt is already more than $5 trillion, the figure that is hard to even comprehend. Next year Americans will pay about $240 billion just to meet the interest payment on that debt. That is almost $1,000 for every man, woman, and child in this great country. You know, it is really money for nothing. That money is not just to educate our children or fight the drug problem or find a cure for cancer. It is simply a transfer payment from the future to the past. We need to reduce those interest payments. We need to start investing in the future instead of the past. But until the annual budget is in fact balanced, all we are doing every day, every month, and every year is adding to the problem. Congresses of both parties, Presidents of both parties, all have compiled a spectacular record of failure in dealing with this fundamental issue.

That is why I believe it is time to make a fundamental change in the way we deal with it. I am not one who thinks we should tamper with the Constitution. I do not like to amend the Constitution. But I believe in the age-old principle, "If it ain't broke, don't fix it." I think it is broke this time. I think we have a problem, and we have to have a fundamental fix. We have to change the way we do things.

Mr. President, there are 5 trillion reasons convincing me that in this case our system is broken and it is time to fix it. The people of this country demand change. People of my home State of Ohio demand change.

As I was thinking about this issue, I was reminded of the crusade that a former Member of this body who represented the State of Ohio for many, many years had to say about this. Frank Lausche was and remains a legend in Ohio politics and Ohio government. He served many terms as Governor of the State of Ohio and several terms as U.S. Senator. From the time he was Governor, throughout his career here in the Senate, one theme kept recurring, and that theme was fiscal responsibility. I remember, Mr. President, as a young boy hearing grown-ups talk about what Frank Lausche was doing as Governor. There was a little debate going on. One of them said, "It is terrible. They are running a surplus. The Governor is running a surplus this year. He should be distributing that money. We have some projects and things that we need to have done." That was the kind of person Frank Lausche was. He was a person who believed in fiscal responsibility.

Let me cite what Senator Lausche said in 1962 on this floor. In 1962, Frank Lausche rose in this Chamber, and this is what he told his colleagues. Remember, this is 1962.

> The sheer size of the extravagant Federal budget has made it impossible in the Chamber of the Senate to guard adequately against extravagant spending. The present debt is too high relative to our general assets. Instead of reducing the debt since World War II, we have raised it from $255 billion to a presently proposed $308 billion. The unabated increase in the national debt is a threat and danger to our security and to our freedom.

That was Frank Lausche, U.S. Senator from Ohio, in 1962. Mr. President, the $308 billion that Senator Lausche was talking about was not the interest on the national debt; it was the total national debt in 1962. The distinguished Senator from Ohio, Senator Frank Lausche, was right. Unless we make fundamental changes, the problem is only going to get worse and worse and worse. It is time, long past time that we do something about it. And today is our opportunity to cast a vote that will change the direction of this country and to cast a vote that really will make a difference.

Mr. President, I yield the floor.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Well, Mr. President, here we are engaging in the same old political flimflam, talking about a constitutional amendment to balance the budget while at the same time talking about giving away a big tax cut. That is flimflam, pure and simple. It is the very same constitutional amendment that we defeated last year in the month of March. It was a bad idea then and, unlike a fine wine or an old violin, it has gotten no better with age.

The advocates of the balanced budget amendment are known to assert that amending the Constitution—here it is, the Constitution of the United States, right here. I carry it in my shirt pocket. I do not wear my shirt when I am sleeping so I do not have the Constitution that close to me when I am sleeping, but I carry it with me during each day. So they are known to assert that amending the Constitution is the only way, the only way, that we can eradicate the recurring budget deficits that have plagued our great Nation for a long time. We in the Congress, they say, lack the fiscal discipline and the moral backbone needed to make the painful and difficult policy choices that will actually bring the budget into balance.

What the proponents of this fiscal monstrosity fail to acknowledge is that the amendment itself will make none of these difficult choices. The difficult choices will remain to be made here. There is nothing in this constitutional amendment that tells us how we are supposed to balance the budget. There never has been. On the contrary, we in the Congress will still have to make and legislate choices regarding what programs will be cut and which taxes will be raised as a way of bringing about a balanced budget.

Amazingly, many proponents of the balanced budget amendment continue to asseverate their commitment to eliminate the Federal budget deficit out of one side of their mouth while supporting substantial tax cuts out of the other side. Certainly that remarkable oral dexterity calls into question

the real possibility of actually achieving budget balance.

Just last year, as I hope we will all remember, the majority in this body voted for a budget resolution that called for approximately $250 billion in tax cuts over a 7-year period. That is money that we will have to borrow. We will have to borrow that money to finance that tax cut. And it will be money borrowed at interest.

We continue to talk about children and grandchildren and how they will bear the burden of our continuing fiscal unwisdom if we do not balance this budget. We voted for a huge tax cut. We have to borrow the money at interest to finance that tax cut. And who will pay that interest? On whom will that burden be laid? On our children.

In hindsight, that figure of $250 billion seemed almost reasonable when compared to the more than $350 billion in tax cuts approved by the other body last year under the aegis of the so-called Contract With America—the so-called Contract With America.

You do not hear much about that so-called Contract With America these days. The glitter has worn off, and I said on this very floor that the worm will turn. The worm will turn. And it did. It has turned.

You do not hear much about the so-called Contract With America. Why? Because that so-called Contract With America was not a contract with America. This is the real contract with America, the Constitution of the United States—over 200 years old. That is the contract with America. That is the contract to which I have sworn an oath to support and defend. Many times I have sworn that. That is the real contract. And here today we are saying, amend it, amend this contract.

Simply put, combining huge tax cuts in a deficit reduction package while at the same time proclaiming the invincibility of the balanced budget amendment is entirely and completely inconsistent. How can anyone seriously and with a straight face suggest that the best way to dig ourselves out of a massive fiscal hole is to start by digging the hole a little deeper? Where is the logic in that? It defies simple common sense. And yet here we are, after a year of stalemate between the Congress and the President, and once again the majority has approved another budget resolution that includes large tax cuts for the wealthy. On the surface, the $122 billion in proposed revenue reductions may appear modest. In reality, though, a closer reading of the budget resolution reveals that the actual tax cuts may be far greater than $122 billion and could go as high as $180 billion or more. So, Mr. President, we will soon be considering, under fast-track reconciliation procedures, Republican tax cuts in the range of $200 billion. Can you believe that? These same Republicans who are constantly touting their courage and their prowess in making the hard decisions to cut the deficit and balance the budget have chosen to use the reconciliation process to enact freestanding tax cuts totaling $200 billion. I have been in politics 50 years. It is easy to vote for a tax cut. That is no sweat for anybody. That is the easiest thing, coming or going. Vote for a tax cut. So they are at it again. And they are doing so at the very same time they are trumpeting the merits of a balanced budget amendment. One has to have a nimble mind indeed to perform the intellectual gymnastics it takes to reconcile the two positions.

And now we have presidential politics coming to the fore in a big way. The Washington Post reports that sweeping tax cut proposals are under consideration by the Republicans, and one proposal would allow workers to deduct their payroll taxes from their income tax returns. The cost of that proposal to the Treasury over the next 7 years would be a whopping $350 billion. In addition, the Post reports that a 15 percent reduction in Federal income tax rates is also being considered. That particular proposal would result in lost revenues to the Treasury over the next 7 years of $630 billion.

Nor is President Clinton without fault when it comes to proposing tax cuts at the same time we are attempting to balance the Federal budget.

I voted against the President's budget. I am the only Democrat who did so. And I did so because he was cutting discretionary spending, the discretionary funding of programs that are so important to the well-being of our fellow Americans, and because he was advocating a tax cut also.

In addition to the President's proposed tax cuts in his 7-year balanced budget plan, as late as Tuesday of this week, in what was billed as a major speech at Princeton University, the President unveiled additional tax cuts, so we are going to have more in this bidding battle between the Republicans and the Democrats. So he proposed additional tax cut measures that would allow tax credits of $1,500 to college freshmen and sophomores at a cost of many billions of dollars.

Not every high school graduate should go to college. I have seen students in college who had no business being there.

How can these frantic revenue reduction efforts by both political parties be squared with the florid rhetorical fulminations we constantly hear about the critical necessity for balancing the budget?

As I have said many times on this floor, this amendment is nothing less than sheer folly, folly, just as the propositions for tax cuts at the present time are sheer folly. It is like getting on two horses and starting off in two different directions at once.

This amendment is a sham. It is a charade. And it will not help to balance the budget one whit. As these tax cut proposals show, this amendment is simply being used as convenient cover for politically inspired massive tax giveaways, which will be paid for by our children and our grandchildren. The interest on those tax giveaways will be paid for by your children and mine, and your grandchildren and mine.

To make matters even more unbelievable, just this week, even under the shadow of the balanced budget amendment we saw an attempt to spend $60 billion on a missile defense system that the Pentagon does not want and that this Nation does not need if we are serious about balancing the budget. I hope all Senators will think very hard about the message we are sending to the American people with these impossibly contradictory actions on the Senate floor. They do not make sense economically, and, unfortunately, when you think about them carefully, they do not even make sense politically. Tax cuts, while always popular, become addictive in election years. But I nevertheless believe the American people will clearly understand that these tax cuts represent nothing more than political pandering—political pandering to win votes at the expense of serious deficit reduction. The American people can see through political pandering. They do not like pandering. They do not like to be pandered to. But it is easy to see through it, is it not?

To have the same proponents of the balanced budget amendment preach the gospel of tax cuts while we are trying to balance the budget is entirely inconsistent with common sense. It reminds me of an Elmer Gantry revival meeting: Come on in, politicians. Come on in. Walk the sawdust trail. Get baptized with the holy water of the balanced budget amendment. Hallelujah. Come get it and then go on about your business, and sin, sin, sin.

We do not need a constitutional amendment to balance the budget. We do, however, need discipline and self-restraint. We must not repeat the experience of the 1980's where massive tax cuts were matched by the doubling of a peacetime defense budget from 1981 to 1991.

I have come to the mourners' bench many times. I have confessed my mistake in voting for both. So I did not come in with clean hands. I voted for that tax cut, the Reagan tax cut. And I voted to increase those deficit budgets. But at least I came to the mourners' bench and have confessed my waywardness in going astray.

That is not what the American people want. No one is clamoring for a return to the fiscal calamities of the last decade. No one, it seems, but those who are bent on irresponsibly trying to claim that a balanced budget, reductions in revenue, and large increases in defense spending are all goals which can be achieved.

On the contrary, achieving budget balance will take a combination of spending cuts in all areas of the budget and some tax increases, instead of tax cuts.

If we are really conscientious and sincere, if we really mean that we do not want to foist this great deficit burden upon our children, if we really mean that, if we really love our children that much, then we have to put aside this folly, utter folly, regarding a tax cut at this time. There are times when tax cuts are advisable, but not now.

So that is the reality of it. We prefer to pander, pander to the American people. And if there is anything that makes me sick as a politician it is a politician who panders. To propose to amend the Constitution when we are so obviously unwilling to make those hard choices is to promote a vain hope and to perpetrate a falsehood on the American people, on those people who are looking through that electronic eye. This balanced budget amendment should be again defeated. It is little more than a political mirage in a vast, dry desert of empty election-year promises.

Mr. President, I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. DORGAN. Mr. President, I yield myself the time that is available under the time originally allocated to Senator BYRD. I understand that is another 5 minutes.

The PRESIDING OFFICER. The Senator is correct. The Senator has control until 11:10.

Mr. DORGAN. Mr. President, I heard a generous discussion this morning on the floor of the Senate by the Senator from New Mexico, the Senator from Utah, and the Senator from Wyoming. I felt it necessary for a few minutes to at least respond to some of those comments. I have great respect for all of those Senators. But I respectfully believe that they are wrong on the issue of Social Security and its relationship to the balanced budget amendment.

I observe again the history so that people understand where we are. These facts I expect are not in dispute. In 1983 it was determined that Social Security was going to be in some longer-term difficulty and a Social Security reform package was enacted by the Congress. I was a part of that because I was a part of the Ways and Means Committee in the U.S. House that actually originated the legislation.

In that legislation we determined to do something very responsible. We determined to trim back some benefits in Social Security, extend the age for Social Security recipients from 65 to 67 over a long period of time and raise some payroll taxes, all of that in order to create a yearly surplus in the Social Security trust funds to save it for the long term.

This year $69 billion more is being collected in the Social Security trust fund than is needed this year for Social Security. Why is that the case? Is that an accident? No. As I said yesterday, we recognized that the war babies were going to retire after the turn of the century. America's largest baby crop would hit the retirement rolls. That is going to cause maximum strain on the Social Security system.

I said yesterday, partially tongue in cheek, that the war babies resulted from an outpouring of love and affection in this country, immediately following the Second World War, and people getting back together and reacquainted, and the largest production of babies in the recorded history of this country.

After the turn of the century—2005, 2010, 2015—those babies will become eligible to hit the retirement rolls. At that point we needed to have some planning in the Social Security system for funds to be available to meet those needs.

This year $69 billion in excess money is being raised in the Social Security system. It is not an accident. It is a deliberate, forced national savings to be available to meet the needs after the turn of the century.

My friends on the other side of the aisle say, "Well, that is not special money. That's just regular money. We put it right into the old operating budget of the Federal Government and count it as other revenues." In fact, they count it as other revenues such so in the year 2002, when they say their budget is in balance, if you took the Social Security money out of their budget, it would be $108 billion in deficit. But they say it does not matter. It is all the same money.

It is not the same money. Someone working this morning has a tax taken out of their paycheck, and they are told by this Government that is a Social Security FICA tax that is going to be put into a trust fund and can only be used for one purpose—not for offsetting against building star wars, not as an offset against cutting taxes for the wealthy—it can be used only to put in a trust fund to be used for the Social Security needs of the future.

But that is not what the majority party wants to do. They want to take that enormous amount of money, raised by a aggressive payroll tax, and slide it over here into the operating budget of the Federal Government and say, "By the way, now we've got more revenue over here so we can build the star wars project for $60 billion. We can have big tax cuts. We can do all of these things that we want to do even as we claim to want to balance the budget."

I do not allege that they are not operating in good faith. I only say that they are wrong on the issue of Social Security.

One person who spoke this morning said there is no trust fund. One who spoke this morning said there was a trust fund, and we are not misusing it. Another said there is a trust fund, and we are misusing it, and we promise to stop by the year 2008. The three stages of Social Security denial.

If we are willing to do what is necessary, what we promised workers and retirees we would do in 1983, we will set aside the Social Security revenues in a trust fund, not count them as part of the operating revenue, balance the budget honestly, and move on.

That is our job. That is our task. We will offer a unanimous consent request on the floor of the Senate to allow a constitutional amendment to be offered which I voted for previously that is identical in every respect to the one offered by the majority party with one exception. That is, section 7, which will describe that the Social Security surplus funds shall not be counted as part of operating revenues.

If they agree to that, they will get 75 votes for their constitutional amendment. I yield the floor.

Mr. HATCH. Mr. President, this is the only balanced budget amendment that has ever passed the House of Representatives. It is the only one that has a chance of passing both Houses. All of the unanimous consent requests in the world are not going to bring up an amendment that will be acceptable to both Houses, except this amendment. Everybody knows that. For these people to bring up another amendment at this late date is just a subterfuge.

There have been six Democrats who before have always voted for the balanced budget amendment but have been using the Social Security pretext as a charade to cover their backs. Last year, every one voted for Clinton's 1997 budget that does not protect Social Security in the way they want it protected. I do not think they argued with the President to get that in there. The fact is, it is a charade. I hope everybody knows it.

Not only did the Clinton budget of 1997 not balance in the year 2002, under CBO's more cautious economic and technical assumptions. Without Social Security receipts and assets and deficit calculations, it would have been $184.5 billion out of balance in the year 2002. It is just phony. Without Social Security's receipts and assets in deficit calculations, the Clinton budgets would never balance. The fact is the Republican budget would be balanced by the year 2005 without Social Security.

These people argue that they want to protect Social Security, yet they make

the situation worse for Social Security by not voting for the balanced budget amendment that would protect it. We keep the status quo of setting up budgets that do not protect Social Security like they want to protect. How phony can you get?

As a matter of fact, let me quote Washington columnist Charles Krauthammer, who has exposed twice the Clinton position, the administration's unconscionable human-shield strategy that they are protecting Social Security. In a column entitled, "Social Security Trust Fund Whopper," he writes:

In my 17 years in Washington, this is the single most fraudulent argument I have heard. I don't mean politically fraudulent, which is routine in Washington and a judgment call anyway. I mean logically, demonstrably, mathematically fraudulent, a condition rare even in Washington, and a judgment call not at all.

Now, when the two Senators from North Dakota replied in print to his chart, Krauthammer went further and said this:

Their response is even more fraudulent than their original argument. Conrad-Dorgan profess indignation with this 'pundit' who 'condones the use of the Social Security surpluses' for 'masking the size of the budget deficit.' Well, well. Where is their indignation with a President who does not just condone this practice but has carried it out three years in row? By their own logic, the President, who is of their own party, has looted the Social Security trust fund by $47 billion in 1993, another $56 billion in 1994, and plans to loot another $60 billion in 1995. Makes you wonder about the sincerity of their charge.

Mr. DORGAN. Will the Senator yield?

Mr. HATCH. If I had time, I would yield. Ordinarily, I would.

Conrad-Dorgan's Social Security argument, writes Time magazine, is, to put it politely, "mendacious nonsense."

Now, that is Charles Krauthammer, who generally writes it the way he sees it. I have to say I see it that way, too. I really believe that those who claim they are arguing to protect Social Security are not protecting it at all.

This is the only balanced budget amendment that could pass. Being the only one that can pass, the fact of the matter is there is going to be no protection when it is voted down today, and this President is going to continue to put up budgets that literally do not protect it, either. To use the term of my distinguished friends from North Dakota, "will continue to loot Social Security." Yet, they voted for those budgets.

To me, there is something inconsistent here. The only chance in the world, the only chance in the history of this country to have an amendment that will put some fiscal discipline into the Constitution, and they are voting against it under the guise they are protecting Social Security, when, in fact, they make Social Security worse because they put off further doing anything about it. To me, that is absolutely amazing.

Mr. President, I yield a minute and a half to the distinguished Senator from Oklahoma.

Mr. NICKLES. Mr. President, I wish to compliment Senator HATCH from Utah for his leadership, as well as Senator CRAIG from Idaho for his leadership, as well as Senator SIMON, and most of all, Senator DOLE, for his leadership, because they strongly support passing a constitutional amendment to balance the budget, as the American people do.

Mr. President, I heard my distinguished colleague from West Virginia pull out the Constitution. I know he has great respect for the Constitution, as I do. A statement Thomas Jefferson made in 1798 I will quote:

I wish it were possible to obtain a single amendment to our Constitution. I would be willing to depend on that alone for reduction of the administration of our government to the genuine principles of its Constitution. I mean an additional article taking from the Federal Government the power of borrowing.

Thomas Jefferson was right. He was right in 1789. It is the right thing to do today.

Also, Mr. President, I will read a letter from the Governor of Oklahoma, addressed to the President of the United States.

DEAR MR. PRESIDENT: On Friday, May 31, at 4:59 p.m., the Legislature of the State of Oklahoma adjourned its 1996 session. Not once during that four-month session was there a moment of discussion about deficit spending. Not one penny was appropriated to pay interest on a state debt. No bill was passed that spent a cent in excess of actual state revenues—all because the Constitution of Oklahoma contains an amendment that requires a balanced budget.

The Balanced Budget Amendment to the United States Constitution will be considered in the Senate this week. I urge you to follow the examples of 49 of our 50 states—including Oklahoma and Arkansas—and support this effort to import common sense from the states to Washington.

Sincerely,

FRANK KEATING.

Mr. NICKLES. Mr. President, we need to pass this amendment today. The House has passed it. The Senate came within one vote last year. We need to pass it this year. We need to pass it today and send it to the States for ratification.

Mr. HATCH. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator from Utah has 1 minute and 19 seconds.

Mr. HATCH. I yield to the distinguished Senator from North Carolina and then the balance of the time to the Senator from Idaho.

Mr. FAIRCLOTH. I repeat what has been heard many times here today. I believe this is the most important vote we are going to cast this entire year in Congress. I strongly support the constitutional amendment to a balanced budget. We need it to save the country.

Mr. President, $5 trillion of debt is too much.

Mr. President, I rise in strong support of the balanced budget amendment. Last March, as we debated this amendment, I noted the great importance of this issue.

I believe that this is more true today than it was last year.

Government spending has put the American people $5.1 trillion into debt. In this Chamber, we often speak about the national debt as the Federal Government debt, but, of course, this debt will be paid by the American people.

The American people—not the Federal Government—will work to pay the taxes that go toward these Treasury bonds. The American people—not the Federal Government—will manufacture products, raise crops, program computers, and do the millions of jobs that generate growth in our economy. So, although we are entrusted to spend the money that the American people work to earn, we continue to struggle to balance the Federal budget.

This Congress passed a balanced budget—the first legitimate balanced budget plan in a generation—but the President vetoed it.

This Congress made the tough choices, but the President exploited our good work for political advantage, and he demagoged the issues. Unfortunately, without the Amendment as an enforcement mechanism, I do not believe that a balanced budget will be passed and signed into law. It stops the posturing and the revolving votes and the other games that will bankrupt the next generations.

I am not eager to amend the Constitution. We have done so just 27 times in over two centuries. It is a serious matter. Senators are right to take pause before casting a vote to amend our Constitution. Unfortunately, however, I have concluded that this amendment is necessary. The national debt is just too large.

In the 1820's, President Andrew Jackson, a North Carolinian by birth, called the national debt "a curse to the republic" and "incompatible with real independence." In the early 19th century, however, the Federal Government was disciplined and successfully paid off the national debt.

That is no longer true today.

The specter of a $5.1 trillion national debt is apparently insufficient to force this Government to bring the budget into balance. Interest on the national debt, which we continue to wrack up, is the third largest component of the Federal budget. The average taxpayer will send $882 to the IRS in 1996 just to pay the interest on the national debt. Interest alone will consume 41 percent of the income taxes that the American people send to the Treasury.

If these facts do not shock us into support for a balanced budget—not

rhetoric, Mr. President, but votes for a balanced budget—then we are forced to amend the Constitution. We owe it to the next generation.

The average child born today faces a lifetime tax burden of $187,000 just to pay the interest on the national debt. In effect, we hand a $187,000 bill to every newborn American along with his birth certificate. We do this because the President vetoed the first balanced budget in a some 20 years.

In this Chamber, we often speak about obligations to future generations, but we are imposing trillions of dollars of debt upon our children and grandchildren. How many of us look forward to explaining this to them?

How can we explain this to them? What will we say? Can we really tell them that it is fair to welcome them to the world with a $187,000 bill? All because we do not want to offend the groups that line up for a piece of the Federal pie.

President Clinton talks about deep cuts and draconian cuts. What cuts will our children make in their family budgets to pay off this $187,000 bill? All because the President will lose a campaign issue if we slow the rate of increase in Federal spending. Is that really too much to ask?

There are claims on the other side of the aisle of support for a balanced budget. However, the first balanced budget in a generation passed in this Chamber on November 18, 1995, with no Democrat votes, and it was vetoed by a Democrat President.

The Constitution, as we all know, was amended to permit the imposition of an income tax. I hope that few Senators consider the 16th Amendment amongst the more high-minded provisions of the Constitution. Mr. President, if we can amend the Constitution to increase taxes on the American people, I hope that we can amend it to ensure that their government spends their hard-earned money responsibly.

Thomas Jefferson first read the Constitution upon his return from France and recommended that the Constitution include limitations upon the powers of the Federal Government to borrow. Mr. President, if we do not impose a restraint on the power of this government to borrow, we will not balance the budget and ensure that it remains balanced.

Mr. CRAIG. Mr. President, let me thank the chairman of the Senate Judiciary Committee and senior Senator from Utah for the tremendous leadership he has played in this critical issue of a constitutional amendment requiring a balanced budget.

The record must show, Mr. President, and it must show it clearly, if Social Security is to remain solvent into the next decade and into the next century, the budget of the Federal Government must be balanced. The only security for Social Security is a Government that lives within its financial means. If our Federal Government goes bankrupt or if we demand of our citizens that they pay an 85 to 90 percent tax on their income, then Social Security and every other security program for people in our country is in jeopardy.

I am sorry the other side of the aisle does not get it, and they do not get it. We have heard one phony argument after another, that somehow balancing a Federal budget in one way or another damages Social Security. Yet, the very Social Security actuarials, the people who watch the programs, say if you want to save Social Security you balance the Federal budget.

Today, we have that opportunity as a U.S. Senate to secure for the future Social Security by allowing the American people—let me repeat, by allowing the American people—the right and the opportunity to vote on whether they want this Government to balance its budget by passing a balanced budget amendment to our Constitution.

Mr. President, I rise in support of the motion to reconsider House Joint Resolution 1, the balanced budget amendment to the Constitution.

LESSONS OF HISTORY VERSUS BLAMESMANSHIP

If the debate this week has shown anything, it is this: the case for the balanced budget amendment is compelling; there is not one good argument against it.

The worst thing you can say about the amendment is that maybe Congresses and Presidents will have the courage to do the right thing without it.

In reality, if the Constitution doesn't require balancing the budget, it just won't happen.

We've heard a lot of blamesmanship on this floor, disguised as history lessons.

Democrats blame the past debt on Reaganomics. Republicans blame 40 years of free-spending by Democrat Congresses.

But this debate isn't about the past. We can't change the past. This debate is about our future.

Our economic house is on fire. Instead of arguing over who has the matches in his pocket, let's put out the fire.

THE OUTLOOK IS GRIM—BUT THERE'S TIME TO ACT

The greatest threat facing our country is the mounting national debt that drags on our economy and threatens to destroy the American Dream for our children.

A new study by the Congressional Budget Office says that, if we do nothing:

> In less than two generations, the Federal debt and interest payments on that debt will consume, not the entire Federal budget, but the entire American economy.

Their words, not mine: The numbers are "not computable," meaning the "debt would exceed levels that the economy could reasonably support."

This is not a temporary problem, it is a Constitution-class crisis.

This is what the Constitution is all about: protecting the liberties of the people by putting limits on a power that the Government is too tempted to abuse.

The good news is that we still have time to act. That opportunity will not last forever. But if we act now, we can: create 6 million more jobs by the year 2002; make homes, education, and family necessities more affordable; provide greater security for our senior citizens; and raise our children's standard of living by a third.

The debt is the threat. The balanced budget amendment is the answer.

SOCIAL SECURITY

I understand Senator WYDEN will try to offer an alternative amendment later today which would exempt Social Security.

Several Senators are simply hiding behind this red herring. Former Senator Paul Tsongas, a Democrat, has said:

> It is embarrassing to be a Democrat and watch a Democratic President raise the scare tactics of Social Security.
>
> Those who vote to exclude Social Security are voting to kill the Balanced Budget Amendment. It is that simple, it is that clean, and should be stated.

Under every alternative proposed by Senators WYDEN, HOLLINGS, FEINSTEIN, REID, DORGAN, or DASCHLE, the Federal Treasury would continue to borrow the Social Security surplus. Why don't they tell us this?

Ask them. Ask them, Where will Social Security surpluses be invested under their plan?

Answer: They change the bookkeeping, not the borrowing.

The difference is, their alternative is more loophole than law; their alternative would allow unlimited deficit spending, as long as you call it Social Security.

That would mean more borrowing, more debt, and a bankrupt Social Security system.

Senior citizens understand the debt is the threat to Social Security. A bankrupt Federal Government will not be able to send out Social Security checks.

THE PRESIDENT AND THE FLIP-FLOPPERS

Last year, President Clinton twisted arms; he made phone calls; he sent cabinet secretaries to Capitol Hill; and he got six Senators to vote against their previous positions, their consciences, and their constituents.

Before then, this issue had always been bipartisan and should have stayed that way.

But President Clinton and the powerful, liberal, special interest groups realized that the 104th Congress really was ready to send this amendment to the States.

So I say, Mr. President, release your hostages. Let our colleagues go. Free the "BBA Six."

SEND THE BBA TO THE STATES—LET THE PEOPLE DECIDE

Balanced budget amendment opponents just don't trust the people.

Let's remember, Congress doesn't amend the Constitution.

We merely propose amendments that the States, that the people, decide whether to ratify.

We are saying, let the American people exercise their constitutional right to start the debate in earnest—a debate in every State capitol and every coffee shop over the very future of this country.

ACKNOWLEDGMENTS

As we move toward concluding this debate, I would like to thank and acknowledge the years of hard work and leadership by several of our colleagues in this effort including:

The President pro tempore, Senator THURMOND; the chairman of the Judiciary Committee, Senator HATCH; Senator HEFLIN on the Judiciary Committee; and the distinguished majority leader, Senator DOLE; and in the House, Congressmen CHARLIE STENHOLM and DAN SCHAEFER, with whom I have worked for years on this amendment.

I want to pay a special tribute to Senator PAUL SIMON. The Senate and the nation will suffer a great loss when he retires.

It has been said of Ronald Reagan, and I say it of PAUL SIMON, in an age when many are cynical about our political leaders, he is proof that a great man can also be a good man.

When we do eventually pass this amendment, it will be a monument to his years of leadership in putting principle above partisanship.

Let the debate go forward to the State capitals of this Nation. That is where this issue will go. Vote for this amendment. It is absolutely critical to our Nation.

Ms. MOSELEY-BRAUN. Mr. President, today the Senate is considering one of the most important measures that will come before it this Congress—the balanced budget amendment to the Constitution. As I have stated before, and can't emphasize enough, it is critically important that we address balancing the budget because that is the only way that we will be able to do anything about American priorities.

As reluctant as I am to tinker with the Constitution, I believe that the arguments for a balanced budget amendment are compelling. We owe it to our children—and their children—to get our fiscal house in order. If we fail to do so, our legacy to future generations will be one of greater problems and diminished opportunities.

Passing a balanced budget amendment will not prevent the Government from acting to help address problems, and working to help create expanded opportunity for Americans. And defeating a balanced budget amendment will not guarantee the Federal Government's ability to act on behalf of the interests of the American people. The truth is that, whether a balanced budget amendment becomes part of our Constitution or not, the only way to preserve Government's ability to act is to face our underlying budget problems—honestly and directly—and to solve them.

If we do nothing, the Government's ability to act to address issues important to the American people will continue to be eroded. Only by balancing the budget will we be able to reclaim the Government's ability to make important investments in our communities, such as fixing crumbling schools, investing in mass transit, providing pension security, and ensuring that our airways are safe.

Since 1980, we have added more than $4 trillion to the national debt. If we do not eliminate our run-away deficit spending, we will not be able to ensure that future generations have the same opportunities we enjoyed. We will not be able to ensure that our children and our children's children will be able to achieve the American dream.

As I learned through my work on the Entitlement Commission, unless we get the deficit under control, by the year 2003, mandatory spending—entitlement, plus interest on the national debt—will account for fully 72 percent of the total Federal budget. These few program areas already consume almost two-thirds of Federal resources. If we don't act now, if we wait until the country is on the brink of financial ruin, we will have totally failed to meet our obligation to the American people and to our country—and our children will pay the price for our failure.

For example, current recipients of Social Security and those of us in the baby boom generation who will be collecting checks in the not so distant future, have an absolute expectation that Social Security will provide for our retirement. Social Security, thus far, has been a wonderful success, but that success is in danger. In a report released June 5, 1996, the Social Security and Medicare boards of trustees stated that, by the year 2012, the Social Security trust fund will begin spending more than it takes in. And by the year 2029, the Trust Fund will have exhausted all of its resources. And even the current Social Security surpluses will not stave off the coming fiscal crisis for many more years. To meet Social Security's obligations after 2012, the Federal Government will come up with more cash by raising taxes, making cuts in other parts of the budget, or issuing more debt. Right now, we are using Social Security surpluses to mask the deficits. After 2012, when there are no more surpluses, Federal deficits will really begin to explode, an explosion fueled by the looming retirement of the baby boom generation. The balanced budget constitutional amendment will not solve these problems, but it will make it much more likely that we face them while there is still time.

Making the balanced budget amendment part of our Constitution is a demonstration that we are willing to face our long-term fiscal problems, and that we are prepared to act. The amendment will impose on Congress the fiscal discipline to do what should have been done years ago. If we don't act now to stop our run-away deficit spending, there will be nothing left for education, for infrastructure, or even for national defense.

We have an obligation to the American people to discharge our debts and not leave them with daunting burdens that should have been addressed years ago. We need to make the balanced budget amendment part of the U.S. Constitution.

Mr. KERRY. Mr. President, we have had this debate before. But more than talking about someday in the future balancing the budget we should be balancing is now.

Since the last debate, we have had ample opportunity to balance the budget—not just attach our names to a constitutional amendment which does nothing to get us to balance. We are here arguing about the requirement rather than doing the hard work necessary to succeed in that effort.

Mr. President, every Member of this body has voted for one plan or another to balance the Federal budget by the year 2002. We have all done that, Mr. President.

Last year, I voted for the Conrad budget and this year, I voted for the President's budget. Both plans brought us to balance by the year 2002.

This amendment will not force differing parties to come together—the parties must do that themselves with the same energy with which they debate this issue.

Over the past year, I have weighed this issue carefully—I have reexamined my opposition to this constitutional amendment as drafted and reviewed all the arguments in this debate. I have read and re-read historic documents, analyzed committee hearings and the report language, and carefully assessed the impact of this amendment on Massachusetts and the country as a whole.

And, Mr. President, after this review, I arrive at the same conclusion—we do not need this amendment as drafted to balance the budget. Everything in this debate must be viewed with that truth in mind. We do not need this amendment to the constitution. It is superfluous. And passing it will not magically balance the budget.

The proponents of this amendment have said in the Chamber time and again that by constitutionalizing the fiscal principle of a balanced budget, a

new moral power will overcome members of Congress. To quote the committee report on this subject: "The Committee expects fidelity to the constitution, as does the American public."

Needless to say, there is an extraordinary statement of pathetic admission in this glorification of a new moral authority.

Here are elected officials, already sworn to defend the Constitution which means defending the general welfare of the nation; already granted, at the highest level of Government, major responsibility to carry out the public trust. We are individually already on record in town meeting after town meeting—in editorial board after editorial board—in campaign promise after campaign promise—in support of a balanced budget.

And yet, here we are, being told that words on a piece of paper will somehow provide the moral force to accomplish what nothing but the lack of personal moral commitment prevents them from doing today, right now.

Tragically, Mr. President, this amendment as drafted is neither fair nor neutral. It has been drafted in a way as to create an amendment with an agenda.

This amendment goes well beyond fiscal responsibility and constitutionalizes the politics of the moment—the immediate political agenda of the current majority—in a way that may ultimately do violence to the genius of our Constitution and our form of democracy.

When the veneer is stripped from this amendment, we see a deeply troubling political motive that goes well beyond just balancing the budget—which, by definition, cannot be the only reason for this amendment since the proponents already have the authority to balance the budget today. They can do it today. And we have voted on plan after plan to bring the budget to balance.

Mr. President, this amendment goes further than balancing the budget—it goes to the heart of our democratic process.

It carries with it a fundamental shift in the exercise of decisionmaking in America.

Those who are using this amendment as a weapon in an ideological war do not want the votes of those who think differently to count as much as theirs. It's that simple.

If there is a possibility you may ever reach a different conclusion than they have, they want to make certain that your vote will not count equally by requiring that you must find a super-majority to fight back.

This is wrong, Mr. President, it is undemocratic, and fundamentally revolutionary in the worst sense of the word.

But, Mr. President, that is not all that is wrong with this amendment as drafted—though it would certainly seem to be enough.

This amendment as drafted will encourage budget gimmickry. It invites the worst type of cynicism. The experience of States with balanced budget requirements only bears this out. The proponents of this amendment have argued that the experience of States with balanced budget requirements makes a constitutional amendment obvious—but realities in budgeting demonstrate the exact opposite to be true.

I take to heart the testimony of the former comptroller of one State: Edward Regan of New York told the Congress that many States with balanced budget requirements achieve compliance only with "dubious practices and financial gimmicks." These gimmicks include shifting expenditures to off-budget accounts or the financing of certain functions to so-called independent agencies. These States have been creative with tricks and ploys to mask their deficits.

My distinguished colleague from Vermont, Senator LEAHY, has illustrated some of the shenanigans in his lucid critique of this amendment—he talks of States using "accelerated revenue receipts such as tax payments, postponing payments to localities and school district suppliers, delaying refunds to taxpayers and salary and expense payments to employees until the next fiscal year, deferring contributions to pension funds or forcing changes in actuarial assumptions, and selling States' assets." And this amendment does nothing to stop the Federal Government from employing the same tactics and dozens of others.

Mr. President, consider the effects of these gimmicks on the people in this country. Postponing payments? Withholding funding for schools? Delaying refunds to taxpayers? Deferring pension contributions? Selling our national assets?

That will be the result of this amendment, Mr. President.

I oppose this gimmick. And I do so principally because I have come to believe this is an ill-advised attempt to memorialize, in the fundamental governing document of this democracy, budget gimmicks and one political party's fiscal agenda.

This amendment as drafted, Mr. President, is political dogma disguised as economic policy. It is the continuation of an ongoing effort to demonize national interests by demonizing those who promote any kind of national programs to protect the American concept of community.

The gimmicks engendered by this amendment will assist the victory of stagnant partisan politics over sound public policy, doing what's smart politically rather than what's good for the American people.

The budget process of the U.S. Congress already gives us the means to balance the budget. The Constitution already gives us the authority. We have all voted on plans to balance the budget by the year 2002. Let us get on with negotiating a plan that works for the American people—bring this budget into balance and protect services the American people depend upon.

I stand in strong support of a balanced budget, Mr. President and have voted for balanced budget plans, but I am still opposed to amending our statement of rights, our Constitution, with this particular resolution.

If the majority wants a balanced budget, as I and other Democrats do, we should spend our time balancing the budget. It's axiomatic. It is simple. It is time.

I yield the floor.

Mr. HATFIELD. Mr. President, on February 8, 1995, I addressed the Senate regarding my views on a constitutional amendment that would require a balanced Federal budget. I stated at that time that I was opposed to an amendment to do something that can be done without a change to the Constitution. My position on this matter, some 13 months later, has not changed.

However, I would like to take a few moments to point out some things that have changed over the past 13 months. The first is that the 104th Congress, with a majority of Republicans in each Chamber, voted and passed legislation which would have balanced the budget by 2002. That legislation contained painful decisions for all Members—Democrats and Republicans. But in the end, Congress was able to do something that few people thought was politically possible, it passed a balanced budget. I think it is important to note that the success in the Senate and House of this effort was due in large part to the outstanding leadership of Majority Leader DOLE, and Speaker GINGRICH, as well as Senator DOMENICI and Congressman KASICH as the chairmen of the respective Senate and House Budget Committees.

Despite the achievements by the Congress to pass legislation which would have lead to a balanced budget by 2002, this bill was vetoed by the President. That does not mean that the Congress failed to make headway toward the goal of balancing the budget during the 104th Congress. I would like to note that one committee, the Appropriations Committee, was able to cut $23 billion in discretionary spending this year. As members of the Appropriations Committee in the House and the Senate know, that process was not a pretty picture. I liken it to major surgery without the benefit of anesthetics. I am happy to report that the Appropriations Committee is ready to do its part again this year.

As I have stated here on the floor of the Senate many times before, we should not, we cannot, and we will not

balance the budget of the Federal Government solely on the back of nondefense discretionary spending accounts. I do not wish to slip into Washington language so I will explain what nondefense discretionary accounts actually are. Education funds are discretionary, environmental programs fall under discretionary spending, crime prevention programs come from discretionary accounts, and medical research falls under the discretionary umbrella. Do not forget agriculture programs, the State Department, housing programs, NASA, and many other programs which touch each of our lives every single day. By excluding military spending, entitlements and mandatory spending from our calculation to balance the budget—each one of these programs must bear the brunt of any reduction in spending.

Entitlement programs such as Social Security, Medicare, and Medicaid are important and vital programs—but they should not be held above everything else that the Federal Government invests in. There have even been calls by some to take a $348 billion program off the negotiating table as the key to passage of a version of a constitutional balanced budget amendment; $348 billion represented 22 percent of all Federal outlays in 1996. Compare that 22-percent program to the 17 percent of the Federal budget that represents all nondefense discretionary spending. Is it realistic to take 22 percent of the budget off the table in trying to balance the Federal budget? I do not believe it is realistic. All Federal spending should be on the table, even if it is an entitlement program—and even if that program is Social Security.

Mr. President, I support balancing the Federal budget, and I will do all that I can as the chairman of the Appropriations Committee during my last year in the Senate to see that it is done. What I cannot do is support a constitutional promise to the people of this country that its elected representatives will balance the Federal budget. Congress and the President can and should, with the support of the public, balance our budget.

Mr. LEVIN. Mr. President, I support balancing the budget. That is why I supported the President's deficit reduction package in the last Congress, which has already cut the deficit in half—reducing it for 4 consecutive years for the first time since World War II. That's why I've have voted for five specific balanced budget proposals in this Congress.

But while I will continue to stand up for real deficit reduction, I am not prepared to write into the Constitution language that is more likely to lead to disillusionment and constitutional crisis than to a balanced budget.

The proposed amendment, despite its title, would not balance the budget—it would just say that a future Congress has to pass a law to enforce a balanced budget. Why wait?

The only real way to balance the budget is to make the tough choices. Most of us have voted for budgets which balance in the next 6 years. The argument is about how to balance the budget. We should be working toward an agreement that would complete the job and balance the budget. Unless and until we make those tough choices and bridge the remaining gap, settle the disagreement over the Nation's priorities, we will not have a balanced budget, whether or not we pass the proposed constitutional amendment.

In this Congress, both Democrats and Republicans have put proposals on the table which, as certified by the nonpartisan Congressional Budget Office [CBO], would result in a balanced budget by the year 2002. A bipartisan coalition has put its own budget plan on the table, also certified by CBO to achieve a balance within 7 years. We won't get to a balanced budget now by walking away from the table and voting instead on a constitutional amendment. That's a dodge which allows some to say we are cured before we have taken the rest of the medicine.

In May 1992, Robert Reischauer, then Director of the CBO, testified before the House Budget Committee that a balanced budget amendment is not a solution, it is "only a repetition in an even louder voice of an intention that has been stated over and over again during the course of the last 50 years." Dr. Reischauer stated:

> It would be a cruel hoax to suggest to the American public that one more procedural promise in the form of a constitutional amendment is going to get the job done. The deficit cannot be brought down without making painful decisions. . . A balanced budget amendment in and of itself will neither produce a plan nor allocate responsibility for producing one.

Dr. Reischauer further stated:

> Without credible legislation for the transition that embodies an effective mechanism for enforcement, government borrowing is not going to be cut. But the transitional legislation and the enforcement mechanism are 95 percent of the battle. If we could get agreement on those, we would not need a constitutional amendment.

The public understands this. They know the difference between promises and action. And, that is why when the Senate considered this same constitutional amendment last year, I offered an amendment to require enactment of legislation to enforce the provisions of the Constitutional amendment before it went to the States for ratification. My amendment was tabled 62 to 38.

Let me tell you what some of the commentators have said about the balanced budget amendment back in my home State. Here is what the Detroit Free Press said when we debated the issue last January:

> You wouldn't take seriously any politician who promised to be faithful to his spouse, beginning in 2002, so why do so many people take seriously the proposed balanced-budget amendment?
>
> It's the same kind of empty promise to be good—not now, but later. Putting it in the Constitution isn't likely to confer on Congress the spine or the wisdom to fulfill it.
>
> . . . [T]he way to cut the budget is to cut the budget, not to promise to do it sometime in the future. . . . Gluing a balanced budget amendment onto the Constitution only postpones the moment of truth.

And here is what the Battle Creek Enquirer said, also last January:

> If a balanced budget is such a good idea, we say to Congress: Just do it!" After all, waiting until a constitutional amendment mandates it will just delay a balanced budget—perhaps by years.
>
> This Congress isn't likely to give the nation a balanced budget, that's for certain. But, by touting the need for this amendment, it sure can talk like a Congress that already has. . . [I]t's all an illusion.

"Just do it!" That's what the American people want. They know the difference between promises and action. A constitutional amendment can promise a balanced budget, but it cannot deliver a balanced budget. Only concrete action by the Congress and the President can do that.

Mr. President, I am also deeply troubled by the fact that this amendment, as written, would put the Social Security trust fund at risk. Time after time, my colleagues on the other side of the aisle have rejected amendments to protect the Social Security trust fund. Consequently, if we enact this amendment, we will continue running deficits of at least $120 billion a year for more than a decade, and will conceal these deficits by using the surplus in the Social Security trust fund.

The money in that trust fund should be exactly that—in trust. I cannot vote for a constitutional amendment which allows the use of trust fund money to cover up huge deficit spending. That's simply wrong.

In conclusion, Mr. President, the proposed amendment provides an excuse for Congress not to act now to reduce the deficit and it doesn't force congressional action later either. It lets us off the hook now, and there is no hook later. There is only one way to balance the budget—now or in 2002—and that is with the willpower to make the hard choices. Let's get back to work.

Ms. SNOWE. Mr. President, I rise once again in strong support of the measure that will soon be before us: a balanced budget amendment to the Constitution of the United States. No issue is more critical to the economic future of our Nation—and the economic future of our children and grandchildren—than that of balancing the budget.

John F. Kennedy once said, "It is the task of every generation to build a road for the next generation." Well, Mr. President, the road we are building for the next generation is laden with the cavernous potholes of deficits and

debt that threaten to swallow up our children's future prosperity. And if we fail to take the bold steps necessary to halt our reckless and irresponsible pattern of deficit spending, the road we pass on to the next generation will be nothing more than a dead end.

But, Mr. President, we have an opportunity today to alter the construction of that "road to nowhere" * * * and to begin to build a smooth, safe road for our children and grandchildren that will lead them into a bright future of economic security and prosperity that so many of our generation have enjoyed.

Today marks yet another historic opportunity for the U.S. Senate and for the American people. Some of us have been working for more than a dozen years for a balanced budget amendment—while others have joined the fight more recently. As a Member of the House of Representatives, I dedicated myself to passing a balanced budget amendment. Beginning in 1981, I was one of four original cosponsors of legislation calling for a balanced budget amendment—and I have cosponsored four similar measures since that time—including the resolution we are discussing today.

In the 103d Congress, I was once again one of four bipartisan sponsors of the amendment in the House, and we worked with my friend, the distinguished Senator from Illinois—Senator SIMON—to overcome institutional opposition to the balanced budget amendment. Notwithstanding the opposition of the House leadership in the 103d Congress, we nearly reached the requisite two-thirds needed for passage, only to have our hopes dashed when the Speaker of the House and Democratic leaders whipped their members into line—and urged even some Democrat cosponsors to change their votes on the bill.

Well, early in this Congress, a similar event undercut the balanced budget amendment here in the U.S. Senate. Democratic opponents—led by the President—argued that the balanced budget amendment was nothing more than a gimmick. They said balancing the budget requires nothing more than accounting sleights-of-hand. But as I have stated in the past, if the balanced budget amendment were a gimmick, Congress would have passed it long ago—because Congress loves gimmicks.

Ultimately, the President and his fellow opponents succeeded in rejecting the will of 80 percent of the American people who support this amendment and defeated it by a single vote—a single vote that could have been provided by any one of the six Democratic Members that had switched their vote from the previous year.

Fortunately, our distinguished majority leader, Senator DOLE, gave us the opportunity to revisit that shortsighted political decision by changing his vote and vowing that these six Members and other opponents would have the opportunity to reconsider their vote later in the 104th Congress. That opportunity is now upon us, and I would hope that these Members would—in the words of the majority leader prior to the last vote on this amendment—repent and vote to give the decision to enact this amendment to the citizens of their States.

Mr. President, the Senate cannot allow the opportunity to complete the first leg of this journey to pass us by. We cannot allow arrogance to triumph over the will of the American people.

This is a rare opportunity to do what is right: To set a path for a balanced Federal budget amidst a rare common purpose. The American people have asked to give them the power to decide if such an amendment is in their best interests—and I believe the Congress has the obligation to do just that.

The action we take today will not alter the Constitution this week, this month, or even this year. Rather, our adoption of this resolution will simply allow the States to take up this proposal in the years ahead and—if those who sent us to this body also deem the balanced budget amendment worthy—only then will our Constitution be changed.

To be sure, we have tried to meet the challenge of a balanced Federal budget through other measures short of an amendment. Mr. President, they have not worked . . . they will not work.

Congress has repeatedly tried to balance the budget through statutory remedies. Each of these efforts—the 1978 Revenue Act, the 1978 Byrd amendment, the Humphrey-Hawkins Act of 1978, Gramm-Rudman-Hollings I, Gramm-Rudman-Hollings II, and the 1990 agreement following the budget summit—ended in failure.

And, Mr. President, my confidence in the wisdom of the balanced budget amendment has only been increased in light of our most recent effort to balance the budget statutorily.

As you will recall, the Republicans moved forward in presenting a bold plan to balance the budget despite the narrow defeat of the balanced budget amendment last year. Following 10 months of wrenching work and tough decisionmaking by the Republican majority, President Clinton—amidst immense demagoguery and obfuscation of the facts—ultimately vetoed our carefully crafted budget plan that would have set our fiscal ship aright. This veto came from the same President who sat out the fight during those 10 months and did nothing to move the process of balancing the budget forward.

In fact, President Clinton chose instead to first offer a budget that promised deficits in excess of $200 billion per year as far as the eye could see. Several months later, when he realized the political wind was shifting and the tide was turning in favor of a balanced budget, he pointed his boat in the direction of the wind, put up the spinnaker, and claimed that he too could balance the budget—but it would take 10 years.

Well, not only did that plan prove to be nothing but a sham that produced annual deficits of $200 billion, but it also demonstrated President Clinton's willingness to renege on a campaign promise that he made exactly 4 years ago: His commitment to offer a plan to balance the budget in 5 years. Of course, since he took office, the President has had considerable difficulty deciding how long it would take to balance the budget. First it was 5 years, then 10 years, then 7 years, then 8 years, then 9 years. And today—as a result of the vacuum of Presidential leadership on this critical issue—we still have no balanced budget agreement.

To make a long story short, the President's charade of offering balanced budget plans that did nothing but exacerbate our problems in coming years continued through all of 1995, until he finally crafted a plan that reached paper balance on January 6 of this year. The budget negotiations between the President and congressional leaders that had been undertaken at that time ultimately collapsed in late January, and we are once again faced with the daunting task of crafting a plan to balance the budget on our own with no sign of compromise from the President.

In fact, rather than come forward with a plan that would demonstrate his willingness to reach consensus and provide a real path to balance, the President's fiscal year 1997 budget continued to rely on gimmicks such as the backloading of fully 60 percent of his spending cuts in the final 2 years of his plan.

And then, less than 2 months ago, CBO told us that the President's budget did not reach balance on its own, and was in fact $81 billion out of balance in the year 2002. CBO further stated that the President would not only have to turn off his tax cuts in the year 2001 to reach balance, but discretionary spending—which is used to fund programs that many consider to be vital to our shared commitments to education and the environment—would also need to be cut by an additional $68 billion in the years 2001 and 2002 alone.

Regrettably, the President has refused to budge from his insistence on using gimmicks and budgetary sleights-of-hand to reach balance—and his latest budget proposal made no meaningful strides toward gaining bipartisan support. In light of these events, I believe we can all agree that any hope for a balanced budget agreement prior to the November election now seems unthinkable.

If we learned nothing else from the acrimonious debate on the budget of

the past year and a half, it is that absent a force greater than politics, our ability to agree on a plan to balance the budget will always be held hostage to other short-term considerations. However, the enactment of the balanced budget amendment will force the Federal Government to live within its means because it will compel us to reach agreement. A balanced budget would no longer be an option, it would be an imperative. The President and the Congress would be forced to compromise or be held accountable for reneging on their sworn commitment to uphold the Constitution.

Mr. President, if we pass the balanced budget amendment, our government will be forced to break its addiction to deficit spending. The full weight and measure of the Constitution will force us to live within our means. We will no longer be able to borrow against our children's future. And we will be required to set priorities among our programs.

For 8 years, my husband served as Governor of Maine. During that time, I used to tell him that traveling between Washington and Maine was like going from fiscal fantasyland to fiscal reality for me. Because, like the Governors of 47 other States, he was required to balance the State's budget no matter what the economic conditions, or how much money they were short. That meant wrenching decisions, to be sure, but with discipline those decisions were possible.

If accountability and discipline work at the State level, we can and should make it work at the Federal level as well. Congress should be able to confront the economic realities and challenges that 48 States—and every American family—are forced to confront every day.

Mr. President, our national debt places a crippling burden on hard-working families in Maine and across our great land. The Concord Coalition compiled an analysis that suggests that without the deficit, our productivity would be much higher, and that the average American family income would be $50,000, instead of the current $35,000 a year.

How many children, I wonder, go without a proper education because of that missing $15,000? How many couples or single parents forgo proper, safe, child care because of these numbers? Is this what has become of the American dream when, by ignoring the deficit, we deny American families the opportunity to prosper financially, or even to survive economically?

Mr. President, our constituents deserve—and need—to reap the windfall of a balanced budget.

Perhaps the most devastating and alarming impact the deficit has had on our economy is its effect on economic growth and job creation. The New York Federal Reserve Bank says that from 1979 to 1989, we lost 5 percent growth in GNP and in national income because of a drop in savings caused by the deficit. According to the CBO, every percentage point lost in GNP means 650,000 jobs lost in this country. That is a devastating concept: On that basis, the deficit in those years resulted in the loss of roughly 3.75 million jobs.

Ironically, opposition to the balanced budget amendment is once again coming from a President whose failed fiscal policies resulted in a growth in real GDP of only 1.4 percent in 1995. Contrary to what the administration would have us believe, this is the weakest economic recovery in 28 years. In fact, job growth following the most recent recession is half of what is typical in a normal recovery.

The present recovery has yielded total growth of only 12.2 percent, while identical periods of recovery following the recessions of 1982 and 1975 were 22.6 percent, and 32 percent respectively.

Balancing the budget—while not a silver bullet—would have a tremendous positive ripple effect across the economy: It has been estimated that balancing the budget would not only lead to growth in real GDP of 0.5 percent or more, but would also yield a drop in long-term interest rates of between 2.5 and 4 percent over the next 7 years.

This is remarkable, because even a 2-percent decline in interest rates would create an additional 2.5 million jobs, according to the Joint Economic Committee. In human terms, that means that Americans would pay less on their home mortgages, car loans, and student loans for college. When you stop to think about it, the last time we saw interest rates that low, General Eisenhower became President Eisenhower.

And while balancing the budget would result in immediate economic benefits, even more compelling reasons can be found in what will happen to our economy in the future if we fail to balance the budget. As Herb Stein of the AEI notes, "The problem isn't the deficit we have now, it's the deficits we will have in the next century." You know the numbers:

Under current economic policies, our debt—which has grown from $1 trillion in 1980 to more than $4.9 trillion today—will reach $6.4 trillion by the year 2002. And according to estimates from the President's own Office of Management and Budget, the deficit will double in 15 years, then double again every 5 years thereafter. And by the year 2025, OMB estimates that the deficit in that year alone will be $2 trillion. OMB also forecasts that if we continue our current spending spree, future generations will suffer an 82-percent tax rate and a 50-percent reduction in benefits in order to pay the bills we are leaving them today.

As my colleague, the distinguished Senator from New Mexico [Mr. DOMENICI] has emphasized in the past, our national debt represents the most unfair tax ever imposed.

The balanced budget amendment demands that we evaluate every one of our programs. It compels us to ask these important questions about every government program:

Does it fit within our priorities? Can we afford it? Will it help the American people?

And, the balanced budget amendment will force those of us in Congress to ask ourselves the fundamental question: Can we do our job better?

Mr. President, the answer is yes—we can do our job better. And we must do it better. We have skirted the issue of the balanced budget for years now. We cannot continue to pass this onerous debt on to our children and grandchildren. We can no longer squander their future.

I believe that we must also lead by living by the standards that every American must uphold in their daily lives. The American people have learned to live within their means. They balance their checkbooks each month, and adjust their spending as their income changes. We must do the same.

Passage of the balanced budget amendment will restore accountability to the Federal budget process, and force our government to live within its means as well.

How much proof of the devastating impact of this deficit do we need? How much debt is finally enough? And how much longer do we have to wait for Congress to have the will and the courage to act?

Now is the time to pass the amendment, Mr. President. Recent events have proven that even with the passage of a balanced budget plan by a majority of Congress, months of negotiations between the President and Congress, and countless calls for compromise by the general public, the adoption of a balanced budget can still be thwarted by a force the average American has grown tired of: the force of politics. The passage of a constitutional amendment will change all that. We cannot afford to squander this opportunity yet again.

Thank you very much, Mr. President. I yield the floor.

Mr. LIEBERMAN. Mr. President, I intend to vote against House Joint Resolution 1, a joint resolution proposing a balanced budget amendment to the Constitution of the United States. At the same time, I want to make it clear that not only do I support balancing the budget, I have devoted a good deal of my time in the Senate toward achieving that goal.

Most recently, I worked with a bipartisan group of Senators to develop a bipartisan balanced budget package. We spent over 6 months putting together a package which set reasonable discretionary spending limits, began the

process of entitlement reform, and contained a reasonable set of tax initiatives. I was, and continue to be, proud of these efforts. And while we did not win the vote on this package, I am delighted to note that we came pretty close in a 46 to 53 vote, with 24 Democrats and 22 Republicans voting for what has come to be known as the Centrist Coalition plan.

I found this vote heartening and I think it speaks well for the future of balancing the budget. Because if there is one thing we are all coming to realize, it is that one political party is not going to be able to do it alone.

Rather than heading down the path of amending our Constitution to say we want to balance the budget someday, I hope that Members of this body will consider redoubling our bipartisan efforts to actually balance the budget. It seems to me that we are very close to agreeing on a 7-year balanced budget plan, this year, in this Congress. We ought not to distract from that goal which is tantalizingly within our reach. I hope my colleagues will agree with me and join in a here and now attempt to balance the budget by supporting the budget which has been put forward by the Centrist Coalition.

Mr. BIDEN. Mr. President, more than a decade ago, when budget deficits were first becoming a way of life around here, I proposed a constitutional amendment to require a balanced budget. Since then I have voted for several other versions of a balanced budget amendment, including the one before us today.

This is not a commitment I have undertaken lightly. This is the ultimate step we can take to safeguard future generations from irresponsible budget policies. On those grounds, I believe that making deficit finance a more difficult decision is an appropriate issue for consideration as part of our country's fundamental law.

But the practical reasons for this amendment are also compelling. The threat to the future of our country, and the damage that accumulating deficits are doing right now, are sufficiently serious to warrant this ultimate step.

The effects of mounting debt and deficits on the future of our country will be profound. Right now, the Federal debt held by the public—the accumulation of our annual deficits—totals more than $3.6 trillion. This year the interest we will pay on our accumulated borrowing will be $240 billion.

By the year 2002, the target year for balancing the budget under the amendment before us, interest alone will total $311 billion, and will cost us more than we will spend on the total defense budget, more than we will spend on every domestic function of government, from fighting crime to building roads.

Accumulating debt at this pace is simply unsustainable—it will radically reduce the choices that future Congresses, representing future generations of Americans, can make. By continuing to accumulate debt, we are forging chains that will bind those who follow us. We are buying a little extra time to avoid those hard choices by dumping them into the future.

At the same time, because concern for the deficit is driving so much of our thinking right now, we are shortchanging the kinds of programs that may provide long-term payoffs, that could make us all better off in the future, but that are increasingly squeezed out of the budget.

Just look what is happening to our investments in education, in research, in cleaner air and water, in safer working conditions. These represent our legacy to the future; they will determine—for better or for worse—the kind of country we pass along to our children and grandchildren.

But in the current budget climate, we are slighting these priorities in the race to find short-term savings.

Mr. President, I have watched for years as accumulating deficits have changed the face of our budget process. I have watched the policies that provide essential support for those who need it the most. They include my parents' generation, who won a war for us, and built the greatest economy in the world. We have made moral commitments to them, commitments I came to Washington to keep.

And our children—the future of our country—will be shortchanged by budget policies that cut investments in education, research, health care.

Mr. President, there is much merit in the argument that we should return more authority and responsibility to State and local governments, that we should return the power to make decisions and the resources to carry them out to the neighborhoods and communities that know their problems best.

But we cannot lose sight of the reasons that led our Founding Fathers to establish a national government—the kinds of issues that cut across city and county lines, that cut across State and regional boundaries, issues that affect us all as Americans.

Unfortunately, it is also those priorities that are now under attack in our deficit-driven budget process.

I am talking about the air and water pollution that drifts and flows over State lines. I am talking about the safety of food and drugs sold by national and multinational corporations. I am talking about the safety and reliability of our rail and airline systems.

All of these essential functions of our national Government have been under severe spending restrictions—virtually a spending freeze—since 1990. Under the current budgets of both the administration and the Republican majority in Congress, these priorities will continue under tight restraints.

Now, Mr. President, over a decade ago I proposed, along with Senators KASSEBAUM and GRASSLEY, a freeze on all spending programs, to provide some breathing space for us reconsider the course we were on.

Well, of course we did not impose that freeze, and for almost a decade we did not undertake a fundamental change in our budgets—and the results are all too clear.

But 3 years ago, Mr. President, we took the first steps toward restoring some balance to our national finances. We passed a $500 billion deficit reduction package that has produced 4 straight years of deficit reduction for the first time since the end of World War II.

Unlike so many of the promises made here in Washington, Mr. President, the benefits of that plan were even greater than advertised. Because of the lower interest rates that serious deficit reduction permitted, the economy has grown fast enough to reduce the deficit to the tune of $846 billion less than it would have been.

That's right, Mr. President, our national debt would be $846 billion higher if we had listened to those voices who tried to scare us out of taking the first real steps to bring the deficit under control.

That experience might have been encouraging—we could accomplish real, significant deficit reduction and be rewarded with lower interest rates and stronger economic growth. But instead, the political response to that success has been a ceaseless stream of recriminations for those of us who voted for that historic budget plan.

So in many ways we are worse off than before, Mr. President. The lesson many will take away from recent budget debates is that the tough choices to reduce the deficit will get you little credit and a lot of blame.

And as is increasingly the case, we see that the goal of a balanced budget—years out there, over the horizon—seems dim and vague compared to promises to throw tens of billions of dollars on exotic weapons systems, or on continued corporate welfare, or tax breaks for a wealthy few.

That is why I am still convinced that we must take the final step to close the door on the era of uncontrolled deficit spending. We must send the balanced budget amendment to the States—to the people of the United States—for their approval.

Without this additional constraint on our budget process, I am afraid that we will find the old ways of doing business too easy, too attractive, to give up.

It is my belief that only when we have asserted control over our budget once again will we be able to conduct a meaningful debate on our real national priorities. Until then, the short-term, bottom line calculations will continue to drive the budget process.

Mr. President, that if we had taken control over the budget before, if we had found the discipline to make the tough choices, we would not have seen the erosion in support for those priorities that led me into public life. I want to restore balance to our Nation's finances, Mr. President, but just as importantly, I want to restore some balance to our priorities.

Mrs. MURRAY. Mr. President, earlier today, I voted against House Joint Resolution 1, the so-called balanced budget amendment. Like last year, this amendment was defeated. And, once again, I want to take a minute to tell my colleagues why I voted the way I did.

Mr. President, this amendment is nothing more than a feel-good political gimmick. The balanced budget amendment makes for a good political sound bite. But, when looked at closely, one can see this amendment would have serious economic ramifications, tie the hands of our children and trivialize our Nation's constitution.

I am disappointed—but not completely surprised—the Senate decided to vote on this amendment during the height of the Presidential campaign season. We should not use the Nation's fiscal policies to create divides between our two parties. Rather, we should be working together to come to agreement on a common-sense balanced-budget plan that reflects American values—the belief we should care for our elderly, educate our children and preserve our quality of life.

We have made great progress this past year. The difference between our two parties has narrowed greatly. Everyone agrees we need to balance this Nation's budget, and we are closer than ever to reaching a budget compromise.

In fact, just 2 weeks ago, the so-called centrist balanced budget plan came within five votes of passing on this floor. And while I did not like every part of it, I supported it because it was the most credible attempt yet to actually reach a final compromise and get the job done.

Mr. President, we simply need to stay focused. We must remember a balanced budget constitutional amendment will not get the job done for us—political courage and tough decisions are the only things that will balance the budget.

Let's not forget the progress we have made these past 3 years. Since 1993, we have cut the deficit in half, and the Congressional Budget Office estimates this year's deficit will be as low as $130 billion. That's nothing to cheer about, but it's progress. And it's proof the President's 1993 deficit reduction plan has worked. And I am proud to say I voted for that plan.

So, Mr. President, we know we can balance the budget without tying our children's hands in the future. This amendment will make it impossible for future generations to determine our country's spending and revenue priorities. We will do that for them. They will be forced to live within tight spending constraints and they will be paying much higher taxes than we pay today.

And proponents of this amendment fail to explain that it will make it much more difficult for our country to deal with recessions. Like any good business, the government must invest today in order to succeed tomorrow. During recessions, the Government's revenue stream decreases and its need to provide unemployment insurance increases. In order to curtail a recession and energize the economy, the Government must invest in capital and its people. Quite simply, the balanced budget amendment will stifle the Nation's ability to correct economic downturns.

And let's not forget the Government oftentimes is needed to help States and local communities deal with the damage that results from natural disasters. Just last winter, my home State suffered severe flooding. The floods caused millions of dollars worth of damage and upset the local economy. The Federal Government helped Washington State residents cope with this disaster by pitching in $74.5 million. This is an important role the Federal Government must play. But, the balanced budget amendment would make this type of assistance impossible in the future.

Mr. President, balancing the budget requires tough choices. We have learned it takes dramatic spending cuts or tax increases or a combination of both. It cannot be done by cutting taxes. Last year, my Republican colleagues proposed $250 billion worth of tax cuts. I ask my colleagues, how would that huge tax cut proposal mesh with the constraints of the balanced budget constitutional amendment? Where would the offsets come from? Does this mean we would balance the budget by cutting important programs to pay for politically popular tax cuts?

Mr. President, these questions are important. We have already seen how the Republican majority would balance the budget. They would cut education and job training programs, strip environmental protections, and reduce payments to Medicare beneficiaries. We need to understand the consequences of passing this amendment, and we need to ask whether or not this Nation's most needy will be taken care of appropriately if it is passed.

Just as we must watch out for our most needy—those who cannot afford to buy a high-priced lobbyist to speak on their behalf—we need to consider how this amendment will impact small States. When determining how to make the cuts needed to balance the budget, the States with the most representatives will have the most influence over the decisions being made. I fear small States, like Washington State, will take a disproportionate hit when Congress determines how to make the cuts needed to balance the budget.

And, Mr. President, our wise Founding Fathers wanted Congress to control the Nation's purse strings because the legislative branch is the closest branch to the people—we understand the needs and priorities of our constituents. The balanced budget amendment could shift fiscal responsibility to the courts. If the President and the Congress disagree on spending and revenue priorities, the courts could be required to step in and decide the appropriate fiscal plan.

Mr. President, Supreme Court Justices are not responsible to the people of my home State. They are not elected, and they are not sent to the Nation's Capital to tend to the needs of my constituents.

We have amended the Constitution only 17 times since we adopted the Bill of Rights. We have never changed the Constitution lightly. Every previous amendment has expanded personal rights and outlined responsibilities. We have never amended the Constitution to insert an economic belief. And, fortunately, we did not do so today.

Mr. President, I voted against this amendment because I value the Constitution. I chose not to trivialize the importance of the U.S. Constitution by making it a forum for our annual fiscal decisions and the politics that accompany those decisions.

I have no doubt the Senate will debate this amendment again next year. I look forward to that debate, but I remind my colleagues that between now and then we can make that debate irrelevant. We can work together to find compromise, and we can work together to put together a sensible balanced budget agreement. And, I say, that would be the best thing for our children—that would be the real accomplishment that will truly benefit our children.

Mr. DODD. Mr. President, I rise today in strong opposition to this constitutional amendment to balance the budget.

Let me first say, I am well aware that the notion of balancing the budget and forcing this Government to live within its means is a popular idea both in Congress and across the Nation. If working families have to do it, why can't the Government?

I agree. That's one of the main reasons that I was 1 of 11 Members of the U.S. Senate to vote against the Reagan tax plan of 1981. In case we've all forgotten, it was that plan, which cut taxes for the wealthy, increased spending and exploded the deficit to the heights it reaches today.

It is why I sponsored the first pay-as-you-go plan in 1982. According to the CBO, the enactment of that proposal

would have brought a budget surplus by 1985, making this entire debate today irrelevant.

Additionally, it is why I was the second Member from this side of the aisle to support the Gramm-Rudman-Hollings Act.

And it is why I supported President Clinton's 1993 deficit reduction plan. Because of that plan the latest deficit projections are down to $130 billion, from more than $300 billion when the President took office.

It is also why I have long been an advocate for real deficit reduction and not the various accounting gimmicks that so often tarnish our budget cutting efforts here in Congress. But, at the same time, I have also fought for deficit reduction that protects our national priorities while forcing Congress to accept fiscal responsibility.

But, the measure before us today would meet none of those essential criteria. Instead it would only increase the use of budgetary gimmickry by allowing the Congress to avoid making the critical decisions necessary for balancing the budget.

What's more, it would not make it any easier for this or any Congress to accept our fiscal responsibility. Instead it would include in the organic law of our land a constitutional amendment that would remove from the legislature the historic and mandated role of making budgetary decisions.

Contrary to the arguments of its supporters, this amendment is not a lightning bolt that would suddenly give the Congress the courage it has so often lacked when it comes to cutting the deficit.

Instead it would constitutionally mandate possibly massive spending cuts in education, the environment, Medicare and Medicaid and other priorities that make a real difference in the lives of the American people. And in the end we would have a foolproof excuse for those draconian cuts: "The Constitution made me do it."

And if Congress could not effectively reach compromise a constitutional amendment could place the budgetary decisionmaking process squarely in the lap of the Supreme Court.

The Supreme Court is an unelected body whose job is to interpret our Nation's laws, not enforce them. But, if this amendment passes, the Supreme Court could be deciding whether the requirement of a balanced budget has been achieved.

If the conditions of this amendment were not met then our Federal judiciary could be making the decisions on budgetary allocations.

For the Congress to go along with such a proposal represents an absolute abdication of our responsibilities and obligations as legislators and elected representatives of the American people.

That's no way to balance the budget and it's no way to run the Federal Government.

But, while there are many reasons why I believe this amendment is truly bad public policy and bad for the American people, I also believe that it is wholly unnecessary.

Because, over the past year and a half, Democrats and Republicans reached compromise on the means for balancing the Federal budget.

Let me repeat that, because I think sometimes it is conveniently ignored by my Republican colleagues: Both President Clinton and the leadership here in Congress are in agreement on balancing the Federal budget in 7 years.

Both sides have proposed the necessary spending cuts to put our fiscal house in order. And both sides agree that this budget balancing can be done by the year 2002.

While I certainly think that the President's plan does a better job of protecting our national priorities, the facts remain evident for all those in this body who wish to open their eyes and see: We can work together to balance the budget. We don't need a constitutional amendment. We have the outlines for an agreement right here.

If my Republican colleagues would simply walk down Pennsylvania Avenue, meet with the President and in good faith negotiate a compromise solution there would be absolutely no need for a constitutional amendment to balance the budget.

But my colleagues across the aisle seem to prefer making campaign speeches on the Senate floor and embarking upon the momentous act of amending the Constitution of the United States rather than sitting down with the President and working out a deal.

They seem more inclined to avoid compromise and instead use the President's principled stand against this amendment as a means to score political points.

But, amending the Constitution should not, and must not, be a political tool. It is one of the most sacred and essential duties of our elected office.

There is a very good reason why, in the more than 200 years since this Nation adopted the Constitution, we have seen fit to amend it only 27 times. Twenty-seven times in more than 200 years.

In fact, in those 200 or so years, we've seen approximately 11,000 proposed amendments to the Constitution. Only 33 passed the Congress. And the Bill of Rights notwithstanding, only 17 are now part of the Constitution.

What's more, amending the Constitution remains an incredibly difficult task. Two-thirds of the Congress, and three-fourths of the State legislatures must agree before we change the law of the land. Our Founding Fathers made clear that amending the Constitution would not be an easy or brazen decision.

Changing the Constitution is not like adopting a simple statute that can be modified or repealed somewhere down the road. Indeed, the language we insert into the Constitution will very likely stay there long after all of us have left this Earth. Generation after generation will live with the consequences of our constitutional decisions.

As Henry Clay said 145 years ago, "The Constitution of the United States was made not merely for the generation that then existed, but for posterity—unlimited, undefined, endless, perpetual posterity."

But frankly, over the last year and a half, the sacrosanct nature of our Constitution and the amendment process has been largely ignored by the majority.

I fear that the sacred, fundamental nature of our Constitution has been lost on some of our Republican colleagues. The Congressional leadership is advocating one of the most sweeping rewrites of the U.S. Constitution since the enactment of the Bill of Rights.

The Constitution is not simply a set of fraternity bylaws to be amended with each new pledge class. It should reflect not the popular winds of the time, but the sacred principles of our republic.

Nonetheless, in the 104th Congress alone, several amendments to the Constitution, all of which would have an incalculable impact on the social, political and economic life of our nation have been proposed.

First, we have the balanced budget amendment, which we are discussing today. But, there are also proposed amendments requiring a super majority for raising taxes, limiting the terms of Congressman and Senators, providing for a line-item veto, preventing unfunded mandates, allowing school prayer, making flag burning a crime, and the list goes on and on.

Other than the Bill of Rights, ratified in 1791, these constitutional changes would be utterly unprecedented in our Nation's history.

Unfortunately those changes are an integral part of the Republica agenda.

Now, I ve heard all the rhetoric from across the aisle about how essential this amendment is for protecting our children from a lifetime of crushing debt.

I've heard the rhetoric about providing opportunity for working families. I've heard the rhetoric about cutting the deficit so as to increase economic growth.

Well to all my colleagues who constantly invoke children when calling for the enactment of this amendment, I ask how do you plan pay for this balanced budget amendment?

Will Head Start, Medicare, Medicaid and our environmental safeguards escape the budgetary ax? Now my Republican colleagues want to spend an additional $60 billion to build another star

wars system. How are they going to pay for that, while trying to balance the budget?

Are they going to raise taxes? Hardly. This body can't even swallow a 4.3 cents gas tax, which as part of the President's deficit reduction plan in 1993 cut the deficit in half. A plan, by the way, that failed to receive even a single Republican vote. But that's another story.

In 1995, the Federal Government spent more than $1.519 trillion, while receiving in revenues approximately $1.355 trillion. That represents a Federal deficit of just over $150 billion.

If we passed this amendment tomorrow, this body would have to cut more than $150 billion in 7 years. And if history is any indication, my Republican colleagues would do it by shredding the social safety net. They would enact draconian cuts in education, Medicare, Medicaid, and the environment to name a few. Is that how my Republican colleagues propose to protect children? By cutting money for education and health care for children.

That is the part of the balanced budget amendment that you don't hear about too often: the part where the Congress would be constitutionally mandated to unravel the fabric of America's social safety net.

I didn't run for this office to be a party to those kind of spending cuts.

When I became a U.S. Senator I took an oath of office to uphold and protect the Constitution of the United States. And that is why I'll be voting no on this balanced budget amendment and I urge my colleagues to join me.

Mr. HATCH. Mr. President, before we vote once again on the balanced budget amendment, let me pay tribute to some of my colleagues who have tirelessly and courageously fought for the passage of this crucial measure. First, let me mention the senator from Illinois, PAUL SIMON, the primary Democrat sponsor of this bipartisan amendment. His leadership on this issue will be missed in the years ahead. Senator THURMOND and Senator HEFLIN have been long-time leaders on this issue. Senator CRAIG and Senator COVERDELL have also fought long and hard for this measure. I would also especially like to thank the 11 freshman Republican Senators who joined us at the beginning of the Congress, all of whom leapt immediately into the fray in support of the amendment when it came up in the very first month of this 104th Congress.

Mr. President, there are many, many others who have worked to send the balanced budget amendment to the States. But one Senator stands above them all in his tenacity, dedication, and commitment to providing a better future for our children and grandchildren—an America like the one he grew up in, fought for, and has served all of his life. I am of course referring to our leader in this effort, Senator ROBERT DOLE. His effort on this amendment is consistent with his decades of service on behalf of Americans of this and future generations. The contrast of his record with President Clinton's is clear.

President Clinton has fought the balanced budget amendment every step of the way. Last year, President Clinton won and the American people lost. The American people will lose again if President Clinton has his way this year, and it looks like he will.

Mr. President, I would ask, why are President Clinton and his allies opposed to the balanced budget amendment? I would suggest that the opponents of the balanced budget amendment are simply not ready to impose the kind of fiscal discipline on themselves that a constitutional amendment would require. It's tough to stop spending other peoples' money.

And they do spend. When we last debated the balanced budget amendment, the Federal debt was $4.8 trillion. As of Monday of this week, it stood at more than $5.1 trillion. Mr. President, that is an increase of $320 billion. Translated into more understandable terms, that means that the cost of the delay in passing this important amendment has been more than $1,200 for every man, woman, and child in America. Put another way, over the 15 months that have elapsed since President Clinton helped defeat the balanced budget amendment, the debt has increased, on average, over $650 million a day.

The enormous size of the national debt, over $5.1 trillion, and the unacceptable rate at which it is growing threatens the economic stability of this great Nation. We all know this, Mr. President. And we know that the American people overwhelmingly want a balanced budget amendment.

Even so, there are those who oppose the balanced budget amendment and keep spending, and so they need to find a way to justify voting against it. President Clinton's chief advisor, Leon Panetta, said as much in 1994 when he explained the need to provide cover to opponents of this amendment so that President Clinton could defeat it with their votes. He conceded that "If you allow people to say, 'Are you for or against a balanced budget,' you'll lose it."

So, we have a parade of excuses of why we do not need the balanced budget amendment or why we need a different, meaning more lax, balanced budget amendment. Capital budgets, automatic stabilizers—the list goes on and on. The most popular of these false protests is "protecting social security" from the balanced budget amendment—as if balancing the budget would harm a system that depends on the government's creditworthiness. This argument has been called by one commentator in the Washington Post "the single most fraudulent argument" he has heard in 17 years in Washington, and by Time magazine as "mendacious nonsense."

Mr. President, in less than an hour, the American people will see who is on their side and who is on President Clinton's side. I would say to my colleagues, if you really support a balanced budget and not just talk, then cast your vote for the balanced budget amendment.

The very future of our country is at stake. I say to my colleagues, if not for yourselves, then support the balanced budget amendment for your children and your grandchildren who are almost $20,000 in debt the very moment they are born. Do not condemn them to live in a nation of economic stagnation, suffocating taxes, and hopeless debt. This is what is riding on this vote. I urge my colleagues to support a balanced budget requirement today, so that we and our children will have a prosperous tomorrow.

THE RISE IN THE DEBT THIS YEAR

Mr. President, the eyes of the Nation are upon us. Today the U.S. Senate has the opportunity to keep us on a path to balancing the Federal budget. Last year this body narrowly missed another historic opportunity by failing to pass the balanced budget amendment. During that debate every Member of this body, whether they were for or against the balanced budget amendment, came to this floor to swear their support for balancing the budget. Well, the time has come to see who really meant it and who was just defending the status quo of runaway Government. I urge my colleagues to hold true to their promises, to vote for a balanced budget, and to not waste another historic opportunity.

When we last debated the balanced budget amendment, I gave a daily update on the debt increase as we debated. By the end of the debate, my debt tracker was becoming unwieldy, so I have brought down a sort of summary debt tracker to bring us up to date on the debt since we began debate on this amendment in January of last year. As my chart here shows, when we last began debate on the balanced budget amendment the Federal debt was $4.8 trillion. As of Monday of this week, it stands at more than $5.1 trillion. Mr. President, that is an increase of $320 billion. Translated into more understandable terms, that means that the cost of the delay in passing this important amendment has been more than $1,200 for every man, woman, and child in America. Put another way, over the 15 months that have elapsed since President Clinton helped defeat the balanced budget amendment, the debt has increased, on average, over $650 million a day, over $27 million an hour, over $450,000 a minute, and over $7,500 every second. This is the price of the delay caused by President Clinton and his allies.

I urge my colleagues to put an end to this wasteful, out of control spending by supporting the balanced budget.

THE DEFICIT AND INCREASED TAXES

Mr. President, out-of-control Federal spending hurts us all in many ways. Not the least of which is through increased tax burdens on all Americans.

Every year hard-working Americans pay the price for our profligacy. The Tax Foundation has calculated that in 1994, the average American worked from January 1 to May 5 just to pay his or her taxes. They did not get to keep one cent of the money they earned until May 6. Put another way, in an 8 hour work day, the average American works the first 2 hours and 45 minutes just to pay taxes. This is simply intolerable, but it is not the end of the story.

The National Taxpayer's Union, NTU, has also determined that for every year we endure another $200 billion deficit it costs the average child over $5,000 in extra taxes over his or her lifetime. How many more years will the Government levy another $5,000 fine on our young people?

The bad news about the debt does not end there, either. The Competitiveness Policy Council has shown that the rising budget deficits have led to a 15-percent decline in real wages in the last 15 years. And NTU has further calculated that in the 45 years, unless we get our spending under control, after-tax incomes will rise by a mere $125 for the entire 45-year period. Talk about a middle class squeeze. How can people be expected to bear the burden of stagnating wages and higher tax rates? We simply cannot continue blindly down this road to economic oblivion.

Mr. President, we now have the opportunity to make an historic change. We can pass a balanced budget and preserve a future for our children, our grandchildren, and this country. I urge my colleagues to support a balanced budget requirement today, so that we will have a prosperous tomorrow.

ECONOMIC BENEFITS OF THE BALANCED BUDGET AMENDMENT

Mr. President, apparently some of my colleagues have forgotten not only how dramatically the deficit is hurting our economy, but also how much a balanced budget will help our economy. I would like to touch upon some of those economic benefits which will accrue to working Americans across the country.

Last year, DRI/McGraw-Hill analyzed the economic impact of balancing the budget and has concluded that it will result in a significant improvement for the nation's citizens. Here are the results of their study:

As government spending is reduced, resources will be freed up for private investment and interest rates will drop. Both of these factors will make it easier for businesses to expand, resulting in the creation of 2.5 million new jobs by 2002.

Further, fueled by the drop in interest rates, private investment will rise and real nonresidential investment could grow by 4–5 percent by 2002.

Lastly, by the end of the 10-year forecast, real GDP was projected to be up $170 billion from what it would be without a balanced budget. That translates to approximately $1,000 per household in the United States.

So when we talk about who is really trying to help American citizens of *all* walks of life, lets remember just how important it is to balance the budget.

BENEFITS OF A CONSTITUTIONAL AMENDMENT

The sad history of legislative attempts to balance the budget show the need for a constitutional amendment requiring a balanced budget.

Despite our best statutory efforts and the most recent deficit reduction plan, a constitutional amendment is required for the following reasons:

Statutes do not purport to correct the structural bias in favor of deficit spending that would be offset by a constitutional amendment.

Statutes are only intended to deal with a temporary crisis, whereas a constitutional amendment corrects a bias that has caused deficits in 55 of the past 63 budget cycles. The deficit spending bias is not a problem that has lasted, nor will last, only 5 years. It demands a permanent constitutional solution.

Ultimately, no Congress can bind a succeeding Congress by simple statute. Any balanced budget statute can be repealed, in whole or in part, by the simple expedient of adopting a new statute. Statutory limitations remain effective only as long as no majority coalition forms to overcome such statutory constraints. The virtue of a constitutional amendment is that it can invoke a stronger rule to overcome the spending bias.

Our recent history suggest how much we need the strong rule of a constitutional amendment. Gramm-Rudman was to balance the budget by 1990. It was undone by a series of statutory amendments. Recently, we have fought tooth and nail to get on track towards a balanced budget. Without the balanced budget amendment to keep the Government in line, the budget we fought so hard for can be undone by a simple majority vote. Mr. President, the past year's budget battle is not example of what Congress can do, it is an example of how hard it is for Congress to do what it should always do.

AUTOMATIC STABILIZERS

Some have argued that the reason we should not have a balanced budget rule is to keep intact the so-called automatic stabilizers. Their contention is that these so-called stabilizers help minimize the effects of the business cycle. Thus, those who support this theory want to cycle deficits and surpluses to counteract the business cycle. This claim confuses me for three reasons.

First, we have had numerous business cycles since 1969 but have only balanced the budget once. If this theory is right, we should have had a cycle of deficits and surpluses.

Second, far from cycling, the debt is on a steady increase. The debt is growing at a fantastic rate, and is now over $5.1 billion and is projected to exceed $6 trillion in only 4 years.

Third, the balanced budget amendment in no way prevents us from running a small surplus, which could be used to offset the effects of an economic downturn.

I just do not believe that the facts support this argument.

PROTECTING SOCIAL SECURITY

Mr. President, I have listened to the same arguments raised time and again from opponents of the balanced budget amendment that we should exempt Social Security from the balanced budget amendment. Some opponents have been searching for reasons to vote against the balanced budget amendment or reasons to justify their "no" votes. In their efforts, they came up with a number of accounts and interests they think we should exempt. Social Security is just the most popular of these favored exemptions from opponents of the balanced budget amendment. This objection is not merely a red-herring, but a dangerous one at that. The balanced budget amendment helps protect social security by ensuring that when the IOU's in the social security trust fund come due, the Federal Government will be able to make the payments to the retirees counting on them. The exemptions proposed would endanger Social Security, and so does failing to balance the budget.

As I argued in the first round of debate on this matter, if we exempted Social Security from the balanced budget requirement, Social Security would be the only part of the budget which could run a deficit. This would create the dangerous incentive to run deficits in the social security account to ease pressure on balancing the rest of the budget, and might even lead to the chicanery of redesignating various programs as Social Security and thereby allowing deficit financing for them. This would endanger the solvency of the Social Security trust fund, leaving it with neither funds nor trust for retirees.

Now let me be clear about what is at issue. Those who were critical of the balanced budget amendment have said that Congress will raid the trust fund to balance the budget. This is confusing, rather than enlightening. In essence these critics object that there are not separate accounts set up under the balanced budget amendment for social security and other accounts. What is at stake is merely a question of accounting.

Proponents of the balanced budget amendment say that accounting formalities are not as important as substantive economic reality. When the Government takes money from people or gives it to people, it has the same overall economic effect no matter which pocket it puts it in or takes it out of. The real numbers, the ones to be concerned about are total Federal receipts and outlays. This is the consensus of almost everyone who analyzes budget issues, including President Clinton, most of Congress, and most private financial analysts.

Let me summarize the way the Social Security system works now: Money collected for Social Security comes into the Federal treasury. The treasury issues IOU's for that amount in the form of Government securities to the Social Security trust fund account and spends the money on other programs. Then as the IOU's come due, the treasury collects the IOU's from the trust fund and pays out money taken from the Federal treasury. This is the way it works now. And nothing in the balanced budget amendment would change that. And let me just say that as of now these IOU's are the most secure in the world: they are U.S. Government-backed bonds. The primary risk to the Social Security trust fund always has been and continues to be the risk that the Government might get so far into debt that it could not pay back these IOU's. Since the balanced budget amendment would return fiscal responsibility to the Federal Government, it would help protect Social Security by helping the Government always be able to meet its obligations to retirees.

Let me repeat: The real threat to Social Security is a Government that cannot pay its bills because it keeps piling up debt, not the accounting method used to count how high the debt is growing. The trust fund is not going to be depleted because of the balanced budget amendment. Indeed only a real balanced budget amendment will protect the financial solvency of the general treasury and of Social Security.

There is, however, one other threat to Social Security: a balanced budget amendment with an open-ended exemption for Social Security. Under alternative amendments offered by the other side on this issue, the Government would have to balance all its accounts except one—Social Security. So, all the pressure of balancing would have been placed on that account. The budget would be like a pressure cooker. And if steam can only escape through one valve, all the steam and all the pressure will go through that one outlet—and in balancing the budget there will be a lot of pressure. Social Security was to be that valve, and that would have been dangerous to the viability of the trust fund. This would cause the risk of either destroying the trust fund's solvency or creating a loophole in the balanced budget rule which could allow the same risk to the solvency of the Federal Treasury, either of which would betray the trust of those counting on the trust funds.

Let me summarize: Rather than protecting Social Security, these Social Security exemption alternatives would have endangered it—to effect nothing more than an accounting preference.

It is my hope that the balanced budget amendment can be sent on to the States so the country can have a debate about the fiscal future of our Nation and our Government. The people can then decide whether they want to ensure themselves of a Government that must act responsibly—with a constitutional safeguard for their children's future.

CONSTITUTIONAL ACCOUNTABILITY

Mr. President, I am always loathe to attempt to amend the Constitution. It is an undertaking that I approach with the most serious reservations and concerns. But it has become clear that a balanced budget amendment is necessary to save this country from economic catastrophe.

The Constitution speaks in terms of broad principles and general instructions of how democracy should operate in America. Some amendments to the Constitution provide people with rights that limit Government's authority while others provide for people to take part in our great democracy. The balanced budget amendment is a little of both.

While it is true that much of the enormous growth in Federal Government spending over the past two decades may be a response to evolving notions of the role of the public sector on the part of the American citizenry—that is, a genuine shift in the will and desire of the people—it is my contention that a substantial part of this growth stems from far less benign factors.

In short, the American political process is skewed toward artificially high levels of spending, that is, levels of spending that do not result from a genuine will and desire on the part of the people. It is skewed in this direction because of the characteristics of the fiscal order that have developed in this country in recent decades. It is a fiscal order in which Members of Congress have every political incentive to spend money and almost no incentive to forego such spending. It is a fiscal order in which spending decisions have become increasingly divorced from the availability of revenues.

The reason for this skew is simple—the future generations who will have to pay the bills for our extravagance have no political voice. Those who will join the work force in 20, 30, or 40 years may not even be born yet. But here we are, spending the money that they will need to live on.

Mr. President, one of the oldest and most basic appeals to fairness in the history of this great Nation is no taxation without representation. We teach it to all our children. It is this basic fairness that the balanced budget amendment is designed to uphold. Forecasts are that at current rates of spending our children may be crushed with tax rates of 85 percent. All to pay for what we spend now, without their consent or even their knowledge. Surely every generation of Americans has the right to manage the country how it sees fit. But this generation is stealing from the next.

In seeking to reduce the spending bias in our present system—fueled largely by the unlimited availability of deficit spending—the major purpose of the balanced budget amendment is to ensure that, under normal circumstances, votes by Congress for increased spending will be accompanied by votes either to reduce other spending programs or to increase taxes to pay for such programs. For the first time since the abandonment of our historical norm of balanced budgets, Congress will be required to cast a politically difficult vote as a precondition to a politically attractive vote to increase spending.

The balanced budget amendment seeks to restore Government accountability for spending and taxing decisions by forcing Congress to prioritize spending projects within the available resources and by requiring tax increases to be done on the record. In this way, Congress will be accountable to the people who pay for the programs and the American people—including the future generations who must pay for our debts—will be represented in a way they are not now. Congress will be forced to justify its spending and taxing decisions as the Framers intended, but as Congress no longer does.

This protection of the rights of future generations of Americans is surely the kind of great principle for which our Constitution stands, and without it, the Constitution is incomplete.

Mr. KERREY. Mr. President, I rise in opposition to the balanced budget amendment to the Constitution.

The Constitution of the United States represents the greatest democratic achievement in the history of human civilization. It—and the self-evident truths which are its basis—has guided the decisions and heroic sacrifices of Americans for two centuries. Its precepts are a shining beacon of hope for millions of people across the globe who hunger for the freedoms that democracy guarantees. It has served us and the world extremely well.

Indeed, Madam President, this great document should not be amended in a rush of passion—or in the name of political expediency. It is evident from the Constitution itself that its authors intended the process of amendment to

be slow, difficult and laborious—so difficult that it has been attempted with success only 17 times since the Bill of Rights. This document is not meant to be tampered with in a trivial fashion.

This proposed 28th amendment to the Constitution is intended to affect the behavior of America's congressional representatives. In that regard it is unique. Except for the 25th amendment, which addresses the issue of transfer of power, other amendments affect the behavior of all Americans by limiting the power of government, protecting public freedoms, prohibiting the majority from infringing on the rights of the minority, or regulating the behavior of the States.

This would be the only amendment aimed at regulating the behavior of Congress—to date only 535 Americans—who, the amendment assumes, is incapable of making difficult decisions without the guidance of the Constitution's hand. That theory is grounded in the assumption that Congress and the public lack the political will be to balance the budget.

I reject the argument.

Specifically, this amendment would raise the number of votes necessary in Congress for deficit spending from a simple majority to three-fifths and sets a goal of balancing the budget by the year 2002.

The amendment empowers Congress to pass legislation detailing how to enforce that goal, but does not itself specify enforcement measures. But nobody knows the answer to the question: what will happen if Congress and the President fail to balance the budget? The only mechanism our country has for enforcing the Constitution is the courts. So the amendment's ambiguity presents the serious possibility of protracted court battles which would given an unelected judiciary unwarranted control over budget policy—a power clearly out of the realm of their expertise.

The proponents of this amendment sincerely believe our Constitution needs to be changed in order to force Members of Congress to change their behavior, which, supporters argue, they will not do because they are afraid of offending the citizens who have sent them here. However, on that basis, there is a long list of constitutional changes they should propose, including campaign finance reform.

Mr. President, I support the goal of a balanced budget and have fought, am fighting and will continue to flight to achieve it. Recently my colleagues and I—Senators SIMPSON, BROWN, NUNN, and ROBB—proposed a provision that would have reformed long-term entitlements. Mind you, we did not dabble on the fringes, but instead took on some serious budgetary dilemmas, and avoided the use of gimmickry as a solution.

For our efforts we received 36 bipartisan votes—unprecedented support for this type of long-term entitlement reform. Our proposed changes to current laws would have caused taxpayers very little concern in the short term as these changes would be phased in and have no effect on anyone over the age of 50, and would save the Nation billions of dollars in the long term.

As well, the Senate recently voted on the Centrist Budget plan, that addressed a number of budgetary problems including entitlement reform, and provided a balanced budget in 7 years. This plan garnered 46 bipartisan votes—22 Democrats and 24 Republicans—and is a fundamental indication that Congress is waking up to the need to reform our nation's budgetary ways and the need to get our economic house in order.

Four votes away from a bipartisan balanced budget in 7 years, Mr President—a budget that would have passed had this not been a Presidential election year. So why do we need to amend the Constitution?

The Constitution and its 27 amendments express broadly our values as a nation. The Constitution does not dictate specific policy, fiscal or otherwise. We attempted to use the Constitution for that purpose once, banning alcohol in the 18th amendment, and it proved to be a colossal failure. If nothing else, this experience should have taught us that the mere desirability of a goal cannot become the only standard to which we hold constitutional amendments. Constitutional amendments must meet a higher standard.

Fundamentally, we should amend the Constitution to make broad statements of national principle—and, most importantly, Mr. President, we should amend the Constitution as an act of last resort when no other means are adequate to reach our goals. We do so out of reverence for a document that we have believed for two centuries should not be changed except in the most extraordinary circumstances. We have used constitutional amendments to express our preference as a nation for the principle of free speech, the right to vote and the right of each individual to live free. The question before us today is whether the need to tie Congress' hands on fiscal issues belongs in such distinguished company.

While I oppose this amendment, I understand, I understand the arguments for it. But if the appeal of a balanced budget amendment is simply the legal or political cover it provides for those tough choices, a statutory change could provide the same cover. If the assumption behind the amendment is that the political will to balance the budget does not exist, then make no mistake, those who lack that political will find a way to circumvent this amendment.

And beyond all the legal maneuvers, there is no cover for tough decisions but the courage to make them. A vote for this amendment is not a sign of courage—it is more an indication of timidity.

The balanced budget amendment assumes there is a structural flaw in our Constitution that prevents the 535 Members of Congress from balancing the budget. But if a flaw does exist, it is in the 535 Members of Congress themselves not the document that governs us. The fact is that we could balance the budget this year if we wanted to. And we can by statute direct the Congress to balance the budget by 2002, 2003, or any other date we choose.

The inherent weakness of the balanced budget amendment is that it tells us what to do over the next 7 years but ignores the following 20, the years which ought to command our attention. A balanced budget by 2002 still ignores the most important fiscal challenge we face: the rapid growth in entitlement spending over the next 30 years.

The year on which we ought to be focused is not 2002, but 2008, when the baby boomer generation begins to reach eligibility age for retirement. This will place a severe strain on the Federal budget. Our biggest fiscal challenge is demographic, not constitutional, and the amendment before us does not and cannot address it.

Unfortunately, and conveniently, this demographic challenge is kept from our view, not by an incomplete Constitution, but by a budgeting process that discourages long-term planning. The balanced budget amendment tells us what happens over 7 years. A 7-year span is completely inadequate when the most difficult budget decisions we need to make deal with problems we will face 20, 25, and 30 years down the road, when the aging of our population propels entitlement spending out of control. The most important recommendation of the Bipartisan Commission on Entitlement and Tax Reform was that we begin to look at the impact of budgets over 30 years rather than just 5 or 7. The reason is that our country looks very different, and our current budgets look very different, when viewed over that span.

We can see the trend even in the short term. Entitlement programs—which includes Social Security, Medicare, Medicaid, and Federal retirement—consume 66 percent of the budget this year. By 2002, it will be 73 percent. By 2005, the number is 78 percent. Those numbers are straight from CBO, and if we project further, Mr. President, we see that by 2012, mandatory spending and interest on the national debt will consume every dollar we collect in taxes. By 2013, we will be forced to begin dipping into the surplus in the Social Security trust fund to cover benefit payments, a practice that will go on for no more than 16 years before the trust fund goes into the red.

These trends have nothing to do with the Constitution, political will or pork-

barrel politics. They have to do with the simple fact that our elderly population is growing and living longer while our work force gets smaller. My generation did not have as many children as our parents expected, and, as a consequence, the system under which each generation of workers supports the preceding generation of retirees simply will not hold up.

Indeed, long-term entitlement reform coupled with a reasonable reduction in discretionary spending—including defense—would reduce interest rates dramatically and achieve the goal of this amendment without tampering with the Constitution.

The result is sometimes described as a question of fairness between generations. Today there are roughly five workers paying taxes to support the benefits of each retiree. When my generation retires there will be fewer than three. Unless we take action now, the choice we force upon our children will be excruciating: Continue to fund benefits at current levels by radically raising taxes on the working population or slash benefits dramatically.

Finally, I hope we keep our eyes on a larger prize than blind reverence to the idea of a balanced budget. Our goal should, in my view, be economic prosperity. I support deficit reduction as a means to that end. Deficit reduction is important not as an abstract ideal but as an economic imperative.

I believe in balancing the budget because it is the most powerful way to increase national savings. And increased national savings will lead to increased national productivity, which in turn will lead to higher standards of living for the American family. There is no short-cut to savings and no substitute that will get results. Increased national savings mean lower long-term interest rates and increased job growth in the private sector.

The balanced budget amendment assumes that a balanced budget is always the best economic policy. A balanced budget is usually the best economic strategy, Mr. President, but it is by no means always the best economic strategy. Downward turns in the economy complicate the picture. Downward turns result in lower revenues and higher spending, so there will be times—although very few of them—when a strict requirement for a balanced budget harms the economy by requiring the collection of more taxes to cover more spending in an economic environment which makes revenue collection more difficult in the first place. As I say, I believe those times are few and far between, but the Constitution is too blunt an instrument to distinguish between good times and bad. The American people hired us to do that job, not to cede it to a legal document that cannot assess the evolving needs of our economy.

As my friend and colleague the ranking member of the Finance Committee Senator MOYNIHAN has often said, "We do not need to put algebra into the Constitution." Mr. President, I could not agree more.

The bottom line for me is whether this amendment moves us toward achieving the correct goals and whether, if it does, we need to amend the Constitution to get there.

I believe a balanced budget is an important goal, but only as a component of an overall economic goal with a strategy that recognizes that skyrocketing entitlement spending is the most serious fiscal challenge we face. But I also believe that once we set those goals we can achieve them by statute or, more importantly, by changing our own behavior rather than changing the Constitution. And my respect for this document precludes me from voting to tamper with it when I am not convinced that we must. This proposal for a 28th amendment does not command from me the same reverence in which I hold the 1st amendment, or the 13th or the 19th. And therefore, Mr. President, while I will continue to fight for its admirable goal, I will vote "no" on the balanced budget amendment.

The PRESIDING OFFICER. Under the previous order, the Democratic leader is recognized.

Mr. DASCHLE. Thank you, Mr. President.

Mr. President, I have a chart here that shows, as graphically as anything can, the number of times that our Republican colleagues have proposed in this Congress to change the U.S. Constitution. Not since the Bill of Rights have so many amendments been proposed all at once. No wonder the rumors of rumblings from gravesites from Monticello to Mount Vernon have been heard during this Congress. There are those who appear to believe that they know better than our Founding Fathers how our Constitution should be structured. They now advocate altering the U.S. Constitution not once or twice, but, as this chart shows, in 83 different ways. There were 83 amendments proposed by our Republican colleagues in this Congress to the U.S. Constitution. One has to wonder, Mr. President, whether or not there are those in this body, and in the other body, who believe they know better, and that somehow they are in a better position than our Founding Fathers to determine the advisability of changes in the Constitution to this degree.

I am not averse to constitutional amendments. I have supported some in the past. But before we do so, the first question we must ask is, is it necessary? We have had debates on the Senate floor in this Congress on whether or not to amend the Constitution to provide for protection of a flag. There are those who propose amendments that would somehow require the ability for public prayer in schools. In those cases, and in many others, I, as well as many of my colleagues, have concluded that indeed it is not in our best interest, that the Founding Fathers were correct that the first amendment rights need to be protected. We have shown the wisdom on those occasions to defeat proposals to amend the Constitution, as our forefathers would have.

We did not need a constitutional amendment 4 years ago, Mr. President, when this administration came to Washington, and the President decided—rather than talking about it, rather than constitutional amendments, rather than more proposals to modify the budget and bring this Government into balance—"I am going to do something about it." Indeed, he saw the need to do something about it.

Everyone recalls that, in 1992, the deficit was $290 billion. In the first year in office in 1993, this administration, working with the Democratic Congress, Mr. President, reduced that deficit to $255 billion. In 1993, how well I remember the vote taken on this floor with virtually everybody in their chair, one-by-one, standing up, in one of the most courageous acts of deficit reduction since I have been here, and voting for a plan cut the deficit. That plan covered not just 1 year or 2 years, but 5 years of massive deficit reduction. And it passed by one vote.

As a result, the deficit in 1994 then fell to $203 billion. Last year, in 1995, we did some more, and the deficits fell, not surprisingly, as a result of that action, to $164 billion. Now, this year, we mark 4 years in a row of meaningful deficit reduction. With some courageous votes and real determination, the deficit is expected to fall to $130 billion. That is the record over the last 4 years—from $292 billion to $130 billion.

For the first time since Harry Truman sat in the White House, the deficit has declined for 4 years in a row. The deficit has been cut in less than half since President Clinton took office.

That is the difference, Mr. President, between rhetoric and results. The only way that these results can continue, the only real way in the short-term that we can build on that record is with an negotiated agreement that balanced the budget by 2002.

A constitutional amendment, under the best of circumstances, is going to take several years to ratify. Who in this body would argue today that we ought to wait that long before we continue further efforts at deficit reduction? We all know we cannot afford to wait. The President realizes that and, for that reason, has held out an open invitation for Republican leadership to join with Democratic leadership and this White House to build on the record of the last 4 years, to take that $130 billion down to zero, and to do it now. We can do it. We need to do it. But if that

is going to happen, we must, in a bipartisan way, come together, resolve our differences, and put this country on the track to ultimate success. Not only are we not negotiating, Mr. President, not only may we miss that opportunity to balance the budget, but the very same threats that we faced in the early eighties are back with us again. I can hear them now. The political rhetoric is there. The same threats to the budget are as evident now as they were back then, 15 years ago.

In the 1980's, proposals for dramatic increases in star wars spending and dramatic cuts in taxes became more than just political rhetoric. They became reality. We were told we could do all of that without exploding the deficit. I remember how clearly, how persuasively the President at the time indicated that it indeed was possible. Well, now the reality is here. We are faced with the consequences. And $5 trillion in debt later, some of us have learned, as we should have known back then, that if we follow that path, it will not be $5 trillion in debt. Heavens knows, it could go $10, $15, or $20 trillion.

How ironic that similar proposals to those that created massive deficits in the 1980's are now again dominating the Republican rhetoric—the $60 billion Defend America Act, and tax cuts ranging from $600 billion to $700 billion. The supply-side experiments of 1981 that created massive deficits are once again the centerpiece of the Republican agenda. To contend with such budget-busting proposals while debating the balanced budget amendment makes one wonder if we are facing historical blindness or gross hypocrisy. So let us recognize, if their fiscally irresponsible proposals come to fruition, we will be right back here all over again with yet more need for courageous action, to take this into our hands and to resolve it once and for all. We cannot afford that kind of rhetoric. We cannot afford those starry-eyed proposals if we are serious about accomplishing what we are debating today, balancing the budget.

Mr. President, having the realization that indeed building upon our 4-year record of deficit reduction is so important, it still begs the question, is an amendment necessary? Do we see it in our long-term best interests to amend the Constitution, to recognize that somewhere on this list may be an amendment that warrants our support? My answer to that question is yes. Beyond building upon the record that we have achieved, beyond the courageous work we have already done, my view is if the amendment is written properly, I support a constitutional amendment to balance the budget. In fact, I voted for such a properly crafted amendment last year during the previous debate on the balanced budget amendment, and I hope to vote for it again today.

But we must also realize that once it is part of the Constitution, there is no going back. We are not likely to change a clause or a phrase next year or the year after. That is not going to happen. Many Senate Democrats have offered a proposal which, in our view, does it right. Our alternative recognizes very important principles of constitutional law, but also recognizes the commitments on Social Security that we have made in statute and to the American people for generations.

Doing it right in this case recognizes the importance of protecting Social Security. Our amendment, which has been introduced this year by the Senator from Oregon, Senator WYDEN, proposes a firewall between Social Security and the rest of the budget. It is identical to an amendment crafted last year by the Senator from California, Senator FEINSTEIN, and the Senator from Nevada, Senator REID. Were it to be considered today, more than enough Senators would support it in order for it to pass.

In 1990, Mr. President, we made ourselves very clear on this issue by a vote of 98 to 2. This body voted for an amendment by Senator HOLLINGS to take Social Security off budget. Why did we do that? We did it because we realized that Social Security has become a sacred trust; that that trust fund is going to be drawn down in the not too distant future, and we are going to need every dollar of it. We recognize that. So we said we are going to build a firewall. We are going to make absolutely certain that when we need that money, it is going to there. The program is financed by dedicated payroll taxes that were not to be raided to pay for general Government expenditures.

Mr. President, the pending version of the constitutional amendment breaks that promise. It breaks it. According to CBO's December baseline, the pending amendment anticipates using $603 billion in Social Security trust fund dollars over the next 7 years to reach balance. This year alone, it anticipates $71 billion borrowed from the trust fund. In the year 2002, as we proclaim a balanced budget, the fact remains that there will be $103 billion anticipated in Social Security trust fund surpluses that will be counted toward that balance, so we will actually be $103 billion in debt to future retirees.

So, Mr. President, we are violating public trust, and, in my view, we are actually overturning the law laid out on a 98 to 2 vote on the amendment passed in the Senate offered by Senator HOLLINGS.

This means continued reliance on payroll taxes to fund the Government, as well. Social Security, as everyone knows, is funded by a 12.4-percent payroll tax. It only applies to the first $62,700 of income. As a result, this tax can be seen as regressive since it falls heavily on lower- and middle-income taxpayers. In fact, 58 percent of our taxpayers pay more in payroll tax than they do in income tax. We cannot allow funding of our Government by these working people, and we cannot allow the continued abuse of the Social Security payroll taxes. We should not fund the Government in large measure by a payroll tax which is regressive, the revenues from which are intended to be set aside in the Social Security trust funds for the needs of all beneficiaries.

Mr. President, we have a choice this morning. We have a real choice. We have the opportunity to build on the record of the last 4 years, to resolve to deal directly with our differences on budget priorities, and to build a balanced budget agreement in a way that will achieve a balanced budget by 2002. We can do that.

We also have an opportunity to build the next step, to pass an amendment that allows us to do it right, to pass an amendment that maintains a firewall between Social Security and the rest of the budget. The Constitution must recognize the critical, absolute dependence that we will have on Social Security trust funds in the future, and must recognize the meaning of a real balanced budget without the use of Social Security trust funds. It must recognize, too, our appreciation of the trust of the American people. That is our choice. We can do it right or, once again, we can violate that trust. We can do it in a way that I believe undermines the credibility of this Constitution and what it was meant to do when our Founding Fathers wrote it 200 years ago.

We are not going to pass 83 constitutional amendments. We should not pass even one if it is not written correctly. We have the opportunity this morning, Mr. President, to approve an amendment that is properly crafted. The Senator from Oregon will seek unanimous consent that the Senate today vote upon his thoughtful alternative that accomplishes all of the goals of the amendment before us, without enshrining abuse of the Social Security trust funds in the Constitution.

I now yield to the distinguished Senator from Oregon, Senator WYDEN.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I thank the minority leader for yielding me this time.

I take this time to say that I think this is an historic opportunity for the Senate to get this job done right, to get this job done on a bipartisan basis. I do not think anyone doubts how this vote on the majority leader's proposal is going to turn out, today.

I believe we could have an alternative ending, however, that would benefit the American people, that would ensure that we get real fiscal discipline, and at the same time provide long-term security for generations

of Americans to come. That is why I am hopeful that today we will have an opportunity to vote on a measure that is identical to that offered by the majority leader save for one difference. The alternative constitutional amendment to balance the budget would simply bar the use of the Social Security surplus or Social Security taxes for balancing the Federal budget.

Mr. President, and colleagues, it is clear that both political parties—let me emphasize—both political parties have in the past used that Social Security surplus to mask the overall Federal deficit. I think that has to end. I think that the amendment, the alternative described today, would give us an opportunity on a bipartisan basis to tackle this issue responsibly and end it once and for all. It is time to close this road show and give the people what they want. Our proposal would provide that opportunity.

Some of my colleagues apparently believe that you cannot balance the Federal budget without cooking the books. They have been trying to highlight various kinds of defects that they allege exist in our measure. I do not think the American people benefit from all of this. I do not think that the country benefits from this. The country benefits from an approach that forces both political parties to keep straight books, to get rid of the accounting fiction, and to make the tough calls with respect to both the Federal budget and the Social Security program.

Therefore, Mr. President, I rise now to ask unanimous consent that immediately following the vote on House Joint Resolution 1, the Senate proceed to the consideration of Senate Joint Resolution 54, a balanced budget constitutional amendment that protects Social Security, and that the joint resolution be read a third time, and at the end of that the Senate proceed without any intervening action or debate on passage of that joint resolution.

The PRESIDING OFFICER. Is there objection?

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I object—at least I reserve the right to object. I will make a comment to my friend and colleague from Oregon. Let me ask a question.

The essence of the unanimous-consent request is that he wants to have placed before the Senate by unanimous consent a constitutional amendment to balance the budget with an exception saying we are not going to count Social Security—Social Security taxes do not count, Social Security spending does not count, Social Security balances do not count—and the Senator wants to have that placed before the Senate without amendment, without discussion, and for a vote. Is that correct?

Mr. WYDEN. If the Senator will yield, the Senate prior to my coming here has debated and voted on this proposition, last year. In fact, in 1995, there were more than 80 votes on a motion asking the Budget Committee to refashion the leader's amendment to include Social Security protection. This is not a new issue to the U.S. Senate. More than 80 Members of the Senate, on a bipartisan basis, have voted for the alternative that I would like to offer in the form of a constitutional amendment, today.

Mr. NICKLES. Mr. President, I am not sure I got an answer, but I think I was correct in stating that the Senator's request—he would like to offer that.

I object. I object on the grounds—because Social Security taxes are taxes. Social Security outlays are spending. Constitutionality, in my opinion, should not be confused by what I would say is maybe an attempt to obstruct or maybe give political coverage for people who are not supporting a real constitutional amendment which says all revenues and all expenditures, and you cannot spend more than is received.

I object. I respectfully object.

The PRESIDING OFFICER. The Senator from Oregon has 1 minute remaining.

Mr. WYDEN. Mr. President, I will only say that the Senate on a bipartisan basis is formally on record with more than 80 Senators in support of this proposition. We have a choice, as the minority leader has said. We can let this go down once more or we can have a vote on a proposal that I offer to my colleagues that will impose real fiscal discipline and at the same time assure that Social Security is protected for both workers and retirees in the days ahead.

Mr. President, I yield the floor.

Mr. HATCH addressed the Chair.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. I ask for 30 seconds from the leader's time.

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

Mr. HATCH. Mr. President, we have never had a balanced budget amendment up where 80 percent of the Senators voted for this type of amendment. At the last minute to have an amendment like that literally creates a complete dislocation in the whole budget process. It would be highly unusual and we believe improper.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I ask unanimous consent that I might use not to exceed 2 minutes of the time allocated to Senator DOLE and that I might include in the RECORD certain documentation.

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

Mr. WARNER. Mr. President, I have participated before in these amendments, and have supported them throughout my career in the Senate. A balanced budget is essential for the United States. And each time I go back and bring to the attention of the Senate a resolution—this one is Senate Resolution 38—by my distinguished former colleague and senior Senator from Virginia, Harry F. Byrd. Each year he would bring before this body, and we would pass, a resolution which said, in effect, Congress shall assure that the total outlays of the Government during any fiscal year do not exceed total receipts for the Government during such fiscal year.

That is the essence of a balanced budget. Each year we passed this resolution. Each year it became law. And my distinguished colleague from South Carolina is nodding assent to that fact.

And what happened? What Congress does one day it can undo the next, and this resolution became worthless each year.

Mr. President, that is why we have to go to the Constitution of the United States to bring about the discipline required to compel the Congress of the United States to have a balanced budget. The laws that we pass—and we did I think eight times pass Senator Byrd's resolution—are undone the next day.

So we have no other recourse than to turn to the constitutional amendment and send it to the several States and allow the people all across this Nation to support the concept of amending the Constitution of the United States to bring about fiscal discipline which this body requires.

Mr. President today we are on the floor of the U.S. Senate with an opportunity to perform an historical act before the 104th Congress concludes later this year. Today, we are on the verge of ensuring that our Nation will have a balanced budget, free of any sleight of hand, as our majority leader prepares to depart. The Republicans have been working toward this end for years, and we must continue to stay firm on our mission.

As we have seen over the past 6 months, America's financial markets are showing their support for the Republican effort toward a balanced budget. If we are successful on this vote today, there will be another strong reaction on Wall Street. Wall Street reflects the views of millions of investors in America's future.

It is not only the investors in America's future that are behind us, but also Americans—in every walk of life—throughout this Nation. My phone lines have been busy, and in my State of Virginia, the calls have been overwhelmingly in support of our staying the course and finally balancing our Federal budget. The balanced budget constitutional amendment is supported by 83 percent of Americans, according

to a poll published in a recent edition of USA Today. This proposed constitutional amendment, which passed the House by a 300–132 vote in January 1995, will enable all Americans, through their State legislature, to participate in the most important long-term decision facing us today.

Anything less than 67 votes would be failure, and an abdication of our responsibilities to those voters who gave this Congress a mandate to clean up our fiscal house. This is not a political issue, although there are those who would make it so. This is for our children, grandchildren and their heirs.

When the Senate voted March, 1995, and fell only one vote short, the majority leader said, at that time, that we would have another chance to give the American people what they want. Now is the opportunity for which we have been waiting. This Congress has a remarkable opportunity. We can take action that will benefit generations to come with the balanced budget amendment. It is our mission today, and it will become our legacy tomorrow.

When the final balanced budget constitutional amendment is passed, both Republicans and Democrats will have participated in the reaffirmation of the future of America. I am confident that today will prove to be that reaffirmation and I wholeheartedly support this resolution.

Mr. President, I ask unanimous consent that the text of Senate Joint Resolution 38 be printed in the RECORD.

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

S.J. RES. 38

(96th Congress)

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid for all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within three years after its submission to the States for ratification:

"ARTICLE —

"SECTION 1. In exercising its powers under article I of the Constitution, and in particular its powers to lay and collect taxes, duties, imposts, and excises and to enact laws making appropriations, the Congress shall assure that the total outlays of the Government during any fiscal year do not exceed the total receipts of the Government during such fiscal year.

"SEC. 2. During the fiscal year beginning after the ratification of this article, the total outlays of the Government, not including any outlays for the redemption of bonds, notes, or other obligations of the United States, shall not exceed total receipts, not including receipts derived from the issuance of bonds, notes, or other obligations of the United States

"SEC. 3. In the case of a national emergency, Congress may determine by a concurrent resolution agreed to by a rollcall vote of two-thirds of all the Members of each House of Congress, that total outlays may exceed total receipts.

"SEC. 4. The Congress shall have power to enforce this article by appropriate legislation."

Mr. HATCH. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The majority leader.

Mr. HATCH. I withdraw it.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. DOLE. March 2, 1995 was the last time we were all here talking about the balanced budget amendment. It was a very historic vote. We fell one vote short. And so we might reconsider that vote I changed my vote to "no" and entered a motion to reconsider.

That is what we are now doing. And I might confess that I thought—when I first thought about bringing this vote up, I thought I had to be here to do that; that when I left, it could not be brought up again. But the Parliamentarian properly advised me that once the motion is entered anybody can call it up. So I can say to my colleagues when I made my resignation statement, I was under some little misapprehension about whether or not we could do this.

But in any event, the point is I think it is the appropriate thing to do. There are fundamental differences. I know some are all over the lot on why they cannot vote for this. And some just do not believe it is the right thing to do. I understand that, and I do not question anybody's motives.

We have all talked about a balanced budget, and everybody has one in their hip pocket. But we have not passed any. We have passed ours and I believe we voted on the Democrats. The President vetoed a balanced budget—another reason we need an amendment.

We are working on a balanced budget through the legislative process now. In fact, I hope we can come to some conclusion on that and get it done before the week is out.

There is a lot of talk in politics about children. There should be. They are the future. And what we do here will have a direct impact on children, on their hopes and their aspirations. I think today's vote certainly, talking about children, talking about their future, talking about the opportunities they may have, ties it all together. Just mentioning children does not do much for children. Passing a balanced budget amendment would. We would have a balanced budget. We would see interest rates drop. We would see Government responding not to every special interest group but to the balanced budget amendment where we would have to say, no, we cannot do it. And we would reorder some priorities around here. For all those who make speeches about the children and their future and crime and drugs and all the problems and all the temptations they have, here is an opportunity to stand up for children.

I have believed in this for a long time. Back in 1971 I started to talk about a balanced budget amendment. And they are very difficult to put together. You can always find some reason to oppose it—do not include this, do not include that.

So we will have this vote. We will lose, but we will have made the statement. That is the important thing. You made the statement. It will be back next year.

Mr. President, perhaps no policy is more important to the economic future of all Americans and particularly to the future of our children than a balanced budget. And that's why I believe there may be no more important issue for the U.S. Senate than whether we will finally pass the balanced budget amendment to the Constitution.

We take a lot of historical votes here in the Senate, but the vote on the balanced budget amendment is one of the most important in decades. It is a question of trust. Of whether we trust the people, of whether we trust the Constitution, of whether we trust the States. And most importantly, it is a question of whether future generations of Americans can put their trust in us.

Will we follow the experience of 49 States that are required by law to balance their budgets? Do we trust the people to be able to have the right to ratify this amendment through their State legislatures in the process spelled out by the Constitution?

We had 67 votes then to make it a part of the Constitution, as everybody knows, it has to go to the States and be ratified by three-fourths of the States. A lot of us have talked about returning more power to the States, power to the people. Dust off the 10th amendment, which is 28 words in length, which says in effect, the powers not delegated to the Federal Government by the Constitution nor denied to the States belong to the States and to the people.

So I have confidence in the people of Ohio, the legislators in Kansas, Mississippi, Virginia, Utah, South Carolina, Oregon, North Dakota, wherever. I have confidence in their judgment. So why not give them an opportunity, those who are closer to the people, to make the judgment.

Ultimately, this is a question of our values as a nation. Which do we value more: The fleeting interests of the moment, or our economic futures and destiny.

Last year the House of Representatives passed the balanced budget amendment by a vote of 300 to 132—more than the two-thirds majority required by the Constitution. We then had several long weeks of debate here in the Senate before the amendment narrowly failed on a vote of 65 to 35 on March 2, 1995.

We will shortly have our final vote on the motion to reconsider House Joint Resolution 1. The vote total may not change much today, but this vote is important to place us all on record with the American people on an issue of supreme importance to all Americans. So in a few minutes we will have one last vote—one last chance—to do what's right, and send the balanced budget amendment to the States for ratification.

When we debated the constitutional amendment last year, I quoted Thomas Jefferson, who was so concerned about the ability of Democratic Government to control spending, that in 1789 he wrote:

> The question whether one generation has the right to bind another by the deficit it imposes is a question of such consequence as to place it among the fundamental principles of government. We should consider ourselves unauthorized to saddle posterity with our debts, morally bound to pay them ourselves.

Jefferson's fears of 200 years ago are today's tragic reality. In 1994, the Federal Government spent $203 billion in interest on the national debt—more than it spent on education, job training, public works, and child nutrition combined. In 1994, Americans paid an average of $800 per person in taxes just to service interest on the debt—not to pay off the debt or even to reduce the debt just to pay the interest on the debt.

Some say deficits don't matter. But the fact is that the Federal budget deficit is like a tax hike on working families, and one that binds future generations of Americans exactly as Jefferson had warned.

The deficit drives up interest rates—and not by a little but by a lot. It is a stealth tax that every family with a home, every father and mother with a child in college, every young person who buys a car must pay, and pay, and pay.

What does this stealth tax cost in dollars? Over $36,000 on a typical home mortgage. More than $1,400 on an ordinary student loan. Nearly $700 on a typical car loan.

I know around this place we sometimes fail to understand there are real people out there waiting for us to make responsible decisions. I had an experience the other morning with the distinguished Senator from Virginia, in Virginia, near Richmond. Because of a lack of $65 per month, this young couple and their young daughter, a baby, could not buy the house they wanted. To us, $65 a month is $65 a month. To them, it was a matter of a home. And since the President vetoed the balanced budget, interest rates have risen about one and a quarter percentage points.

So that couple and another young man—we visited his home—he did not get the home he wanted, the one for $119,000. He took the one for $109,000 because of interest rates. So we can make all these great speeches here that we want, but they are real people and they live in the District, they live in our States, where 1 percent of interest rate does make a difference.

We simply cannot continue to mortgage America's future If we continue current tax and spending policies, future generations will be saddled with effective tax rates of more than 80 percent. Failure to stem the flow of red ink from Washington amounts to taxation without representation on our children and grandchildren.

That's why the question before us today is, as Jefferson said, "Of such consequence as to place it among the fundamental principles of government."

I don't think the balanced budget amendment is a partisan issue. Many Democrats voted for the amendment last year and we'd certainly like to have a couple more today.

It is not a partisan issue. I have said this publicly for a long time. The leader of the balanced budget effort that I have known for a long time is the Senator from Illinois, Senator SIMON, who is leaving the Senate. You could vote either way if you are leaving and not worry about it, but he is sticking with principle.

We are not going to change any votes because this is an election year and I happen to be the Republican candidate for President. I respect those on the other side who feel they must reflect the views of the occupant of the White House, the President, on it.

We had several Senators who had voted for this before, six, in fact, who switched their votes on March 2, 1995. In fact, we were counting 70-some votes for the amendment.

Several Senators who changed their votes last year talked about a Social Security firewall. We tried to reach out to those Senators to ensure that Social Security surpluses can never again be used to mask deficit spending. I believed that, after a suitable phase-in, the Federal budget could be balanced without counting the surpluses in the Social Security trust funds.

I still hope that one or two of those six Senators who changed their votes last year can come home again and support the balanced budget amendment as they have in the past.

As I said, the question of whether we saddle posterity with our debts does not divide us along partisan lines—some Democrats have been a part of this effort from the beginning. But the balanced budget amendment is a critical test of whether we are willing to be responsible for our debts, and to be, in Jefferson's phrase, "Morally bound to pay them ourselves."

And here is where the President has lacked leadership—where it matters most. Unlike his predecessors, he has opposed this amendment. The White House lobbied furiously against it and rounded up enough support to defeat the amendment last year by one vote.

But we always can hope. And I am hopeful. If it does not happen today, it will happen maybe later this year. Maybe next year the White House will not lobby against it. Maybe somebody will be there to lobby for it. Maybe we can find the votes, the three or four votes that we need.

It is no small accomplishment that almost all of us in this Chamber now agree that the budget should be balanced by the year 2002. That's a big change since last March. It's not just Republicans saying it now, but all of us—from Republicans to blue dog Democrats to the President. That in itself is good news for America. Since we all agree that it should be done by the year 2002, let's pass the amendment that requires that we do it by the year 2002.

But talk is not enough. President Clinton had an opportunity to demonstrate serious commitment for a balanced budget by urging his Democratic colleagues to support this amendment. Make no mistake: President Clinton's opposition continues to be the single largest obstacle standing in the way of a balanced budget amendment to the Constitution that 83 percent of the American public want.

The Federal budget has not been balanced since 1969. Since that time, Congress has passed no less than seven different laws containing balanced budget requirements.

But despite all the votes, all the speeches, and all the good intentions over the past quarter of a century, the Federal debt has grown each and every year.

Last year we passed the first balanced Federal budget in a generation. But President Clinton vetoed it. The record of the past 25 years is frustratingly clear: We simply cannot rely on statutory changes to get the job done. We need the balanced budget amendment to the Constitution to guarantee that the job gets done.

That's why I first introduced a balanced budget amendment back in 1971. And that's why I know ultimately someday this amendment will pass. Maybe not today. Today those of us who for years have been battling for a balanced budget amendment may feel all too much like that ancient Greek philosopher rolling the heavy rock up the hill just to have it roll back down again.

It is like the line-item veto. It was never going to happen, but it did, thanks to Senator MCCAIN and COATS and others on the other side of the aisle.

But this issue is the right one for America. And one day the balanced budget amendment to the Constitution will be passed in accordance with the wishes of the overwhelming majority of Americans. As for today, at least every

American will know exactly where each and every one of us stands on the issue, and every American will know exactly where President Clinton stands on the issue.

In a few moments, Mr. President, we will have one last vote on whether we can finally pass the balanced budget amendment and send it to the States for ratification. Remember, no single action here in the U.S. Senate is the end of the line.

The final decision about whether or not the balanced budget amendment will go into effect rests with those outside Washington. The Founding Fathers decided to give the ultimate authority over constitutional amendments to those who are closest to the people—the men and women who serve in State houses around the country.

Let's trust the States and put our faith in the American people. Let's go through the constitutional process that our Founding Fathers so wisely set up. There's a word for that process. And that word is democracy.

Passing the balanced budget amendment is the singlemost important thing we can do to ensure that Nation's economic security and to protect the American dream for our children and grandchildren.

In this vote we address the fundamental principles of government, and we should, each of us, consider ourselves bound by Jefferson's admonition to be mindful of posterity, and discharge our moral debt to future generations of Americans.

The PRESIDING OFFICER. Under the previous order, the hour of 12 noon having arrived, the Senate will now proceed to vote on the passage of House Joint Resolution 1. The question is, Shall the joint resolution, as amended, pass? The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Rhode Island [Mr. PELL] is necessarily absent.

I further announce that, if present and voting, the Senator from Rhode Island [Mr. PELL] would vote "no."

The PRESIDING OFFICER (Mr. ASHCROFT). Are there any other Senators in the chamber desiring to vote?

The yeas and nays resulted—yeas 64, nays 35, as follows:

[Rollcall Vote No. 158 Leg.]

YEAS—64

Abraham	Coverdell	Hatch
Ashcroft	Craig	Heflin
Baucus	D'Amato	Helms
Bennett	DeWine	Hutchison
Biden	Dole	Inhofe
Bond	Domenici	Jeffords
Breaux	Faircloth	Kassebaum
Brown	Frist	Kempthorne
Bryan	Gorton	Kohl
Burns	Graham	Kyl
Campbell	Gramm	Lott
Chafee	Grams	Lugar
Coats	Grassley	Mack
Cochran	Gregg	McCain
Cohen	Harkin	McConnell
Moseley-Braun	Santorum	Stevens
Murkowski	Shelby	Thomas
Nickles	Simon	Thompson
Nunn	Simpson	Thurmond
Pressler	Smith	Warner
Robb	Snowe	
Roth	Specter	

NAYS—35

Akaka	Feinstein	Levin
Bingaman	Ford	Lieberman
Boxer	Glenn	Mikulski
Bradley	Hatfield	Moynihan
Bumpers	Hollings	Murray
Byrd	Inouye	Pryor
Conrad	Johnston	Reid
Daschle	Kennedy	Rockefeller
Dodd	Kerrey	Sarbanes
Dorgan	Kerry	Wellstone
Exon	Lautenberg	Wyden
Feingold	Leahy	

NOT VOTING—1

Pell

The PRESIDING OFFICER. On this vote, the yeas are 64, the nays 35.

Two-thirds of the Senators voting, a quorum being present, not having voted in the affirmative, the joint resolution fails of passage.

Mr. HATCH addressed the Chair.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, we knew this was a foregone conclusion. I just have to say that today the liberal politicians have won again, and the American people have lost. We knew that was going to happen. We had no illusions about it. But it is simply amazing to me that, yesterday, some on the other side spent time attacking Senator DOLE, who sincerely has brought this amendment to the floor on a number of occasions. The only time it has ever been brought to the floor with a real chance of passing is when Republicans were in the majority of the U.S. Senate.

But what happened here is that some have tried to use this critical, historical debate, which will affect the future of our very children and grandchildren, for political ends and personal gain. I feel badly about that. Some have used the phony excuse of protecting Social Security. Those protectors have now left Social Security and all of our security open to the mercy of the big spenders.

Look at the current problems we face with Medicare. We said, a few years back, that we had to do something to fix it. Really, there has been little or no effort by this administration to do it. We told them Medicare was going broke. They laughed. Now their people have confirmed that we were right and they were wrong.

So when is the charade going to stop? When are the American people going to realize that the balanced budget amendment was defeated today because there are taxers and spenders here who do not want to be fiscally responsible? They won the day, and the American people, our children, and our grandchildren have lost.

Mr. President, I feel badly that we have lost this today. Knowing that we were going to, it has been somewhat philosophically accepted. But the fact is, it is not going to go away. We are going to have to put fiscal discipline into the Constitution if we ever want to get the spending practices under control. All Republicans but one voted for the amendment, and we had 12 Democrats vote for the amendment. I am personally grateful for those 12 Democrats who stood up and voted for this amendment. It means a lot to me personally, but I think it means more to the country. I hope that in the future we will get more on that side. This is the last chance to really keep America on sound fiscal footing.

DIFFERENCES IN JUDICIAL PHILOSOPHY

Mr. HATCH. Mr. President, I want to talk about another matter very near and dear to my heart. For some time now, I have been discussing the differences in judicial philosophy between the judges selected by Republican Presidents and the Presidents from the other side of the aisle. These differences can have real and profound consequences for the safety of Americans and their neighborhoods, homes, and workplaces. These differences, I might add, have serious consequences.

During these various speeches that I have given, I called attention to certain Clinton judges who have long track records of being soft-on-crime, liberal activists. One of these judges is Judge H. Lee Sarokin, a Clinton appointee to the U.S. Court of Appeals for the Third Circuit. Judge Sarokin has displayed an undue and excessive sympathy for criminals and is too willing to impose his own moral beliefs onto the law and onto our communities.

Judge Sarokin is the judge, this body may recall, who, before he was elevated by President Clinton to the third circuit, ruled that a homeless man could not be barred from a public library because of his body odor even though it was offending everybody in the library.

Judge Sarokin also issued several other activist decisions as a district judge, including some released convicted murderers from jail. I opposed his elevation to the third circuit because I believed he would continue his own special brand of judicial activism. My prediction has been proven true time and time again as Judge Sarokin voted to aggressively expand double jeopardy and to overturn several murderers' convictions.

This week Judge Sarokin informed President Clinton that he will retire at the end of July after 22 months as a circuit court of appeals judge. Judge Sarokin claimed that he was retiring because of the criticism that I and others have made against his activist decisions.

In his letter he wrote that he and others on the judiciary were being

"Willy Hortonized." He went on to write, "I regret that there are those who are willing to sacrifice my life's work and reputation for their own political gain." Judge Sarokin also claimed that he "had intended to remain on the court so long as I was fiscally and mentally able. But the constant politicization of my tenure has made that lifetime dream impossible for me."

Give me a break. Mr. President, Judge Sarokin has illustrated once again his failure to appreciate the proper role of a judge. As a sitting judge he has issued a partisan political screed. But the partisanship of Judge Sarokin's letter is also illustrated by what the judge fails to mention. As early as March 4, 1996, this year, it was reported that Judge Sarokin wished to take senior status and that he wanted to move to California so that he could be near his family. Yet this fact is not mentioned by the judge in his letter to President Clinton. According to a March 4 article in the New Jersey Law Journal "Sarokin confirmed through a secretary that he will take senior status effective September 1st." This article appeared long before my March 29 floor speech which called attention to Judge Sarokin's activism on the third circuit. In fact, in my speech, I mentioned the judge's plan to step down because it had already been announced and articulated. Essentially, Judge Sarokin had hoped that he could take senior status which would have reduced his workload to 25 percent of an active judge's caseload and move his chambers to California—In other words, from the third circuit on the east coast to California on the west coast.

In other words, Judge Sarokin wanted quasi-retirement in California, the State of his choice. Unfortunately for Judge Sarokin, his colleagues on the third circuit were not thrilled with his early retirement plans, and on the 22d unanimously voted to deny Sarokin's request to move his chambers to California.

I take that out of the Recorder of May 6, 1996.

As one unnamed colleague on the court told a reporter, "It took a lot of chutzpah for him to leave after only 22 months on the bench." Boy, do I agree with that statement. Former law clerks and colleagues told the press that prior to the third circuit's decision Sarokin had already sold his home in New Jersey—in short, prior to his stirring announcement Judge Sarokin wanted to reduce his workload and was intent on moving to California. Yet, Judge Sarokin failed to make any reference to this episode or these matters in his letter to President Clinton. In fact, Judge Sarokin had the nerve to say that he "had intended to remain on the court so long as he was physically and mentally able." Bear in mind his request to take senior status had been denied just 6 weeks ago. Perhaps Judge Sarokin thought he could escape scrutiny for this obvious lack of forthrightness.

Judge Sarokin's letter, its assertions as well as its omissions, demonstrates how some view Federal judges as philosopher-kings whose decisions and prevarications should never be challenged. I personally do not hold this view, and I do not think anybody in this body does.

I have no ill feelings for Judge Sarokin personally, and I wish him much happiness in his retirement. But it should be pointed out that he served darned little time on the third circuit Court of Appeals, and will receive higher retirement because he went from the district court to the Third Circuit Court of Appeals. And we went through an awful situation as he was elevated to that court. Mr. President, but I do not wish him any harm, and I wish him happiness in his retirement. But what is far more important at this point is not Judge Sarokin's retirement but who will replace him.

The American people will decide this fall who will be our President, and along with that choice comes the choice of the President's judges. The choice this fall will be between judges who will be tough on crime and judges who are softer on crime, judges who will apply the law and not legislate from the bench, or judges like Lee Sarokin who have been activists from the day they got on the bench.

Mr. President, I just want to mention one other thing. This week there was the very important argument in the Supreme Court by the President's Solicitor——

I ask that we have order. This is very important.

The PRESIDING OFFICER. The Senate will be in order.

The Senator from Utah.

Mr. HATCH. This argument before the Supreme Court was made by the President's Solicitor General, who I know was pushed into this position by others who apparently have enough power in the Solicitor General's Office beneath him to force him into this untenable situation.

No sooner—in a little over a month—after enacting the antiterrorism bill, with clearly the most part of that bill being habeas corpus reform, the Solicitor General walks into the Supreme Court and undermines that very reform, with an argument that would create a tremendous loophole, by hoping to convince the Supreme Court that they can ignore Marbury versus Madison and grant themselves jurisdiction that the Constitution does not grant and neither does the Congress. And, frankly, I could not believe it when I heard the Solicitor General make the argument that he did. I feel badly that I did not argue for our side in Court but I just did not want to have it look like I was grandstanding, or something like that.

The fact of the matter is that, if the Solicitor General's position is accepted, there will be a direct appeal to the Supreme Court mentioned nowhere in the Constitution, nowhere in statutory law because we are not allowed under Marbury versus Madison to expand the jurisdiction of the Supreme Court, or to detract from it. I will surprised if the Supreme Court grants that. But there was not an effective argument in my opinion against that position in the Supreme Court even though the law is pretty clear. The Constitution is clear. That Marbury versus Madison, the all-time most important, or at least one of the most important, Supreme Court cases is pretty clear. The result and the effect of that argument by the Solicitor General was that the Solicitor General sided with the convicted murderer in that case, who is now 13 years in prison after he was condemned to death but through multiple habeas corpus appeals to the Court, and there is basically no reason to believe that he is not the murderer, has avoided his sentence. Naturally, every one of these murderers claim—not every one, but a great many of them claim—they never did it. But the facts bespeak otherwise.

It was really something to watch the Solicitor General in there arguing on behalf of the convicted murderer who has 13 years on death row and multiple appeals. This is precisely what the President told me he wanted to end, and I did end it while still protecting their constitutional rights and giving them a direct appeal all the way up to through the State courts, a collateral habeas corpus appeal all the way up through the States courts, both of them all the way to the Supreme Court, and then a full right to take a separate Federal habeas corpus appeal all the way up to the Supreme Court, and then a protective right by a three-judge circuit court of appeals panel, if they have newly discovered evidence that could not otherwise have been recently uncovered, or there is some retroactive opinion of the court that applies. That is what bothers me.

So who picks these judges and who picks these Solicitor Generals? Who picks leadership in anticrime in this next Presidential race is extremely important. I do not think you need a better example than Lee Sarokin in this country today to show the importance of that particular choice to all Americans, nor do I think you need a better prime example than the Supreme Court argument of this administration and this Solicitor General before the Supreme Court this last week.

Mr. President, I yield the floor.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The Senator from Mississippi.

UNANIMOUS CONSENT REQUESTS—H.R. 3103 AND S. 1028

Mr. LOTT. Mr. President, I seek recognition to propound a unanimous-consent request momentarily. I know the distinguished Democratic leader is here to respond. But I would like to just make some comments about why we are doing this now and what we hope for.

First of all, this is with regard to the health insurance reform legislation that passed the Senate by a vote of 100 to 0 on May 23, 2 full weeks ago today, and yet we have not been able to appoint conferees. Now, we all know that conference activities have been underway. There has been communication from both sides of the aisle, on both sides of the Capitol, and I had the impression yesterday morning that great progress had been made, that maybe we were close to an agreement on what would be in the conference report that would come out with regard to health insurance reform.

But as a matter of fact, apparently that agreement has not been reached. I understand that perhaps the Senator from Massachusetts has had a press conference within the last couple of hours being very critical of what has transpired with regard to this issue, particularly as it applies to the medical savings accounts.

Conferences are where people give and take. Quite often you get part of what you wanted, not all of what you wanted, but I had the impression that concessions had been made or indicated from the Senate that were positive and from the House and that we were very close to an agreement, and yet it does not seem to have occurred. Yet we still have not been able to get an agreement to actually have conferees appointed.

I do not understand that. I thought that once you pass a bill, you communicate across the aisle and you appoint conferees, go to conference, and they do the job. What has been suggested by the distinguished majority leader is we have conferees appointed, appropriate ones after consultation with the Democratic leadership, from the Education and Labor Committee and from the Finance Committee, all those general matters within the jurisdiction of the Finance Committee, and also from the Judiciary Committee since in the House they were going to have Judiciary Committee conferees with regard to medical malpractice.

If we could surely agree on conferees and get the real conference underway, I think everybody would like to see this issue agreed upon and resolved here in the next few days, hopefully.

So I ask unanimous consent, Mr. President, that notwithstanding the receipt of the message from the House regarding the appointment of conferees with respect to H.R. 3103, the Senate insist on its amendment to H.R. 3103, the Senate agree to a conference with the House, and the Chair be authorized to appoint conferees on the part of the Senate.

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER. Is there objection.

Mr. DASCHLE. Reserving the right to object, I share the view expressed by the distinguished majority whip. There is no reason why we cannot resolve this matter. It was passed 100 to 0 on a bipartisan basis. Unanimously, this Senate said this legislation should be passed.

Mr. President, that was over a month ago now. There is no reason why in a month's time we could not have negotiated successfully the differences with the House. That is all this has been about, finding a way with which to resolve our differences.

Now, I might tell the distinguished majority whip that it has been of increasing concern to us that as these negotiations are going on, Democrats have been excluded from the real conferencing and the negotiations as they have gone on, and we do not understand why that would have to be, why we cannot have bipartisan cooperation and consideration of the problems that we are facing in both versions of the bill.

To be locked out, in our view, is unacceptable. We also recognize—and I know that the distinguished majority whip recognizes as well—that as you negotiate a conference with representatives for that conference, there has to be some accommodation on both sides of the aisle with regard to the numerical representation as well as the committee representation. He knows very well that in this case that has not been done. So we have not been able to come to some resolution with regard to this representation in the conference and so have been relegated to these negotiations that have been ongoing.

We were told as late as yesterday that progress was being made, and it was for that reason I withheld offering a unanimous-consent agreement that I, frankly, believe we ought to put on record. There is no reason why we cannot restate the unanimity which we feel about this legislation.

So having reserved the right to object, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 1028, the Kassebaum-Kennedy health care portability bill, the language of which was passed by the Senate on April 23 by a unanimous vote, that the bill be read a third time and passed, and the motion to reconsider be laid on the table.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. Is there objection?

Mr. LOTT. I object to that request.

The PRESIDING OFFICER. Objection is heard.

Mr. LOTT. If I could respond before Senator DASCHLE has an opportunity to respond to my unanimous consent, I have two points.

First, I want the record to be clear that a vote actually did occur on April 23, not May 23, so it has been well over a month since that action occurred.

As to having Democrats involved in the negotiations, I believe that they have been involved in talking back and forth, but the reason why they have not been formally involved is because we have not been able to get an agreement to appoint conferees. That is the way it works. You appoint conferees and the conferees meet, Republicans, Democrats, House, Senate. That is the way to get an active, direct, normal, formal conference underway. Let us appoint conferees. Let them meet this afternoon and pass this thing out and then we can move it forward. We would love to have Senator KENNEDY, Senator PELL, Senator MOYNIHAN, Senator BIDEN, or a different mix of Democrats on behalf of the Senate in a formal conference meeting with the House, and that is why we are trying to seek this unanimous-consent request at this time.

Mr. DASCHLE. Mr. President, again——

The PRESIDING OFFICER. The Chair understands that objection was heard to the unanimous-consent request of the minority leader. Unanimous consent was not agreed to on the request of the Senator from Mississippi.

Mr. DASCHLE. Mr. President, again reserving the right to object, I yielded for purposes of response on the part of the distinguished majority whip. But let me simply say that, unfortunately, it used to be the case that Republicans and Democrats got together formally and resolved their differences in conference agreements. I would only cite as the most recent illustration of how that is no longer the case the budget agreement. To my knowledge, not one meeting was held where Democrats were included in that conference, not one. So I hope we can get back to the time when Democrats and Republicans can formally sit down and work through all of these differences. That, in part, is what this is all about. We want to get an agreement. We will continue to offer the original language to whatever legislation may be offered in our determination to get resolution of this issue. But we certainly cannot agree under these circumstances to the request propounded by the majority at this time, so I object.

The PRESIDING OFFICER. The Chair is unclear. Does the minority leader object?

Mr. DASCHLE. I indicated I did object.

Mr. LOTT. Mr. President, if I could respond to correct one thing that the Senator said. As a matter of fact, no agreement has been reached on the budget resolution conference report,

and, in fact, I believe there was a meeting of the conferees at 3 o'clock on Tuesday of this week. I assume there will be other meetings of the conferees. I am not a conferee on that budget conference, but I do know that they met, I believe, for about an hour or hour and a half on Tuesday of this week. We hope they will meet again soon and get an agreement because we would like very much, as I know the Senator, the Democratic leader, would, to have that budget resolution conference report so we can get on with appropriations bills. We hope to have it at the earliest opportunity next week, if not get an agreement today.

I yield the floor. I thank the Chair.

Mr. GRAMM addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

DEMOCRATS CONTINUE TO BLOCK HEALTH CARE REFORM

Mr. GRAMM. Mr. President, I want to talk about this issue of naming conferees, and about the health care bill itself. I know many people think that when we have these little confrontations it is just partisanship and that it does not mean anything, but I wanted today to take a little time to talk about the real issue here and explain what it really means.

Let me begin by noting that the Senate passed a bill 44 days ago which would make health insurance permanent and portable, and which set out a procedure to try to make it easier for people to get and keep good private health insurance. It was this little bill right here.

Now, 44 days ago, the distinguished majority leader, Senator DOLE, tried to appoint conferees to work out the differences between our health care reform bill and the health care reform bill that passed the House of Representatives, so that both Houses of Congress could then bring up and pass a final bill.

For 44 days, Senator KENNEDY has objected, and for 44 days he has denied working Americans the following provisions: No 1, an 80-percent deduction for health insurance premiums that are paid by the self-employed. This is a provision which is contained in the bill that we passed thanks to an amendment that was written and offered by Senator DOLE; No 2, the deductibility of long-term health insurance premiums; No 3, the ability of people with terminal illnesses, with the certification of a physician, to go ahead and collect their life insurance—a very important provision for people who have AIDS; No 4, State-sponsored high risk insurance pools—that will help low-income people who have high medical risks get health insurance in the State they reside in; and, finally, No 5, the ability to, on a penalty-free basis, draw money out of your IRA's, your individual retirement accounts, if you have high health insurance bills. These are things that have been agreed to and these are things that, with certainty, would happen if we passed this bill. But, for 44 days, the Democrats have prevented us from going to conference and working out an agreement that would let us pass this bill.

What does 80 percent deductibility of insurance premiums for the self-employed really mean? In the last year for which figures are available, there were roughly 3 million Americans who had insurance through self-employment. They were allowed a 25 percent tax deduction on the cost of that health insurance, even though, if they worked for somebody else, it would be 100 percent deductible. So the 3 million Americans who work for themselves had to pay 75 percent of their insurance premium with after-tax dollars because the Tax Code discriminates against the self-employed. Again, in the last year for which figures are available, the average self-employed American, in buying health insurance, got a deduction of $713. If we had passed this bill 44 days ago when we had a chance to go to conference and work out our differences, the average American who works for himself would ultimately be able to deduct $2,283 for the payment of private health insurance premiums. In other words, for over a month now, we have delayed over $1,500 of savings to every self-employed worker in America.

In addition, we now have in America over $1 trillion in individual retirement accounts or other forms of tax shelter. By allowing that money to be used to pay health insurance costs, when those costs exceed 7.5 percent of your gross adjusted income, we would be liberating $1 trillion of assets that could be used to help working Americans at a time when not only has a rainy day arrived, but it is pouring cats and dogs as a result of exploding health insurance costs. Yet we have not passed any of these provisions because the Democrats have objected to naming conferees. Well, why do we have a filibuster of a bill that the Democrats, in huge numbers, support? Why is this happening? That is the point I want to address right now.

The Democrats say they are filibustering this bill because they are opposed to medical savings accounts. They are fearful that medical savings accounts will be in the final bill since the House of Representatives overwhelmingly adopted a provision that would permit Americans, who freely choose to set up medical savings accounts, to do so on a tax exempt basis—and they object to this.

It is very interesting to note that this objection is a rather new phenomenon. In fact, some of the objectors have, in the past, been some of the strongest proponents of medical savings accounts. Let me quote Senator DASCHLE, the Democratic leader, who introduced a bill—which contained medical savings accounts—with Senator NUNN, Senator BREAUX, Senator BOREN, and others. In a statement related to that bill here is what he said: "We have introduced a bill * * * which would allow employers to provide their employees with an annual allowance in a 'medical care savings account' to pay for routine health care needs." That was his position 2 years ago.

Let me quote the Democratic leader in the House, DICK GEPHARDT, who also had a bill which contained medical savings accounts. He said, talking about medical savings accounts, "It's very popular. A lot of people like that option and I think it will be in the final bill." That is the final health care bill. "I think it is a great option." This was DICK GEPHARDT'S position on medical savings accounts just 2 years ago.

Even the Kassebaum-Kennedy bill endorses the idea of medical savings accounts. So why the change of heart? What has happened? The Democrats say they discovered that medical savings accounts only help rich people.

Well, let me read you some quotes from some of these supposedly rich people who have medical savings accounts. This is an allegedly rich person who is the political director of the United Mine Workers in Illinois. In writing to Senator SIMON he said:

> An amendment to the health care package has been offered to add a medical savings account provision. The United Mine Workers has a similar provision in our current contract that is anticipated to produce significant savings versus our previous insurance.

Let me read from another rich person who writes on behalf of medical savings accounts. This is a part-time bus driver from Danville, OH who writes:

> Today I would like to appeal to President Clinton to please support the medical savings account issue. Nearly 3 years ago we went to a medical savings account plan and it has been very helpful.

Why, all of a sudden, having introduced bills that provided for medical savings accounts—why, all of a sudden, are people like Senator DASCHLE and Minority Leader GEPHARDT and other Democrats in Congress now so adamantly opposed to medical savings accounts? Let me tell you my theory as to why, all of a sudden, Democrats who have been for medical savings accounts in the past are now so adamantly opposed to them. I think that the discovery they made is not that medical savings accounts are for rich people, but rather their discovery is that medical savings accounts give people freedom. They let people choose. They empower people. Republicans are not trying to force Americans to take medical savings accounts. We just want to allow them to do make a choice without discriminating against them in the Tax Code.

Our Democratic colleagues oppose letting Americans have that choice because they do not want Americans to choose their own health care. They want Government to choose. They claim they are for this little bill, but it is actually this big stack of bills that they support.

This is what they are for. This is what we have been debating over the last 2 years—the Clinton health care bill and all of its derivatives. Our Democratic colleagues know that to let people choose their own health care means that Government cannot choose it for them. The holding up of this bill and their new-found opposition to medical savings accounts shows one thing very clearly: the Democrats do not want families to choose, they want the Government to choose.

This little bill is not the health care bill they are for—this big stack of bills is the health care bill they are for. They really believe that they will get this big stack of health care bills someday, but only if they do not give people the freedom to choose their own health care.

So why are we being held up? Why for 44 days have we not named conferees on a bill with provisions that virtually everyone says they are for? Remember, all 100 Members of the Senate voted for it. The reason is that the Democrats do not want people to have the freedom to choose their own health care is because their real plan is not to make insurance portable and permanent and it is not one that would empower people to be efficient in buying health care through medical savings accounts. After all, that is what this bill and the House bill are trying to do. The bill the Democrats long to get back to is a bill which is represented by all of the bills that we wisely rejected last year. They want to get back to a bill where the Government, not the family, chooses.

The truly amazing thing is that Senator KENNEDY today had a press conference attacking Senator DOLE for holding up a bill that he, Senator KENNEDY, has been filibustering for 44 days. For 44 days, Senator KENNEDY has stood up and objected to naming conferees, and then today he attacks BOB DOLE for holding up an agreement?

But why has Senator KENNEDY objected? He has objected because he rejects the right of people to choose. He rejects the right of individual citizens to decide whether they want low-deductible health insurance or high-deductible health insurance. Further, he rejects the right of those who choose high-deductible health insurance to put the savings into a medical savings account which they can use to pay those deductibles tax free or which, if they do not use it for that purpose, is available to send their children to college, to make a downpayment on a new home, or to start a new business. Senator KENNEDY and the Democrats do not want people to have that right to choose, because deep down in their hearts, they want the Government to choose.

This is the health care plan they are for—it is not the health care plan that we debated this year. The Democrats know if we get medical savings accounts, if families have an incentive to be cost conscious, if families have the right to choose their own health care, that this will work, and it would mean that they never get the opportunity to have these health care purchasing collectives where Government would make the decisions.

So I simply want to remind my colleagues, when the minority leader or Senator KENNEDY stands up and objects to naming conferees, what they are really objecting to is freedom. They are really objecting to the right of people to choose—they do not want people to have a right to choose, because they want Government to choose.

That is what this debate is about. Do you want Government to run the health care system, or do you want family choice to dominate the health care system?

To me, that is a very easy question to answer. And let me note the difference between what the Democrats are doing this year and what I did last year—just in case our colleague from Massachusetts should come over and say, "Well, here is PHIL GRAMM, he held up the Clinton health care bill in 78 days of debate." Yes I did. It was God's work and I expect to be remembered for it when I get to the golden gates, but I never denied it. I never stood up and said, "This is a great bill the President has proposed. These are wonderful ideas. I'm for it, but I'm just not going to let you pass it."

I said over I am not going to let you pass this, except over my cold, dead political body. This is not what Senator KENNEDY is saying. Senator KENNEDY says he is for this bill, yet he is not allowing us to name conferees because he does not want people to be free to choose. He wants the Government to choose. This is what the debate is about—freedom—and I wanted to come over today to be sure that people understood with certainty what we are talking about. I want them to understand that the Republicans want families to choose, the Democrats want the Government to choose, and that this is about as big a difference as you can have in the world.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. THOMAS). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

EXTRA, EXTRA—"READ ALL ABOUT IT"

Mr. GRASSLEY. Mr. President, 2 days ago, I spoke proudly of my State's 150th birthday celebration this year and also the Smithsonian Institution's cooperation with that effort. By the way, the Smithsonian Institution happens to be 150 years old as well this year, and they are celebrating that anniversary throughout the year. But for 2 weeks, beginning on June 26, there is going to be a celebration of my State on The Mall. Specifically, though, on June 26 there will be a birthday party for Iowa from 6:30 to 8:30 p.m. in the Centennial Building on The Mall across from the Smithsonian castle.

I hope that Americans will come to see, over the course of those 2 weeks, demonstrations about Iowa industry, Iowa agriculture, Iowa education, Iowa history, culture—everything—that will be on display there.

I announced that I was going to speak a little bit and shortly every day on a certain aspect of Iowa.

I want to make reference to spreading the spirit of Iowa. As I talk about the Iowa spirit, I will talk about the role of weekly and daily newspapers throughout the history of Iowa, my State.

So it is time to say, "Extra, extra—read all about it."

Mr. President, Iowa celebrates its 150-year-old heritage this year. And at the end of this month and during the first week of July, Iowa will participate at the Festival of American Folklife on our National Mall to showcase our folks and way of life. Billing the celebration as "Iowa—Community Style," hundreds of Iowans and Iowa natives will pitch in to spread the sesquicentennial spirit to more than a million visitors.

Of course, Iowa's story of community wouldn't be complete without sharing a vital and continuing chapter integral to community life in Iowa. Iowa's first newspaper started in Dubuque when the Dubuque Visitor issued its premiere edition on May 11, 1836. And Iowa's longest running newspaper continues to roll off the presses each day in southeast Iowa. The Burlington Hawkeye's first edition dates back prestatehood, to July 10, 1837. To this day, the local newspaper office remains an important hub of activity on Main Street in Iowa's 99 county seats and surrounding communities. More than 340 hometown weekly and daily newspapers currently report local events in Iowa.

As you may know, Iowa consistently ranks at the top in literacy and other

tests of scholastic achievement. Perhaps it's no small wonder that my State also holds the highest per capita number of newspapers in the country. Just take one county in Iowa, as an example. Situated on the banks of the Missouri River in northwest Iowa, Sioux County has a population of about 30,000 people and boasts no less than seven published newspapers each week. Known to be well-read, Iowans are serious about keeping abreast of current affairs in our local, national and international communities.

In fact, an international venture between Iowa media outlets and foreign journalists started 3 years ago. The International Center for Community Journalism, based in Grinnell, IA, has helped to match journalists from the Ukraine, Russia, Georgia, Bulgaria, Mongolia, and Thailand with more than 30 newspapers in Iowa. Iowa families open up their homes for 2 or 3 months while the visiting journalist works at their local newspapers.

Many times, Iowa journalists and journalism educators will reciprocate the stay in the foreign country. This exchange of information, culture, and talent has helped to spread the Iowa spirit and a vital understanding of the importance of a free press in a democratic society. The program soon will include journalists from Hong Kong, Thailand, Indonesia, the Philippines, Singapore, and Vietnam.

Without a doubt, Iowans have grown to depend on their hometown papers for school news, high school sports coverage, business items, local government and politics, community announcements, and human interest stories. Typical of any endeavor in my State, be it enterprise, education or entertainment, newspapers in Iowa place great emphasis on quality. Combining news reporting and advertising, the local newspaper is a constant and reliable source for the community.

The Iowa Newspaper Association each year awards top honors to newspapers in Iowa for general excellence; for delivering the best editorial, front, sports, and feature pages; for best coverage of local government, agriculture, and education; and, for overall community service.

Merchants and shopkeepers on Main Street rely on the local newspaper to advertise upcoming sales and promotions. And readers pay close attention to the ads.

For sure, Iowa's hometown newspapers wouldn't miss this once-in-one-hundred-and-fifty-years-opportunity to help spread Iowa's spirit. Visitors to the cafe on The National Mall will find a grand newspaper stand displaying many of Iowa's hometown papers. You can discover for yourself a trove of Iowa's ink in the Herald, Journal, Gazette, Review, Leader, Express, Record, Bee, Chronicle, Register, Times, and Courier, just to name a few. I would encourage those who plan to celebrate with Iowa—community style, to stop by and "read all about it."

THE LEGEND OF KATE SHELLEY

Mr. GRASSLEY. Mr. President, it may have started out like a normal day, but July 6, 1881, did not end in a typical manner. In the late afternoon, around suppertime, a terrifying storm struck central Iowa. It was a terror. Sensible people stayed indoors away from its wrath and fury. Creeks and streams became full to overflowing with the rainwater as the storm raged on.

Then there was a crash. It was heard by a family living close to one of the rain soaked creeks and the railroad bridge which crossed it. With that crash a young 15-year-old Iowa girl from Moingona stepped from obscurity into legend.

As H. Roger Grant wrote in "The Palimpsest," "the courage of Kate Shelley rightfully deserves to be remembered." For on that night she bravely faced her destiny.

Engine No. 11 was checking the Chicago & North Western Rail Road line for storm damage when it plunged into Honey Creek. The water was deep and the current was fast. The crewmen on that train needed help, and Kate Shelley knew she had to give that help. Putting all thoughts of personal safety aside, she went out into the storm. As she later said, "The storm and all else was forgotten and I said that I must go to help the men, and to stop the passenger (train) that would soon be due at Moingona."

Kate put together a lamp with a wick made from an old felt skirt. Again in her own words, "(I) started out into the night and the storm, to do what I could, and what I though was my duty, knowing that Mother and the children were praying to God to keep me from every harm." Kate's father, who had been an employee of the Chicago & North Western, had died some 3 years before.

Upon reaching the wreckage, Kate found that of the four-man crew, only two had survived. One clung to a tree and the other to tree roots as the deadly waters of Honey Creek swirled around them. Kate saw one of the men in the flashes of lightning. He shouted at her and she at him, but the noise of the storm was go great to be hearing each other was impossible.

Let me again turn to Mr. Grant's "Palimpsest" article,

> Shelley (then) began the most perilous portions of her trek. Crossing the Des Moines River bridge, even in ideal conditions, was dangerous. The North Western had studded the ties along this 673-foot-long span with twisted, rusty spikes to discourage trespassers. And the ties themselves were spaced a full pace apart. 'I got down upon my hands and knees, . . . and guided myself by the stretch of rail, I began the weary passage of the bridge,' explained Shelley. 'I do not know how long I was in crossing, but it seemed an age. Halfway over, a piercing flash of lightning showed me the angry flood more closely than ever, and swept along upon it a great tree, the earth still hanging to its roots, was racing for the bridge and it seemed for the very spot I stood upon.' Added Shelley, 'Fear brought me up right on my knees, and I clasp my hands in terror, and in prayer, I hope, lest the shock should carry out the bridge. But the monster darted under the bridge with a sweeping rush and his branches scattered foam and water over me as he passed.

Kate Shelley made it across that bridge and to the station at Moingona. There she found that the North Western had already stopped the eastbound passenger train. But that was not the end of her perilous night nor of her heroism. Those two men were still clinging to life in the tumultuous waters of Honey Creek. A relief locomotive was sent with Kate as the guide. Engineer Edward Wood and brakeman Adam Agar were saved.

Kate Shelley is an American hero for the ages. She is as much of a role model for all of us today and for our children's children's children, as she was to her contemporaries.

Kate Shelley did not have to go out into that ferocious storm in the middle of the night in 1886. But she did. She knew that her actions would make a difference. Her actions would help people she did not know, but that she never the less cared for. Her actions would help to prevent destruction, injury, and death. Her selfless actions would save two lives. What an example for all Americans to follow.

Mr. Grant quotes several contemporary newspaper accounts of the night in his article. One states,

> Ed Wood says he was well nigh overjoyed when he saw the light approaching the clearing near the end of the bridge, and that he will never forget the sight of Kate Shelley making her way over the twisted and broken trestle work to the last tie yet hanging over the wreck in the boiling flood below.

Another newspaper wrote Shelley crossed the Des Moines River bridge,

> . . . with nothing but the ties and rails (with) the wind blowing a gale, and the foaming, seething waters beneath. Not one man in five hundred (would) have (gone) over at any price, or under any circumstance. But this brave, noble girl, with the nerve of a giant, gathering about her, her flowing skirts, and on hands and knees she crawled over the long weary bridge.

Yesterday I said that the Iowa spirit was almost too big to describe. It is. But I think that I can in all honesty say the spirit of Kate Shelley is the spirit of Iowa. And it is a part of the American spirit, the spirit of helping others in a time of need and danger without expecting something for yourself. I hope that all of us can learn from this brave young woman's example.

UNANIMOUS-CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. LOTT. Mr. President, for some time now, and on more than one occasion, there has been an effort to clear a number of judicial nominees that have been pending on the calendar awaiting action. As a matter of fact, there are now 17 such judicial nominations that are on the Executive Calendar. Some of them date back as far as December 1995. The latest group that was reported from the Judiciary Committee to the Senate came on May 9.

Now, on each occasion when there has been sort of an agreement worked out that one, two, three, or four judges could be cleared and moved, there have been objections to those. I know the majority leader would very much like to be able to move as many as possible of these judicial nominations. He said so publicly. He has been working on it today. I know he will continue to work to find what problems might exist and see if more could be approved. He will continue to do that. On his behalf, as the majority whip, I will do all I can do.

I feel like while it might be ideal under some conditions to some people to get them all done at once, under Senate prerogatives every Senator can raise concerns about a nominee for a variety of reasons—their qualifications for the job and other considerations. But I think if we cannot get them all done, we need to start moving down the road. You get as many as you can, and you come back and work some others.

I know there are a number of judges that Members of the minority party support and would like to get approved. Some of these that were recommended by Democrats are also supported by Republicans. We should continue our effort to show that we can move these nominations. We are getting to that point in the year where it will get more and more difficult.

Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations en bloc on today's Executive Calendar: Calendar No. 511, Joseph Greenaway of New Jersey; Calendar No. 514, Gary Fenner of Missouri; Calendar No. 591, Walker Miller of Colorado; and Calendar No. 575, Charles Clevert, Jr., of Wisconsin.

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; that the President be immediately notified of the Senator's actions; and the Senate then return to legislative session.

Mr. BAUCUS. Reserving the right to object, I ask the acting leader about another nominee that was considered before the Senate Judiciary Committee, reported out favorably, I believe the date was April 25, and has been on the calendar for some time now, and who is strongly supported by the people of Montana and for whom I have heard no objection, no substantive objection whatever. His name is Don Molloy. Might I ask if Don Molloy might be added to that list and included in the acting leader's request?

I say that in part, Mr. President, because there have been no judges confirmed in this session of Congress—none. I might say that many judges were referred by a Democratic-controlled Senate in years when there were Republican Presidents. I might say, for example, in 1992, this Senate confirmed 66 district and circuit court judges. I might add, none has been brought up or passed by this body in this session of this Congress. In 1988, the Senate confirmed 42 district circuit judges for President Reagan. I could go on down the list. I will not take the Senate's time.

As the Senator from Mississippi said, there are now 17 judges on the calendar, far short of the 66 and 42 that were passed in previous years. This is already June. I do not know how many more days this Senate will be in session this year. I ask, basically, why not all the 17 that are on the calendar? There is no reason why they should not be added.

Specifically, I inquire about Don Molloy, who has been nominated by the President and has been reported out favorably by the Judiciary Committee, has been on the calendar, for, gosh, over a month, why his name cannot also be added to that list.

Mr. LOTT. If the Senator would yield under his reservation for me to respond to his questions, we have tried on other occasions, at least two that I am personally familiar with, to move a grouping of these judicial nominations. I think on one occasion it was not even this same four. There may have been a different one that was considered on this. It was objected to by Members of the minority party. So we have been trying to move some of these judges that we could get approved through the process. Some of them were objected to on the Senator's side, as you have done—or as you are apparently prepared to do today—and others have objected to other judges. We cannot get them all cleared right now. We would like to get the ones we can get cleared done, and come back again later, as we work through this list.

Now, in regard to your specific nomination, we were not able to get that cleared today. There have been some reservations or objections raised. We are continuing to explore that. I do not personally know what the reasons are, or how many objections there are. But I plead with the Senator from Montana, once again. These four have been cleared. Hopefully, we can get an agreement on more—perhaps even within the next few days. But if we do not break this down and start getting some approved, the whole thing stays dammed up.

So any one Senator might have a judge on the list of 17, and his one judge may not be qualified, or may have some sort of a judicial problem based on his experience, or there may be some personal problem. As a general rule, if any Senator says a judge or a judicial nominee is personally repugnant to that Senator, that carries great weight around here.

So is the Senator saying today that until we can get all 17, we will get none of them? Any one Senator can walk in here and say, "I object to that group unless my judge is on there." I am trying, on behalf of the majority leader, to say, let us get started. These four have been cleared. Let us do these four, and maybe there will be another four. But you cannot say to the Republicans, "Well, there have not been any done this session," if they are being objected to by Democrats. Let us get started. I have told the Senator that I am willing to work and see what the problems are, and maybe they are problems that can be worked out. I cannot make a commitment on how that would be done, or when it will be done. But I am prepared to get into it as much as I can, within my role as it is, and see what the problems are.

Please consider moving these. These are judges that have been approved, that we can clear and move today off the calendar—nominations recommended by Senator BRADLEY of New Jersey, Senator KOHL, and I am not even quite sure who made the recommendation on the judge from Missouri or the one from Colorado. I presume they have broad bipartisan support in those respective States, even though those States do not have a Democratic Senator. Let us do these and see what else we can do.

Mr. BAUCUS. Mr. President, with some bemusement, I listen to my good friend from Mississippi. When a vacancy occurred in Montana for a Federal district court judge, I saw this as an opportunity to find the best person in the State of Montana for this position. This is one power, one thing that a U.S. Senator can do—that is, to recommend to the President of the United States who the President might, in turn, nominate to a Federal district court judgeship.

I took this very, very seriously. I sat down and surveyed the State of Montana to determine who I regarded as the best, the brightest, the most thoughtful persons—Republicans and Democrats, just good thoughtful people—and put together a nominee commission. I called each of them up personally—six, seven, or eight of the best Montana minds and the most thoughtful persons in the State of Montana,

Republicans and Democrats—and asked if they would serve. They all said they would love to. I said to each of them, "I would like you to nominate or recommend to me the best people in our State." I said precisely, "I am not carrying water for any Republicans, any Democrats, liberals or conservatives; it makes no difference. I want the best." My commission, my group, then nominated three different people whom they regarded as the best people in Montana to serve in this position as a Federal district court judge. I then sat down with each of the three, interviewed each of the three for hours. I then called my group again and asked their opinions. I talked to all the Federal judges in Montana, all the State district court judges in Montana, and I asked their views.

I can tell you that Don Molloy is the top choice in the State of Montana for this position—by Republicans and by Democrats. There is just no denying that.

I say, in addition, to my good friend from Mississippi, that they need to have this position filled. That is because there is going to be a backlog in our State in the Federal district courts. Why? Basically, because of the unfortunate problems with the alleged Unabomber in Montana, and the Freemen are causing all kinds of problems in our State, which is putting an additional pressure on the law enforcement personnel in our State. Many of those actions will be in Federal district court.

So I ask my good friend from Mississippi why Don Molloy's name cannot be added to the list of four. I am personally not pleading for all 17 on the calendar. But I make a very reasonable suggestion to add one more to the list of four—that is, Don Molloy.

I have heard no substantive objection. I have heard no objection to him. He passed the committee. I believe that these nominees, to avoid this deadlock, probably should be brought up on the floor one by one and let Senators speak in favor or against the nominees. Let them stand up and say what they think. Let them vote the way they want to vote. I might say to my very good friend from Mississippi that my colleague, Senator BURNS, a Republican from the State of Montana, supports this nominee. He supports this nominee. If you have bipartisan support for our nominee, Don Molloy, I see no reason why he should not be added to that list of four.

Mr. LOTT. Mr. President, there has been objection to this point to this particular nominee. I do not know him. I do not know his record. I am not on the Judiciary Committee. I can only say that we have not been able to get any other than these four approved to this point. Maybe there is some problem there. I do not know. Maybe there is not.

I can sympathize with the Senator, because I remember one time that my State of Mississippi agreed to go along with a nominee from Louisiana, who was particularly well qualified to be a member of the Fifth Circuit Court of Appeals—basically, a Mississippi position. Because there was such a uniquely qualified nominee, a former Congressman and Governor that we withheld with the insistence that it be a nominee from our State. So that nomination went forward, and then it languished, and it laid there, and it seemed to be objected to. Finally, the term ended, or that session of the Congress, whatever that was—maybe the 98th session. At any rate, there was never an explanation of what the problem was. There was an objection by the Democrats to this fine man, who clearly had judicial temperament, was highly rejected, ethical, a former Congressman and Governor and, yet, it just stayed there and never was considered.

So I understand how the Senator feels about this. But it is a unique thing to the Senate to make the recommendations to Presidents for the Federal district judges, as well as appellate courts, even though appellate courts are treated a little differently than Federal district judges. It is also a unique Senate prerogative to have an objection to a judge. Obviously, it can come from some other State, some member of the Judiciary Committee—who knows? Sometimes it is very difficult to find out exactly what the problem is. But they have a way, in many instances, of working themselves out.

Again, the majority leader has said to the minority leader that he would like to move as many of these as possible.

Mr. BAUCUS. I can help the Senator move one more right now. That is my suggestion. That is helping the leader. He can move one more.

Mr. LOTT. We do not have that one cleared and the other 12. But we do have four cleared. When those are done, we will try some others. I make one last plea to the Senator. I believe that if he would let these four go, it would help break down the dike, and we would see others move.

Mr. BAUCUS. Mr. President, I appreciate the remarks of my very good friend. We simply have heard no good reason why Don Molloy should not be on the calendar.

It is with great reluctance that I object.

The PRESIDING OFFICER. Objection is heard.

Mr. LOTT. Mr. President, I thank the distinguished Senator from Iowa for allowing us to have this exchange in an effort to try to clear some judicial nominations.

MORNING BUSINESS

Mr. LOTT. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business with Senators permitted to speak for up to 10 minutes each.

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

The Senator from Iowa.

CHINA MOST-FAVORED-NATION STATUS

Mr. GRASSLEY. Mr. President, earlier today the Senate Finance Committee heard testimony on the issue of most-favored-nation trade policy for China. As you know Mr. President, the President of the United States, President Clinton, on May 20 announced that China would be granted most-favored-nation status for another year. This is an annual determination made in the case of China. For the other 100 and some nations that have most-favored-nation trade status with us it is more on a permanent basis. It does not have to be annually like it is for China.

I might say, too, for the benefit of my colleagues that there are only about five or six countries that would be called major trading partners, or potential major trading partners that do not have most-favored-nation status. So I am not sure that the terminology is very good when it really kind of refers to normal trading status between the United States and any other country. But it has been titled like this for decades. So it sounds like maybe really more than what it really is. But the President made that decision.

I wanted to announce my support of the President's decision. So we are going to enter a period of time here where Congress debates whether or not the President is right to have granted most-favored-nation status to China, and also we will do that through a resolution of disapproval of the President's action. So if the resolution of disapproval does not pass the Congress then, of course, the President's actions will stand. If it would pass Congress by a majority vote but the President would veto, which you would assume that he would, then presumably unless there are votes to override—which means two-thirds majority—that the President's action would still stand.

So I think it is fair to assume that regardless of the annual exercise we go through, regardless of the motion of disapproval being approved, in the final analysis there will not be a two-thirds vote to override the President's actions. So China will have most-favored-nation status for another year.

I personally believe—and I support, of course—that the President's decision should and will be upheld. But there is a lot of sentiment against China on Capitol Hill, and recent developments in our relationship with China has not helped China's chances of success in fighting the motion of disapproval.

Most recently on trade issues in regard to China our United States Trade

Representative announced sanctions against China to the tune of $2 billion. These sanctions will take effect on June 17 unless China comes into compliance with the bilateral agreement on intellectual property rights that was reached in 1995. In response to our own Government's announcement of sanctions against China, they in turn said that they would levy 100 percent tariffs on many U.S. exports. These include agricultural products such as cotton, beef, chicken, and vegetable oils.

So it appears that we could be on the verge of a trade war with one of our major agricultural export markets. I want to reflect on this issue by briefly discussing how we got into this position, and what it means for China's chances on MFN.

Mr. President, as you know, the Clinton administration's position on how to deal with China has never been very clear. In fact, I suppose you could put it in a class with a lot of other issues that the President has taken positions on in the past. He has changed his view on this one as well.

In addition, since he has been President, I can say he has had no long-term view on what a relationship with China ought to be. Some have said that the President seems to make policy according to the last person he has spoken to on a given day. That has been a very general comment about the President. But it is one, if you look at specific actions on China, that I think you can apply even more specifically to our China policy.

In 1992, when he was a Presidential candidate, Bill Clinton harshly criticized the Bush administration for being soft on human rights in China. Candidate Clinton vowed at that time to condition China's most-favored-nation status on—these are his words—"respect for human rights, political liberalization, and responsible international conduct."

That is what the President said was wrong with President Bush's position on China.

Just 2 years later, President Clinton favored separating human rights from most-favored-nation status, and he favored that year granting China MFN status, as the Bush administration had done, and as the Reagan administration had done. And it even goes back beyond that.

While the President was changing his mind, there was not any evidence whatsoever that China had altered its behavior to satisfy President Clinton's very own standards that he had enunciated in 1992 on the issue of MFN. Recently the contradictions and rhetoric have become more pronounced, and the consequences even more important.

Our lack of a tough and clearly defined policy toward Beijing has created a new atmosphere in China. It is an atmosphere in which China decided that it can ignore its responsibilities to the world community.

So my question to you is this: Does this administration have credibility in dealing with China? I think that lack of credibility is part of the reason that we have problems not only with our government toward China but also within the United States of whether or not our policy toward China is right. This constant changing of policy does not send a very clear signal to the American people of the benefits of MFN, or the importance of continuing MFN for China. You see some of this in China's action—its attempt to intimidate Taiwan prior to its election through so-called military exercises. China has allegedly sold nuclear materials to Pakistan, but denies knowledge of doing so. Now it has blatantly violated its intellectual property rights agreement with the United States. Do you think that China would behave in this manner if they really took the President's rhetoric seriously? Our own United States Trade Representative has announced sanctions due to China's breach of the intellectual property rights agreement. I support these sanctions, and I have not found any opposition to these sanctions. The credibility of the United States and our ability to enforce future agreements would be very much on the line and questioned if we did not impose these sanctions. However, if we had had a more consistent policy toward China in the last few years, I think this situation on the intellectual property rights could have been avoided. Unfortunately, Congress will have to debate China's most-favored-nation status with its looming trade dispute as a backdrop. For many Members it will be difficult to go home and justify voting for MFN while China openly violates existing trade agreements. So I am afraid that the vote may be very close.

Mr. President, it is important to consider the implications of not extending most-favored-nation status at this time.

In 1995, United States exports to China totaled about $12 billion. Those exports would be jeopardized. Tariffs on products coming into the United States from China would also be raised significantly. This amounts to a tax, of course, on our American consumers, so American businesses and consumers will suffer.

The MFN debate is no ideological exercise. It affects business. It affects jobs for Americans. It affects consumer costs. So we are talking about pocketbook issues in dealing with MFN. There is at least one area that will suffer if MFN is revoked. It is of interest to my State of Iowa. That is agriculture. Those of us from agriculture States know how especially important this debate is. It is very important.

Is the Chair speaking of the 10-minute thing?

The PRESIDING OFFICER. Yes.

Mr. GRASSLEY. I thought I yielded to the speaker without losing my right to the floor; I was protected.

The PRESIDING OFFICER. Unanimous consent was granted.

Mr. GRASSLEY. OK. Then I should have objected to the unanimous consent request. But the unanimous consent overrode the unanimous consent I had to have my right to the floor.

The PRESIDING OFFICER. That is true.

Mr. GRASSLEY. I ask for 5 more minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. GRASSLEY. Those of us from agriculture States especially know how important the debate on MFN is. China has a population of 1.2 billion, which is one-fifth of the world population, but it has only 7 percent of the world's arable land. So China will continue to import large amounts of its food needs. The good news for the American farmer is that the diet of the Chinese people is changing rapidly. Meat consumption is growing 10 percent per year there, or a staggering 4 million tons annually. So value-added exports will play a very important role in China's future and in the agricultural exports of our country to China.

The potential for growth over the coming decades is extremely high. We are going to have a 75-percent increase of exports to Asia, and 50 percent of that increase by the year 2000 is going to be with China. So by the year 2030 this is going to be a very important market for America and particularly for American agricultural.

It also relates very well with our new farm program. This program will have a declining amount of appropriations for agriculture to a phaseout by the year 2002. So farmers will earn more from the marketplace, and our ability to export is very important in accomplishing this. China, of course, will play a very important role in these exports.

So I think our policy toward China must be one of aggressive engagement. We need to continue to negotiate agreements with the Chinese on trade and other matters as well. We must work to bring China into the world community of nations, and I believe that these actions will ultimately bring about real reform within China. Granting most-favored-nation status should be a part of that policy.

We had a debate in the Finance Committee a few weeks ago about how misleading the term MFN is. It is not something special. As I have already said, it is something that is granted to all but a handful of nations. But with that said, we must still vigorously enforce all of our agreements with China. Trade agreements are not worth the paper they are written on if we are

afraid to take appropriate measures of enforcement.

There is a real old saying in the Western United States of "keep your door unlocked, but if you do, keep a shotgun behind the door." I think that is how I see our activities with China. You have to be open with them, but we have to be prepared to make sure that they stick to the agreements as well. So we have the WTO accession negotiations with China coming up. That gives us an opportunity to discuss with the Chinese all of the concerns raised in the MFN debate. We can also use the imposition of 301 sanctions to accomplish our goal.

That is a much better environment than the MFN debate for bringing China to the table and around to the international norms that they say they agree with, the international norms of trade agreements being followed, the international norms of human rights that are in the United Nations Charter, the international norms of rule of law, and you can name a lot of others. China says that they accept them. A lot of people who do not want MFN status say since China does not meet these international norms all the time, we should not grant MFN. But these other environments are the place for those issues to be discussed.

I yield the floor.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Parliamentary inquiry, Mr. President. Is this morning business?

The PRESIDING OFFICER. It is, indeed, with 10 minutes allotted for each speaker.

Mr. DOMENICI. I yield myself the 10 minutes.

TRUSTEES REPORT ON MEDICARE AND SOCIAL SECURITY

Mr. DOMENICI. Mr. President and fellow Senators, the trustees' report on Medicare and Social Security has just been delivered. Everybody should know that is a report that is put together by a six-member commission, four of whom are either Cabinet Members of the President or hierarchy of the Social Security System itself.

On page 10 of the summary of that report, the following statement is found:

> The trustees recommend the earliest possible enactment of the legislation to further control the HI program costs and thereby extend the life of the Hospital Insurance Trust Fund. This is, however, only a first step in what must be a long-term process to achieve balance between HI costs and funding.

Now, I repeat, these trustees I do not believe are Republicans. They are not Members of the Congress. Three of them are members of the President's Cabinet. One of them is the administrator or the head person at Social Security. Then there are two outside citizens.

Now, what they have said is this fund is going bankrupt 1 year earlier than we thought. I know no one wants to hear that. No one wants to really face up to the reality, but they have said we were wrong even last year; it is going to become insolvent even sooner, so they now say it will be insolvent in 5 years.

That means it is already annually spending out more than it is taking in, and but for a surplus, there would not be enough money to pay the bills. Then they say that 5 years out there will not be any surplus at all and the money coming in will be tremendously deficient in terms of paying the bills.

Now, I do not believe it is asking too much and I do not think senior citizens would think that it is asking too much for us to fix that. Should we wait another year and then we only have 4 years to fix it? Should we wait 4 years and wake up in the morning and say, seniors, it is right around the corner; there is not going to be enough money to pay the hospital bills? Or should we fix it now? Actually, these trustees recommend that we do this at the earliest possible time, and they recommend that we do this by further controlling costs.

Mr. President, I want to update the Senate on the status of the Medicare trust funds. Yesterday, we received the annual reports from the Medicare trustees.

The new report tells us that the hospital insurance (part A) trust fund will go bankrupt early in the year 2001. Last year's report predicted bankruptcy in 2002, so we've lost 1 year there. In addition, the President's veto of last year's Medicare reform plan means we have lost another year. We are now 2 years worse off than we were 1 year ago today.

The report tells us that Medicare spending is 2.7 percent of the economy right now. If we don't do anything to slow the growth of Medicare spending, that will more than double, to almost 6 percent of the economy in the year 2020.

The report confirms that the trust fund ran a small deficit for the first time last year. The report tells us that if we don't do anything, in the year 2005 the cash coming into the hospital insurance trust fund will be $130 billion less than the cash we need to pay hospital benefits.

Let's talk about the plan we're proposing in Congress. Our plan would spend $1.48 trillion on Medicare over the next 6 years. Yes, it would slow the growth of Medicare spending, from about 10 percent per year, to 6.2 percent per year. That's still more than twice the rate of inflation, a goal the President endorsed 3 years ago.

The President says that our short-term goal should be to keep the part A trust fund solvent for 10 years. Our plan does that; his does not. His keeps the trust fund solvent for only 1 year, and plays a shell game with $55 billion of home health spending.

I can summarize the budgetary goals of our Medicare reform plan in two quick points, Mr. President. For Medicare part A, we will meet the goal of keeping the part A trust fund solvent for more than a decade without any shell games.

And for Medicare part B, we will achieve the same level of savings as contained in the President's budget.

Keeping the part A trust fund solvent requires making hard choices, Mr. President. Our plan saves money first by restructuring the system to provide seniors with more choices. Today we have a Medicare Program which is modeled after a state-of-the-art health insurance plan from the mid-1960's.

It is time to bring Medicare into the 1990's, and to prepare it for the next century. Over the past 10 years, workers in the private sector have seen their health insurance coverage change. More of them are choosing to move into managed care, and more of that care is being delivered through networks of providers which can care for the entire patient.

Many workers in the private sector and Government employees have health care choices, choices which many Medicare beneficiaries do not have today. I believe that by offering seniors a wide range of options, and by making private firms compete for the business of seniors, we can better meet the beneficiaries' needs, and we can save money as well.

The trustees' report tells us that Medicare spending per beneficiary grew about 10 percent over the last year. We simply cannot sustain a program in which each year we spend 10 percent more for each person. We need to restructure the Medicare Program so that beneficiaries can make intelligent decisions about how they can best receive medical care.

Our plan would also make some needed changes in the way we pay providers. Most hospitals are paid by the prospective payment system. A hospital is paid a specific amount for a certain medical condition. This fixed, up-front payment encourages the hospital to deliver care efficiently. While the prospective payment system has not done enough to control hospital spending, it was definitely a step in the right direction.

Our Medicare reform plan would reform how Medicare pays for home health services, and for services delivered in skilled nursing facilities. These are the fastest growing components of Medicare spending today, and we need to restructure the way we pay these facilities to help control costs.

Our Medicare reform plan would also reduce the rate of growth in payments to providers. This is nothing new, Mr. President, and if we are to control

costs in the short run, we must do it. But to those who claim that we are going to actually cut payments to providers below today's level, I say you are absolutely wrong. Even after reform, payments to hospitals and physicians will go up.

The providers, Mr. President, should be among the strongest supporters of our reform plan, because they will ultimately benefit from a system that delivers and allocates health care more efficiently. As more Medicare beneficiaries participate in privately offered Medicare plus plans, we can get the Government out of the relationship between a patient and his or her doctor. We can allow doctors to practice the best kind of medicine they know, and we can allow a patient and a doctor to cooperate in making smart and economical decisions about the amount and type of care that a beneficiary needs.

Our Medicare reform plan would enact real reforms to control Medicare program costs so that we can keep the Medicare trust fund solvent for 10 years. Once we have done that, we can then begin to address the longer-term financial problems that will result from the retirement of the baby boom generation.

That is in direct contrast to how the President's budget proposes to deal with Medicare. The President's budget contains a Medicare shell game which just moves money around from one pot to another. The President's Medicare shell game would mislead Medicare beneficiaries, hard-working families paying taxes, and the Congress about the health of the part A trust fund.

And the President's Medicare shell game would place $55 billion more pressure on income taxes. It makes you wonder if this is really just a back-door way to increase taxes, Mr. President.

The President's plan would take $55 billion of home health spending, which is currently paid out of Medicare part A, and would say that it is no longer going to be paid from the Medicare part A trust fund. He would transfer responsibility for that spending from Medicare part A to Medicare part B.

Why would you do that? For one simple reason: it makes the part A trust fund look better. Since you're no longer spending that $55 billion from the part A trust fund, that trust fund goes bankrupt more slowly, and it appears healthier. But you haven't really done anything to address the problem, because the spending still exists in medicare part B.

By playing this shell game with home health spending, the President claims to keep the trust fund solvent, when really all he has done is shift the problem from one part of Medicare to the other. That would be bad enough, if that's all there were. But unfortunately there is more.

Medicare part B is paid for from two sources. Premiums paid by beneficiaries cover 25 percent of the costs, and income taxes from hard-working American families pay the other 75 percent. Every $1 paid by a medicare beneficiary for doctor's services through Medicare part B is subsidized by $3 from working taxpayers.

We know that the President's Medicare shell game transfers $55 billion of home health spending from Medicare part A to Medicare part B. So it would make sense that, if you did that, beneficiary premiums would go up to pay for 25 percent of those costs.

But they do not. The President's shell game transfers the $55 billion of spending from part A to part B and makes the part A trust fund look healthier, but he exempts the transferred spending from the calculation of the premium.

So who do you think pays for it? Where does the $55 billion come from to pay for the transferred home health spending? Under current law and under our reform plan, it comes from the payroll taxes that pay for part A benefits, and are needed to keep the part A trust fund solvent.

But if the $55 billion is now paid from part B, but the premiums paid by beneficiaries are not going to pay for any of it, then the entire $55 billion cost will be borne by hard-working, taxpaying American families. Rather than subsidize three-fourths of this spending, as they do for all other part B services, the President would make working taxpayers subsidize the whole thing.

Let me summarize the shell game, Mr. President:

First, transfer $55 billion of home health spending from part A to part B;

Second, this makes the part A trust fund look healthier, when actually nothing has changed;

Third, exempt the $55 billion from the calculation of the part B premium;

Fourth, and therefore make working taxpayers pick up the entire $55 billion cost.

I wonder if there are plans to extend this shell game in the future, Mr. President. If he wanted to, each year the President could propose to transfer some more spending from Medicare part A to Medicare part B. He could exempt it from the premiums, and each year he could claim to save Medicare. But in reality all he would be doing is misleading the American people and Medicare beneficiaries, allowing Medicare to go bankrupt, and raising taxes on hard working American families. I sincerely hope that this is not the President's goal.

Now, Mr. President, I am going to insert a statement in the RECORD because of the lack of time that explains in detail the proposal that the Republicans have submitted this year. This proposal, which is working its way through the Congress, would save the trust fund for 10 years.

I want to spend a little bit of time talking about what the President of the United States does not do. It has been very difficult. It seems like nobody wants to write about what the President is proposing, but I believe we ought to tell the public what he is proposing and let them pass judgment upon whether he has a bona fide, legitimate 10-year fix of Medicare. The proposal that our committees will work on, everybody agrees, will make the trust fund solvent for 10 years. But now let me suggest how the President goes about solving this problem. I wish I was a better wordsmith because what he has done just cries out for some simple few words to explain it that everybody would understand. But I am not very good at that. The closest I can come to it is a flimflam, a hoax, a charade. So let me try to tell you what I mean.

The trust fund has money coming into it from all the workers of America. All the hard-working people getting paychecks, they will see a little piece of it taken out, and it goes in this trust fund to pay for hospital and home health care for senior citizens. It is a lot of money. The problem is the costs in that fund have grown 10 percent a year and the taxes going in are not growing at 10 percent a year.

Some say we can cover seniors and modernize this system, and instead of growing at 10 percent a year, maybe we can cover it at a growth of 7 percent a year. Some say the providers that are charging for this care have to charge in a different way and we have to prevent fraud and we have to make sure that we are not being overcharged as we attempt to take care of seniors for their hospital care.

The most interesting thing about this is that out of that fund currently, we also pay for home health care for seniors. It does not matter to the Senator from New Mexico how one explains how that happened to come about. The truth of the matter is, when these trustees were referring to reducing the costs, they were referring to reducing the costs of what we are paying for out of that trust fund.

One of the big-ticket items that we have committed to pay for out of this trust fund for our seniors is home health care. It just happens that home health care is growing rapidly. As a matter of fact, if you looked in that trust fund and zeroed in and said, "What are we paying for," and you asked, "What is it costing," the fastest growing one is home health care for seniors. It is growing at 19 percent a year.

The trustees recommended that we try to reduce the costs of this program. Listen carefully. Here is how the President did it. He said, let us not pay for home health care from the trust fund. Let us take the spending out of the trust fund. It is a small item, $55 billion over the next 6 years. Let us just take it out of there and not pay for it out of the trust fund anymore.

That is marvelous. If you can do that with immunity and if you can do that without charging somebody for the $55 billion, you have a marvelous budget. We just got rid of $55 billion worth of debt that that trust fund is obligated to pay for our seniors, and we say we are not going to pay it anymore.

Obviously, if you do that you have already made the trust fund solvent for a little bit longer. You took away $55 billion of its obligation. And what does the President do with it? He says we are going to pay for that from general revenues, paid by the working taxpayers of America.

How do you like that? All of a sudden, whack, just like that, we transferred $55 billion from the trust fund to all the hard-working people of the country. Mr. President, $55 billion of their taxes are going to go to pay that. And all of a sudden, the trust fund got a little more solvent.

The trust fund may be getting solvent, but the taxpayer is going broke. The youngsters in America, with children, trying to raise a family, they could not have even dreamt of such a marvelous gift from the President. Suppose they woke up one morning and he said, "I have taken $55 billion out of that trust fund, and you pay for it. But I have made the trust fund solvent because I just got rid of $55 billion worth of things it has been paying for."

Frankly, if that is how you want to fix the trust fund, why do we not go over and ask those who are taking care of the trust fund and paying the bills, why do we not say, "Why do you not give us another whole bunch of bills we are paying for seniors out of the trust fund? Why do you not find another $50 billion and let us not pay them anymore out of the trust fund. Let us take those responsibilities out and say we are going to pay for them, we are just not going to pay for them out of the trust fund?"

Then who is going to pay for them? Certainly we are not saying nobody is going to pay for them. Certainly we are not saying we are going to take them away from the seniors. We are just saying the taxpayer will pay. We are just saying let those hard-working people pay. They do not know it, but we just put another tax on them.

Frankly, if I sound a bit let down, if I sound a bit frustrated, I am both. I am really let down.

I ask for an additional 5 minutes, Mr. President.

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

Mr. DOMENICI. If I appear a little let down, I am. If I appear a little bit kind of chagrined, I am. Because we set about to do precisely what the trustees said. We tried to reduce the costs to the trust fund of providing this care. We wanted to make the system modern, give seniors options instead of the 30-year-old program, one program for all seniors. We thought we could save them money if we gave them options. We thought they might get more coverage if we gave them options. We worked very hard on how can we change the way we keep the system from getting defrauded. We worked very hard at how we pay and make sure we are getting our money's worth for all these hospital bills.

Isn't it something, after you have worked like that, you have gone across the country and told the people you are doing it, along comes the President and, overnight, in the budget, says, "I just found a way to save $55 billion. Just take it out of there and let somebody else pay for it."

I do not understand why people are not asking the administration, and those who represent the administration: How can you do this? Who is going to pay the $55 billion that you just relieved the trust fund of? Who is going to pay it? Is it manna from heaven, going to fall down somewhere and nobody is going to have to pay it, or are we going to find a way not to provide it to seniors?

So I thought it was very important to explain this, one day after the issuance of the latest report—and, senior citizens, with each year the report is getting worse. It is not going to get better. We have to try to fix this program. I do not believe anybody really thinks that fixing it means letting us transfer the costs of it to working men and women who already are paying too much taxes. We do not exempt them. We did not find a way to exempt the way their tax is. They are going to pay for it.

I venture to say, in closing, if somebody were to offer a bill to the U.S. Senate that said, "Let us put a $55 billion tax on Americans' general income tax and let us transfer that to the trust fund to pay for hospital care for seniors," I venture a guess that it would not get 15 votes. For everyone knows you cannot take every trust fund that is around, and when it is not quite able to do its job, just go out and say put an income tax on the public to pay for it. This was a trust fund. We told the working people you will pay a fixed amount, put it in there, and it will take care of this. And we have not yet even attempted a reasonable effort to reduce the costs and supply seniors with adequate hospitalization.

We are just coming to grips with the problem, and along comes an opportunity to do it together and do it right with the President and the Congress working together, and the President finds a way to get rid of the problem, about half the problem, by deciding to move $55 billion worth of costs out of the trust fund and saying, "We'll pay for it another way."

I do not like to just always paint the side of the picture the Senator from New Mexico sees. There will be some who will say it is pretty logical that we should take out home health care. Maybe it should not be in there. But the truth of the matter is, when you do it this way, you have perpetrated on the public a vicious misrepresentation, for you are telling them you made it $55 billion more solvent, and you are not telling them how it is going to be paid for, on whose shoulders is the cost going to fall as this $55 billion has to come out of the general coffers of America.

I am quite sure that the President might say, "I don't intend it that way," but I ask, how do we intend to pay for it otherwise? It could be that since we are moving that down into another provision of health care for seniors, maybe the President is going to propose that we raise the costs of that program to seniors. They pay 25 percent of that. The taxpayers pay 75 percent of that. That is for the insurance policies for everything but hospitalization. Perhaps the President will come along here and say, "We've got to make sure the seniors bear a portion of that cost."

I do not find that anywhere in the budget. So I am assuming it comes out of the general tax coffers of the country to pay for making the trust fund solvent.

Again, in summary, if it is the intention of the Congress and the President to make the trust fund solvent, not by reducing costs but by paying for a big portion of it out of general taxes, maybe we ought to tell everybody that. Maybe we ought to say that is how we are going to provide for this hospitalization. I do not believe anybody thinks that. I do not believe anybody thinks you are going to make that fund solvent by taking 4, 5, 6 percent of the general taxes that Americans are paying and put it in there. Pretty soon there will be no tax dollars for anything else.

So I thought it was very important that we get the message out. I had hoped I could have gotten it out yesterday. It would have been more in rhythm and in sequence with the issuance of the report, but we had other important things to speak of, so I came today to do it.

Mr. CRAIG. Will the Senator from New Mexico yield?

Mr. DOMENICI. I will be glad to yield.

Mr. CRAIG. I want to thank the Senator from New Mexico for his statement, and it is timely. It is important the record show that.

Yesterday, we heard from the trustees, the actuarial study of the state of the trust fund of Medicare. This Senator happens to be holding town meetings across Idaho on Medicare. I can tell the Senator from New Mexico, there is one question always asked. In your package, and I am using the comparative between what you did, what

Senator ROTH worked in producing, what the Senate finally voted on to reform Medicare a year ago, and I compare it with what the President had offered, and they say to me, "Well, now, home health care, that's a very important part of keeping costs down. Why is the President doing what he's doing?"

I try to explain it to them. They say, "Well, then doesn't that mean it just gets funded out of the general fund?"

I say, "With no other form of taxation or revenue source"—as the Senator from New Mexico just pointed out—"you are absolutely right."

They say, "Well, that takes it out of the character of the kind of health care this country needs."

We ought to be moving people toward home care. It is the least expensive way, or it is a less expensive way, certainly, and it clearly offers that senior who needs this kind of health care the sanctuary of the home. We ought to be driving toward that.

The Senator from New Mexico, I think, has made a very important statement in that area. Let me thank him for doing so. I do not want to have to deal with this issue again this year, but if we do, I do not want the President sitting down there saying, "We're slashing it," when there is less than a half a percentage point difference in what we are doing.

I think the thing that is most interesting for those attending my town meetings—we use the charts and the graphs; we show the President's plan and our plan—they say, "Where's the difference?"

I say, "We offer more options, and those options help bring costs down."

They say, "We see that, Senator, but we thought you were destroying the program."

I say, "Well, when the facts are on the table, no one—no one—in this Senate will ever do that. But we are on the board of directors, if you will, of Medicare and we have to make the necessary corrections to get it done."

I think your points today are valuable, very important to the whole of the message, and I thank you for bringing it to the floor of the Senate.

Mr. DOMENICI. I thank the Senator. Mr. President, I yield myself 1 additional minute.

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

Mr. DOMENICI. Mr. President, there is another aspect which I have not spoken about, and I will take a minute to discuss it. It is entirely possible that when you take expenditures out of the trust fund that were obligated to be paid by that trust fund, that you might be diminishing the quality of what you are giving seniors, for if the obligation is in the trust fund, it is a pure trust responsibility to pay for those kinds of things for seniors. If you take it out and say it is going to be paid for out of the general fund, it may be that down the line, we will turn it into welfare or we will pay less for it because we will be saying, "It's not in the trust fund; it's something we can control by just turning the money off or on."

I have not said that other than today, but I do believe it is subject to a serious question: Do you diminish the expectation rights of seniors to home health care if you take it out of the trust fund and put it in another place under another fund which may not be quite as secure in terms of the commitment?

I yield the floor.

The PRESIDING OFFICER. Who seeks recognition?

Mr. DOMENICI. 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. SIMON. 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. SIMON. Mr. President, I want to speak just briefly on two subjects.

TRIBUTE TO DANIEL E. MOSS

Mr. SIMON. Mr. President, I served for 10 years over in the House. Handling the garage entrance there has been a police officer, D.E. Moss. I learned today he is retiring today. I am probably like most of my colleagues. We just do not thank people around here enough. Here is an officer who is great to us who serve in Congress. More importantly, he has been great to the public. He has just made a great impression for the U.S. Government and has served our people well.

I think of him. I think of Ed Litton who is down in the Dirksen Building, an officer who works there at the subway. But it is true of the people who record what we have to say, whether it has merit or not, the people who sit at the front desks, the pages, the people who work the doors, all the people who really make this place function so well.

D.E. Moss' retirement is a good occasion to remember that we are in debt to a great many people.

Mr. CRAIG. Would the Senator from Illinois allow me just a few comments in that regard?

Mr. SIMON. I would be pleased to yield to my colleague.

TRIBUTE TO SENATOR PAUL SIMON

Mr. CRAIG. While I do not want to speak of Mr. Moss—and I am pleased you recognized him—I want to speak about you for just a moment, and to thank you for the relationship you and I have had on the issue of the balanced budget amendment to the Constitution. We were not successful a few moments ago on another very important vote.

But I must say, in all fairness—and I want the Record to show this—that over the years that you and I have worked side by side on this issue, I think most of the public watching would have said, "Isn't that interesting. Here is a liberal and a conservative."

We took the politics out of this. It was a bipartisan effort, a strong one, on the part of the Senator from Illinois and this Senator. Out of that relationship and our commitment for fiscal responsibility, I have developed a very fond respect for you and all of the work you do. While you and I disagree on a lot of issues, we have worked together very, very well.

Let me thank you publicly, and for the Record, for the tremendous effort you put forth and the contribution you have made toward bringing a balanced budget amendment to the Constitution to the American people. A very special thanks to the senior Senator from Illinois.

Mr. SIMON. I thank my colleague from Idaho, and my thanks to Senator COVERDELL from Georgia. I knew Senator CRAIG when he was Congressman CRAIG. We said hello, but that was just about it. But I had a chance to work with Senator CRAIG here and came to have great respect for him. I am grateful to all those who were helpful to us: Senator HATCH, Senator THURMOND, Senator HEFLIN, Senator BRYAN, others in both political parties.

A balanced budget constitutional amendment, one of these days, has to pass. The question is, how much we are going to hurt our Nation before we pass it. There is just no question, if we had passed it back when John F. Kennedy complained about spending $9 billion on interest—today we are spending $344 billion on gross interest—what a much better country we would have. We cannot wait another 5 or 10 years. We are going to have chaos.

THE GROWTH OF LEGALIZED GAMBLING

Mr. SIMON. Mr. President, I will speak just briefly on another subject. That is, Senator LUGAR and I and Senator WARNER and a total of 25 of us on both sides have introduced a bill to say, let us have a study of the growth of legalized gambling in our country.

This is not the most Earth-shaking thing, but the fastest growing industry in our country is legalized gambling. And there are problems with that. It is the only form of addiction that Government promotes. We would be shocked if we saw a sign saying, "Smoke Marlboro cigarettes. You know, they're fun to smoke" or "Drink more whiskey. You'll really have a good time," because both of those provide revenue for Government. But we

do not seem to be shocked when there are billboards, like on the south side of Chicago, saying, "The Illinois lottery—this is your way out." This is the impoverished area of Chicago. That is not the way out for people. It is education. It is hard work. It is the kind of things that we know have to be done.

So Senator LUGAR, Senator WARNER, and I introduced this legislation. To the credit of Senator STEVENS and his committee, it was reported out by voice vote. Now we want to move it through the Senate. The House has already passed a bill. We have to work the two out.

My hope is that we could get this done quickly. I spoke last week to Senator DOLE. I would love to see, before BOB DOLE leaves, the Senate have us pass this legislation.

The New York Times 3 days ago had an editorial urging the Senate to pass this legislation.

The Christian Science Monitor has an editorial. The last paragraph reads:

It's time society knew the real costs of gambling. The Senate should pass the measure without delay.

I hope we do this. I have no illusions. We are not going to stop legalized gambling in this country. We are not going to close Las Vegas or Atlantic city. But I think we should be looking at the possibility of steps to limit the growth. For example, you can now or shortly will be able to, on the Internet, gamble by computer using your American Express or Visa or some card. We do not know where that is going to lead. I think a commission ought to be looking into this.

There are people who get addicted. I got into this because my mother is a member of a Lutheran Church in Collinsville, IL. And a substitute teacher at a Lutheran school of that church, unknown to her family, got addicted to gambling. They thought the money was going for rent and paying the bills and so forth. One day they came home and there was a note saying you could find her in the shopping mall parking lot. She had committed suicide. She went to a riverboat casino and got addicted. And you know, these stories multiply.

Mr. President, I ask unanimous consent to have printed in the RECORD these two editorials.

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

[From the New York Times, June 3, 1996]

GAMBLING IN THE SENATE

Despite intense opposition from the gambling industry, the Senate Governmental Affairs Committee has approved a worthwhile measure to create a national commission to review the social and economic impact of casinos and state-run lotteries. Chances are good that it would win easy approval by the Senate, much as a similar bill unanimously passed the House in March. But there remains a danger that Senate Republican leaders may try to kill the measure quietly by failing to allow time for a vote on the Senate calendar.

The bill approved by the Senate committee is a somewhat watered down version of the House plan, which was proposed by Representative Frank Wolf, a Virginia Republican. But it is a marked improvement over the revision proposed earlier by Ted Stevens of Alaska, the committee chairman. The compromise fashioned by Mr. Stevens and the bill's sponsors—Richard Lugar, Republican of Indiana, and Paul Simon, Democrat of Illinois—grants the commission adequate subpoena power and a sufficiently broad mandate to examine gambling's consequences in communities around the country.

As various forms of gambling have spread across the nation, there has been little effort to examine the economic and social impact. State and local political leaders faced with deciding whether to approve gambling in their area, or expand its presence, often have little hard information available to assess the advantages and disadvantages to their communities.

Bob Dole, now in his final days as Senate majority leader, has indicated support for a Federal commission, despite heavy financial support for his Presidential campaign from the gambling industry. But, at least for now, the bill is not on the list of measures he hopes to pass before he departs the Senate around June 11. Mr. Dole's likely sucesssor, Trent Lott of Mississippi, has voiced reservations about forming a national commission.

With pro-gambling lobbyists working overtime to defeat those good idea, the best step now would be for Mr. Dole to bring the bill to the Senate floor before he departs. In doing so he can serve the public good and demonstrate his independence from a wealthy special-interest group.

[From the Christian Science Monitor, May 20, 1996]

GAMBLING: A BAD BET

The Senate Governmental Affairs Committee last week approved a bill to set up a national commission to study gambling in the United States.

The bill calls for the commission to examine the social and economic impact of gambling on communities and individuals and issue a report within two years. it would look at all forms of gambling, including new forms of interactive computer technology and gambling over the Internet. Three commission members would be named by the president, three by the Speaker of the House of Representatives, and three by the Senate majority leader. The board would hold public hearings and have the power to subpoena witnesses.

Such a study, which joins a number of state-sponsored inquiries, is long overdue. The states' headlong rush over the last 20 years into lotteries, bingo, riverboat casinos, and other gaming was accompanied by promises of economic development, more state funding for schools and other services, and "harmless" entertainment.

Not one of these promises has come to pass. Instead of economic development, discretionary spending is drained away from other, more-productive spending on goods, services, or entertainment. Instead of spending more on education or social services, legislators have taken away general funds in equal amounts and merely replaced the money with lottery and keno revenues. Instead of harmless entertainment, there is organized-crime involvement, gambling addiction, and a whole host of personal problems fed by the lure of "easy money." The states, themselves addicted to gaming revenues, are forced to invent new games to augment lottery earnings lost to competition.

The gambling industry opposes creation of this commission, worried it will find that gambling causes more problems than benefits for states and communities.

It's time society knew the real costs of gambling. The Senate should pass the measure without delay.

Mr. SIMON. I urge Senator DOLE, if possible, prior to Tuesday, to bring this up. I would hope we could pass it quickly. If that cannot happen, I hope Senator LOTT or Senator COCHRAN, I am not voting on who will be the leader over there on their side, but I hope that we could move on this quickly. I think it is clearly in the national interest. This, again, is not an attempt to stop legalized gambling in this country. It is an attempt to say "Let's look at where we are."

I see the distinguished chairman of the Finance Committee. He is nodding, either because I was speaking, or he wishes to speak. I yield the floor to the Senator from Delaware.

The PRESIDING OFFICER. The Senator from Delaware.

MEDICARE TRUST FUND SOLVENCY

Mr. ROTH. Mr. President, I rise today with grave concerns that the Medicare hospital insurance trust fund is no longer creeping toward insolvency, but galloping toward it.

This is very serious news. Based on the Medicare trustees' report released yesterday, Wednesday, June 5, the Medicare HI trust fund is going bankrupt earlier than expected. In fact, according to the trustees' report, of which three of the six trustees are members of President Clinton's Cabinet, the trust fund may run out of money as early as calendar year 2000.

What is happening to the Medicare trust fund is pretty basic. The program is paying out more than it is taking in. This simple dynamic, if left unchecked, will lead Medicare to bankruptcy in less than 5 years. And, simply put, bankruptcy of the trust fund means there will not be money to pay the hospital bills of our senior citizens and disabled individuals reliant on Medicare.

Medicare is on a collision course, and we cannot afford not to act. Taking no action to avert Medicare's collision course toward bankruptcy means leaving millions of seniors and disabled beneficiaries with an empty promise. I believe this is wrong.

It is time to put politics aside.

To address Medicare's financial crisis, it has been suggested appointing a bipartisan commission to develop a solution. I support the establishment of a commission. A commission could facilitate addressing the Medicare crisis. But, I cannot support the idea of establishing a commission if this is a delay

tactic or a tactic to avoid addressing the issue.

I am concerned because, frankly, the administration's track record in proposing a solution is not good. Last year, the administration ignored the Medicare crisis. President Clinton's fiscal year 1996 budget did not include any proposals to shore up Medicare's fiscal debt, nor did his budget claim there was a problem. We are facing a crisis. A crisis requires action.

There is a lot of talk about wanting to get down to business to solve the Medicare trust fund crisis. Didn't anyone notice that we tried that last year? That in the Senate we put forward a proposal that would have truly preserved and protected the Medicare Program, not just through the next 5 years, but for the next generation.

Our proposal would have kept our promise to leave a legacy of a robust Medicare program for our children and our grandchildren. And yet, the Clinton administration played politics with Medicare and waged a "Medi-Scare" campaign. Yet, again, Democrats now are saying that Republicans are resorting to scare tactics.

I do not agree that scare tactics include alerting the public to factual information reported by the Medicare trustees.

"Medi-Scare" tactics were used last fall as Congress worked to preserve and strengthen the Medicare program.

Instead of debating the issues and focusing on the need to preserve Medicare, others resorted to political rhetoric that played on the public's emotions and distorted the truth. Democrats kept talking about Medicare "cuts", when not one of the Republican proposals would have cut benefits. The program was not "cut," in fact, spending would have increased every year under the Republican reforms. And, then there was the final emotional play linking changes to the Medicare program to a tax cut. According to the Washington Post last September, even this tactic was refuted: "The Democrats have fabricated the Medicare-tax cut connection because it is useful politically."

Now, is the time to put partisanship aside. Time is running short, and we need to work together to avert the crisis.

There are three very basic, but crucial facts that we can not avoid—these three facts are:

Fact: if changes are not enacted into law, the trust fund will continue on its course toward bankruptcy and there is no provision in the law allowing for HI expenditures to be made on behalf of Medicare beneficiaries.

Fact: according to the Medicare trustees, Medicare will be bankrupt in 2001.

Fact: the year 2000—the last year the Trustees believe Medicare will be solvent, is less than five years away.

Given the very short time-time Medicare will remain solvent, and given the demographic progression of the Medicare program, we cannot afford more delay. We are already 2 years closer to insolvency because we lost a year to address the problem, and the program is one more year closer to bankruptcy than we expected, yet we are miles away from reaching an agreement on a solution.

Demographic trends will continue to increase financial pressure on the trust fund. Today, there are less than 40 million Americans who qualify to receive Medicare. By the year 2010, the number will be approaching 50 million, and by 2020, it will be over 60 million. While these numbers are increasing, the number of workers supporting retirees will decrease. While we have almost four workers per retiree today, we will have about two per retiree by the year 2030.

Yet, my friends on the other side of the aisle will point out that the President took action in 1993 to extend the life of the HI Trust Fund—he raised taxes. President Clinton's 1993 budget he enacted into law included two taxes to bail out the trust fund. First, the 1993 Clinton budget increased taxes on workers by taxing all wages earned, and second, the 1993 budget increased the amount Social Security benefits are subject to taxation from 50 percent to 85 percent.

Increased taxes were not a solution in 1993, and they will not be a solution in the future.

Last year, Republicans proposed to preserve, protect and strengthen the Medicare program. We worked hard to put together a balanced proposal that did not cut Medicare but slowed the rate the cost of the program was expected to grow. Under our plan that was approved by Congress, annual per beneficiary Medicare spending would have increased from average spending of $4,800 in 1995 to more than $7,200 in 2002.

Under the original Senate Balanced Budget Act as reported out of Finance Committee, the Medicare program would have remained solvent for about 18 years. According to the CBO estimates, under our proposal, the Medicare HI Trust Fund balance would have totaled $300 billion in 2005. The CBO stated, the HI Trust Fund would meet the Trustees' test of short-range financial adequacy." In other words, for the next 10 years, the HI Trust Fund balance, at the end of every year, would have been more than enough to pay Medicare benefits for the following year.

More importantly, using the CBO's estimates through 2005, our Finance Committee staff, in consultation with the Office of the Actuary within the Department of Health and Human Services, estimated that the Medicare HI Trust Fund would have been solvent through about the year 2020. That would have meant 10 years after the baby-boom generation begins to retire a quarter of a century from today.

We need to preserve and protect the Medicare program. We need to make sure we leave a solid legacy for the next generations. The demographics and the predictions of cost growth confirm that the program is not sustainable. It is no longer time for rhetoric, but time for action. Playing politics with Medicare is simply wrong. Putting off what needs to be done is the cruelest tactic.

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. REID. 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. REID. Mr. President, I ask unanimous consent that I be allowed to proceed as in morning business.

The PRESIDING OFFICER. The Chair advises the Senator that we are in morning business for statements of up to 10 minutes.

MEDICARE

Mr. REID. Mr. President, there have been a number of speeches made today by colleagues on the other side of the aisle about Medicare. I ask the American public to understand the opposition to Medicare, as a program. For example, I wonder if those same Senators who talk about how they were rallying to help Medicare would recognize that just last year, late in the year, the majority leader of the Senate, Senator DOLE said, "I was there fighting the fight against Medicare, one of 12, because we knew it would not work in 1965." On that same day, at another place in Washington, a speech was given by the Speaker of the House, where he said, "Now, let me talk about Medicare. We don't get rid of it in the first round because we don't think it would be politically smart. We believe it's going to wither on the vine." We have another leader in the House of Representatives, the majority leader, DICK ARMEY, a Congressman from Texas, who is second in command in the House of Representatives. He said, "Medicare has no place in the free world. Social Security is a rotten trick. I think we are going to have to bite the bullet on Social Security and phase it out over time."

This is where they are coming from. The Republican leadership does not like Medicare. Look at what Haley Barbour said: "This is manna from Heaven." The Republican National Committee chairman was responding to the Medicare trustees' report that was released when the Republicans were looking for a way to justify their

scheme to cut Medicare. "This is manna from Heaven"—the fact that the Medicare trust fund is in trouble.

The fact of the matter is, Mr. President, we have had Medicare for some 27 years, and there have only been 2 years where in the annual report of the trustees it has indicated that Medicare is in trouble. The reason for that, of course, is that Medicare is a pay-as-you-go system. Every year, the trustees have said, "You have to do something to take care of Medicare," and we do. One of the things we recently did, in 1993—all the Democrats did it, and we did not get a single Republican vote—is we extended the solvency of the trust fund for 3 additional years.

There is a lot of work that we need to do to take care of Medicare. Medicare is a tremendous program. In the early 1960's, less than 40 percent of the American senior citizens had some type of health insurance. Today, almost 100 percent—over 99 percent—of senior citizens have health insurance. The reason they have health insurance is because of Medicare.

Of course, there are things we need to do with Medicare. For people to stand, though, with a straight face and say, "We are not cutting Medicare; all we are doing is cutting the rate of increase," certainly does not answer the question. We have thousands of people coming on the rolls—thousands and thousands of people—every week in the United States. People are living longer. During that period of life extension, they need additional health and medical care. Medicare has been a boon to these senior citizens in their older years to take care of that.

We need money to do that. If you use the argument that has been used by my colleagues on the other side, where, in effect, Mr. President, they are saying, "This is not a cut; we are only cutting the rate of increase," well, if that is a fact, we keep hearing on the Senate floor all the time about defense funding, defense forces. They talk about this increase that we are getting, and that a 5-percent increase is really a decrease in defense spending. Well, that same argument then would certainly apply to Medicare, a nominal funding increase of $1,653 a person. But the fact of the matter is that the purchasing power is at a loss of about $1,000.

So let us talk realistically. The fact that you raise the dollars does not mean in fact that you increase the ability of people to purchase. In fact, it is quite to the contrary.

We know that the Speaker wants Medicare to wither on the vine. The majority leader in the Senate was glad that he voted against it in 1965 because he said he knew it would not work—some 30 years ago.

Well, we are willing to take care of the problems in Medicare. In the budget submitted by the President there is an extension of the problems with Medicare. There are a lot of things that we need to do, and we can do those. But the one thing that we cannot do is continue this Presidential debate and in the process damage the image of Medicare. Medicare has billions and billions of dollars in the trust fund today. Those trust fund dollars will continue to be there for the foreseeable future. We have to, as we have in years gone by, change certain things, and we are going to do that. But we are going to have to wait, it appears, until the Presidential election season is over before we can constructively take care of the problems with Medicare.

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

The PRESIDING OFFICER (Mr. KEMPTHORNE). The clerk will call the roll.

The 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 to proceed as if in morning business for 15 minutes.

The PRESIDING OFFICER. The Chair advises the Senator that we are in a period for morning business with Senators allowed to speak for up to 10 minutes.

Mr. GREGG. I thank the Chair.

MEDICARE

Mr. GREGG. Mr. President, I want to talk a little bit about Medicare, which I know has been discussed by other Members on the floor, and specifically about the Medicare trustees' report which I know has also received a fair amount of attention, as well it should. This Medicare trustees' report, remember, is the second—there have been a number of reports—second in a series of reports that have raised a very large red flag, which red flag essentially had printed on it "The Medicare Trust Fund is Going Bankrupt."

The Medicare trustees are independent in the sense that their job is to review what is happening with the Medicare system, do it in an analytical way, and issue a report. Even though three or four of the members are officially members of the administration, they have great credibility as to the integrity of this report.

The first report that they initiated in this area that threw up the red flag in such a large way stated unequivocally—this was almost a year ago now—"We strongly recommend that the crisis presented by the financial position of Medicare trust fund be urgently addressed on a comprehensive basis, including a review of the program's financing method, benefit provisions, and delivery mechanisms."

Well, the U.S. Congress—specifically the Republican leadership in the U.S. Congress—did address the Medicare trust fund and that specific direction from the trustees. We put forward a proposal which was included in the balanced budget, which unfortunately the President vetoed, that addressed the underlying problem of the Medicare trust fund. It did it by giving seniors an opportunity to have more choices as to the type of health care that they receive. Unfortunately, that proposal was vetoed.

So we now have another report coming out which has said that the original report of a year ago grossly underestimated the problem. This chart sort of reflects the situation. I call this the plane crash chart, the nose dive chart, or whatever you want to call it. This is the blue line that shows what is happening in the Medicare trust fund in the original report that we most refer to around here of a year ago. This red line is the new timeframe for insolvency. It has been moved from the year 2002 to the year 2001. But actually that only tells a little bit of the story when you use those 2 years because of the insolvency which is being projected by the trustees. In the year 2001 they are talking about an insolvency or a deficit of $33 billion in the Medicare trust fund, part A. But in the year 2002, under this new report, they are talking about a deficit of over $100 billion—a massive deficit in the trust fund in the year 2002.

What has the administration's response to this been? It has been to take their head and stick it as far down in the sand as they can and flap their wings in some demagogic manner about how the Republican proposals are going to slash Medicare when nothing could be less accurate or less truthful.

The Republican proposal was that we should slow the rate of growth of Medicare from 10 percent annually down to 7 percent annually and that we should do that by, as I mentioned earlier, giving Medicare beneficiaries essentially the same type of choices that Members of Congress and the Federal employees have today. Today, unfortunately, a Medicare beneficiary has only one really viable choice. They have some experimental choice, and that is called "fee for service." This is the type of health care delivery service we had in the 1950's and 1960's in this country; the type of health care service seniors grew up with and, therefore, are most comfortable with. It happens to be the most expensive type of health care delivery service. People who work in the private sector today, who work in a business place today, who have health insurance, know that there are very few fee-for-service programs, that for the most part we have what is known as mixed cost programs where you buy a health care delivery service that takes care of all your activities when you are an employee.

It might be an HMO; it might be something called a PPO; it might be a group of doctors practicing together. There are a group of variables about how this is done. But today we have basically fixed-cost delivery systems.

What we as Republicans said to the seniors was, all right, if you like fee-for-service, you can stay with it. We are not going to tell you that you have to change, but we are going to encourage you to look at some other services, HMO's, PPO's, groups of doctors practicing together, other types of insurance programs, and to the extent you choose one of these other programs which has to deliver at the minimum the same benefits you are now getting under your health care system, under health care services, to the extent you choose one of those that costs less, because many of them can cost less, then we in the Federal Government are going to give you an incentive to choose that less expensive system.

You may say, well, how can there be a less expensive system that is going to give the same type of care to seniors? It is called the marketplace. It just happens in the marketplace there are a lot of health care providers that are willing to give the same or even better services for less than what Medicare today pays to the average senior for fee-for-service.

That is because we pay so much for the average care for seniors. We pay about $4,800 a year. That is a lot of money for seniors. There are a lot of systems out there that could probably supply that care, and maybe more care—maybe eyeglass care, maybe pharmaceutical care—and do it for less than $4,800 a year. To the extent it was less, we were going to give our seniors the option to choose the least costly service which may be a better service. And the incentive we were going to give them to do it was to keep the difference. If their plan they choose were to cost $4,500, that today costs us $4,800 to pay for their fee-for-service, and the plan they choose was a fixed-cost system that cost $4,500, the senior would keep the $300 difference.

That would create three events. No. 1, it would mean that seniors would have an incentive to go out and look for cost-effective health care. No. 2, it would mean the marketplace would respond with lots of different opportunities for quality health care. And No. 3, it would mean that the Federal Government would get a predictable rate of growth in health care. Instead of having a 10 percent rate of growth, we can conservatively estimate that the rate of growth would be about 7 percent. Why? Because in the private sector, which has done exactly this, which has gone to a variety of different health care programs, the cost of the premiums has actually dropped by about 50 percent.

What we are talking about is getting a 30-percent drop in the cost of premiums, so we know if we use this opportunity we would have the opportunity to control costs especially in the outyears and therefore give us a better chance at maintaining the solvency of the Medicare trust fund.

What was the response of President Clinton and his minions when we put this plan forward? The response—and we still hear it from Congressman GEPHARDT and his group—was, we are slashing Medicare. We are slashing Medicare. Well, we said, Mr. President, tell us what you are going to do then to get the system under control. He did not have an idea, did not have a proposal. He said, you are just slashing Medicare. Let me go scare some seniors and tell them that you are slashing Medicare.

It was the most demagogic position taken by a President in a long time because it was dealing with such an important issue and they did it in such a purely partisan and political way, so demagogic, in fact, that even the Washington Post, which is the spokesman for basically the liberal agenda in this country, if you are going to be honest about it, in its editorial policy, said that what the President was discussing was "medagoguery," coined a phrase "medagoguery," a very appropriate word to add to our lexicon.

And so now with the trustees' report coming forward and telling us that the situation has even gotten significantly worse, that the system now instead of going broke in the year 2002 is going to go broke in the year 2001, now we hear rumblings in the administration, murmuring from the administration, well, we have a program to save this, to push it out a few years.

Let us look at what the administration is proposing because what they are proposing is a terribly crass act of intergenerational transfer of burden. What they are proposing essentially is to take a major part of the cost of the present Medicare system which is borne by the hospital trust fund and to shift that cost on to all Americans who pay taxes.

The program that they are proposing is to take the home health care portion of the hospital trust fund, which represents about $55 billion, and transfer that out of the hospital trust fund, part A, into theoretically part B. But they do not put it in part B really. What they are doing is they are putting it on the backs of all the taxpayers in America. Today, of course, this item, $55 billion in home health care, is paid for out of the hospital trust fund.

What does that mean? It means it is paid for by the taxes which go into the trust fund which are to accumulate for the purposes of buying insurance for seniors when you meet the age eligibility requirements. And so these costs of home health care are supported by the taxes paid to the trust fund. But what they are proposing is to take it out of that trust fund, and they put it in the part B trust fund and they have it paid for by the general taxpayers.

In fact, they go so far in this exercise of political gamesmanship as to not only take it out of the hospital part A trust fund, but when they put it into the part B trust fund they do not even require that seniors pay what is the traditional percentage of the part B trust fund, which is 25 percent.

Let me explain that because that is fairly complicated. Basically, the part B trust fund, as many people know, pays for things other than hospitalization, other than acute care. Under our system today, a senior citizen pays 25 percent of the costs of their nonacute care, nonhospitalization costs, and the general taxpayers, John and Mary Smith who are working down at the local restaurant or at the gas station or on an assembly line, they pay 75 percent of the senior citizens' costs for their nonhospitalization. That is the part B trust fund.

Well, when they took the $55 billion out of the part A trust fund and put it into the part B, the administration at the same time said, no, seniors are not going to have to pay even the 25 percent. So the full $55 billion falls on Mary Smith and John Smith who are working at the local restaurant, the local gas station, or the local assembly line. And it is a clear transfer from one generation to the next generation of the costs of $55 billion.

Does it do anything at all to address the underlying problem of the Medicare system, which is that it is growing at an annual rate of 10 percent? No, nothing. Absolutely nothing. It does not address the primary problem of the Medicare trust fund one iota. All it does is create a political benefit for this administration of being able to say to seniors, well, by taking $55 billion out of your obligation and putting it on your children's back, we have been able to extend the life of the trust fund by a couple of years.

That is truly a crass and, I think, cynical approach to addressing what is a very core and significant problem. Because as I mentioned when I began the talk, the size of the Medicare problem in the part A trust fund is now estimated to be a $100 billion deficit in the year 2002. So through this little bit of gamesmanship, they may buy a year or two, but they do not do anything at all to address the underlying problem—nothing. All they did is create the ability to go into this election and say to seniors, listen, we corrected this problem.

Of course, there is not going to be any asterisks by that which says to the seniors' kids, to the children and their grandchildren, oh, I am sorry; we just raised your taxes $55 billion—because that is all this is. This is a tax increase on the children of our seniors and their grandchildren who are working of $55 billion.

Now, it is not unusual for this administration to resolve problems by raising taxes. They gave us the largest tax increase in the history of the country which was, under a 5-year budget, $265 billion or $285 billion, but actually now that we are funding under a 7-year budget it turns out it was a $550 billion tax. Now, on top of that tax increase of $550 billion, they want to hit working Americans with another $55 billion tax increase, while at the same time, and most amazingly with a straight face—and this is what I find rather ironic, they do this with a straight face—at the same time they say to our seniors, oh, we have taken care of the Medicare problem.

They have not done a thing about the Medicare problem. There is no effort at all in the administration proposal to address the factors which are driving a 10-percent annual rate of growth in the trust fund. In fact, if anything they have aggravated it because they have taken the $55 billion and put it on the back of the average taxpayer in this country, John and Mary Jones, working someplace on Main Street. That means that we created a whole new burden on them, which is an entitlement, which they will have to pay taxes on and then expand the program as a result of lack of accountability, which is the way programs expand around here. They get created as entitlements and put in the general fund and then there is no way to control them at all. That is essentially what they are doing here.

If you are going to address the Medicare issue, you have to look at the fundamental question, what is driving the rate of growth of inflation in Medicare costs? I have heard some pundits saying, "It is demographics, it is people. It is all the new people coming in the system."

That is not true at all, not during the timeframe we are talking about. Yes, it is true when the postwar baby boom people hit the system. When Bill Clinton's generation and mine hit the system it is. But between now and 2010 it is not a demographic issue, it is a generational issue. It is not a demographic issue. It is a function of the fact that the rate of inflation in health care costs in Medicare are dramatically exceeding the rate of inflation of health care costs in the private sector and in the costs of health care for people who are under the age of 60.

Last year, the rate of growth in the premium costs of people under the age of 60 was flat, essentially no inflation. The rate of growth of Medicare was 10 percent. You can see that is what is driving the problem with the Medicare trust fund. So, until you address that rate of growth of costs of the health care in Medicare you are not going to be able to make the system solvent.

So, when the Republicans came forward last year and put down a proposal which was aimed specifically at bringing market forces into play in the Medicare system, taking it out of the system which is a 1960's system designed for the health care delivery system of the 1950's, and moving it into the 1990's by bringing market forces into it—when we did that we put forward a proposal which was fundamentally sound and which was directed at the core problem, which was the fact that the rate of growth of health care costs was too great. Through the use of market forces we tried to control that.

What we have here essentially, in the Medicare system, is a 1959 Chevrolet driving down a 1990's highway. It has not been repaired. The hubcaps have fallen off, it is running on three pistons, the exhaust system is spewing out pollution, and it cannot keep up to speed. What we suggested, as Republicans, is that we should put a new car on the 1990 highway, something that can keep up with the times and something that would actually give the seniors a better choice of options for health care delivery.

What the White House suggested, what the administration suggested, was that we simply get more oil and more gas and pour it into the car, the 1959 Chevrolet, and we get that oil and gas from John and Mary Jones, who are working on Main Street. It was a cynical act, to say the least. Exceeded, of course, by their statements that our proposals were slashing and cutting Medicare. That was the most cynical act by this White House, but in the tradition of that, equally or competitively similar, to suggest we should make this type of a transfer.

If we are going to resolve the Medicare problem, we are going to have to have a White House which thinks about something other than reelection; that thinks about substantive policy, that thinks about how you govern, not how you get reelected to govern.

I have not seen any sense that that is the character of this White House, but there is still time. Republicans still have on the table a proposal which would substantively improve the Medicare system, and do it in a way that would lead to a real direction of solvency for the trust fund, rather than to a shell game of transferring burden from one generation to the next. I hope, if nothing else, the American public will see through the games that the White House has been playing on this and would put some pressure on the administration to begin to act responsibly in this area.

Mr. President, I yield the floor and 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. DEWINE. 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. DEWINE. Mr. President, I ask unanimous consent to proceed as in morning business for 15 minutes.

The PRESIDING OFFICER. The Chair advises the Senator we are in morning business and is recognized for 10 minutes.

WORDS AND ACTIONS ON CRIME

Mr. DEWINE. Mr. President, one of the key measures of any government is how well it protects the people from the threat of violent crime. In the preamble to our Constitution, the charter of our Government, we are told the purpose of Government is to "establish Justice, insure domestic Tranquility * * *"

Only by doing those things and doing them well do we hope to "secure the Blessings of Liberty to ourselves and our Posterity * * *"

I would like to talk today about the record of the Clinton administration in regard to crime. In doing so, I will contend that mere words are not enough to fulfill that sacred trust between Government and the people. To fulfill its obligation, its obligation to protect people from crime, Government must act.

One of the President's closest advisers said recently, "Words are actions." Words are actions. They really are, Mr. President. The record of this administration gives grave cause for doubt.

For 2 years, 1993 and 1994, President Clinton and his party controlled the White House and both Houses of Congress. One-party control means the party in charge generally gets to set the agenda. It is pretty clear that the fight against crime should be at the top of any sensible national agenda.

Violent crime remains at historic highs. Every year 43 million Americans become victims of crime, and 10 million become victims of violent crime. Juvenile crime is a problem now of historic proportions.

Frankly, Mr. President, there is no reason to believe that this is going to change unless we take some very drastic measures. Here is why. Violent crimes by young people age 18 to 24 have gone up 50 percent since 1986. These young predators are moving coldly, dangerously into a career that will wreak havoc on their communities for years to come. That is bad enough.

But it will get even worse, even scarier, because while crime among 18- to 24-year-olds has gone up 50 percent, crime by even younger offenders, those aged 14 to 17, has gone up 150 percent—150 percent—since 1986. So if we think violent crime is bad now, wait until these 14- to 17-year-olds get into their prime age for crime, the late teens and early twenties. The problem we will have to face is when today's violent teenagers grow up. They are going to

be a major social force in this country. To me, that would indicate cause for serious concern about the kind of America we are going to have in the next couple of decades.

Mr. President, the picture is bad in regard to violent crime. But, unfortunately, it does not get any better when we look at the issue of drugs. Since the Reagan-Bush years, marijuana use has tripled—tripled—among those 14 years of age and 15 years of age. In 1992, 1.6 million young people were reported to have used marijuana—1.6. Today that number has risen to 2.9 million.

Mr. President, one good way to find out what our real social problems are is to visit a hospital emergency room. Today cocaine-related episodes have hit their highest level in history. People talk about the 1980's as the cocaine decade. But visit any emergency room and you will see that it is even worse today.

Heroin-related episodes are rising, too. They jumped 66 percent in 1993 and have stayed at that higher level.

In summary, Mr. President, I think any fair observer would characterize this as a very bleak picture. A fair observer would say that violent crime, especially youth violence, is a major challenge to America and very probably the single greatest challenge we face in this country.

Let us talk for a moment about how the U.S. Government has coped with this crisis. Let us examine what the new Clinton administration wanted to do after they took office, what it proposed to do in its first 2 years. Then let us examine what the Clinton administration actually accomplished in its first 2 years. Finally, I would like to examine what was accomplished after the first 2 years.

Let us start first with the new administration's proposals. So I begin with the first phase: The new Clinton administration and its agenda and what they wanted to do.

For 2 years, Mr. President, 1993 and 1994, we had an undivided Government, a Government under the control of a single party. A President with a free hand could create positive change and do what is necessary to protect the American people from the plague of violent crime. What use was made of this opportunity? What did the new administration propose to do about this major national crisis?

Here is the answer. Here, Mr. President, if you can believe it, is what the new administration proposed to do. This is what the President's budget proposed to do. The President wanted to cut 790 agents out of the FBI. The President wanted to cut 311 agents out of the DEA. The President wanted to cut 123 prosecutors, take them out of the Federal courts. The President wanted to construct zero—zero—new Federal prisons. Finally, the President wanted to cut prison personnel by 1,600. That was the proposed response of the Clinton administration to this major national crisis.

It is true, Mr. President, that much of this agenda did not actually become a reality. It did not happen because, fortunately, congressional approval was required. Again, fortunately, concerned Senators on both sides of the aisle said to the administration, "No. No way. We're not going to do it." Thanks to Senators like ORRIN HATCH, JOE BIDEN, PETE DOMENICI, FRITZ HOLLINGS, much of that misguided agenda was not passed, was defeated.

Let me turn, Mr. President, to the actual Clinton administration record. There is, Mr. President, of course, a lot that the President of the United States can do without congressional approval. The President has a great deal of discretion. Let us look at what the new administration actually did without congressional approval. I think when we look at this we will find that on every front of the war on crime there was a monumental retreat.

First, no new FBI agents were trained. No class. No FBI class.

Second, the White House Office of Drug Policy was absolutely gutted, an 83 percent cut in staff.

Next, the prosecution of gun criminals went down 20 percent. The prosecution in Federal court of those who use a gun in the commission of a felony went down 20 percent.

Prosecution of drug criminals—drug criminals—went down 12.5 percent.

No new FBI agents trained, the White House drug office was gutted, gun prosecutions down 20 percent, drug prosecutions down 12.5 percent. That is what the President did by himself.

Here is what else actually happened under the President's leadership.

Federal spending on drug interdiction went down 14 percent. The Federal drug budget accounts that fund antismuggling efforts dropped by 55 percent. In fact, the Clinton administration made a conscious decision to ignore the fact that drugs were coming into this country. They thought it would be enough to focus on the drugs once they were already in the country.

But, Mr. President, we should make no mistake, spending less on interdiction does have consequences. It does make a difference. According to recent Federal law enforcement statistics, the disruption rate, the amount of drugs that are blocked from actually entering the country, dropped 53 percent between 1993 and early 1995. The projection is an additional 84 metric tons of marijuana and cocaine coming into the United States every year.

What was the result of this cut? What was the result of this change in policy by the administration, change in emphasis?

Since 1991, Coast Guard seizures of cocaine are down 45 percent. Coast Guard seizures of marijuana are down 90 percent. The Clinton administration, unfortunately, has ignored a fundamental fact: Spending money on the antidrug effort does make a difference. When we make the antidrug fight a national priority, drug use does drop. Between 1981 and 1992 Federal spending on the drug war effort rose 700 percent. Over roughly the same period, drug use was cut in half.

But, tragically, the opposite has happened under the Clinton administration. Drugs have gotten cheaper. They are more easily available and more pervasive in the lives of our young people. Between 1993 and 1995, the retail price of a gram of cocaine fell during that 2-year period from $172 to $137. Over roughly the same period, answering a survey, the number of 8th graders who think it is bad to even try crack once or twice dropped from 61 percent to 51 percent. And overall teenage drug use is up 55 percent.

On measure after measure in the years 1993 and 1994, America's anticrime and antidrug effort lost ground. That was the Clinton administration's record of accomplishment. They faced a tough problem and had to make tough choices. The sad litany I have recited is the best they could do.

Now, moving to the third item I want to talk about, in 1995 there was a major change in the landscape of Federal crime-fighting policy. The new Senate came under new leadership. Over the last 16 months under that new leadership, a dramatically different effort on the issue of crime has emerged. Since January 1995, the majority leader, Senator DOLE, took over the helm of America's anticrime strategy. Here is America's new strategy for fighting crime: FBI agents, up 20 percent; DEA agents, up 15 percent; $800 million in new funding for Federal prosecutors; $3 billion in new funding for prisons; $1 billion in grants to States and local communities so they can fight crime at the grassroots level from neighborhood to neighborhood to neighborhood.

Mr. President, that is a truly remarkable change. I do not believe it is just a coincidence. A pattern of differences as striking as this can lead to only one tenable conclusion. Only one major factor intervened between the dismal record of 1993 and 1994 and the truly remarkable resurgence in the Federal crime-fighting effort that has occurred over the last 16 months.

That one factor, Mr. President, is the new management in the Senate and the House. I suggest Senator Bob DOLE be given the credit he deserves for changing the culture of Washington in this very important way.

Mr. President, politics has been defined as the art of the possible. The best definition of leadership I ever heard is this: "Leadership is the art of changing the limits of what's possible."

Over the last 16 months, Mr. President, we have seen this happen in the

fight against crime. I think it is time that Senator DOLE got the recognition he deserves for a very, very impressive accomplishment. Further, Mr. President, I believe people should be paying more attention to actions and accomplishments than simply to election year conversions and all the rhetoric that they spawn.

The former chairman of the House Committee on Narcotics, a Democrat, once said he had "Never seen a President care less about drugs," referring to the President of the United States. The lackluster war on drugs is just one symptom of an overall abdication on the issue of crime itself.

Mr. President, as we prepare to say goodbye to Majority Leader DOLE, let me say I speak for many when I observe that we will miss his excellent leadership on this very vital and important issue. We owe him our thanks not for his words but, rather, for his actions.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. KEMPTHORNE). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. FORD addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

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

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

BALANCED BUDGET AMENDMENT VOTES

Mr. FORD. Mr. President, we probably all have been guilty at one time or another of getting a little carried away on the Senate floor when we are trying to present our position on an issue. I think we saw a little bit of that yesterday by those of us who want to protect Social Security, and I would like to take a minute to respond to some of those, I think, inflammatory remarks.

I think the junior Senator from Oklahoma was right on the edge when he was talking about the 33 Senators that had previously voted in opposition to a balanced budget which included the use of Social Security. It has been said that to treat your facts with imagination is one thing, but to imagine your facts is another. We saw just how big some people's imaginations were yesterday.

I was 1 of those 33. The junior Senator from Oklahoma accused me of coming to Washington and voting one way and going back to my State and talking another. I am sure he does not know how I talk in Kentucky. I am sure he does not follow me around. I am sure he does not take the paper clips from my newspapers to see how I am quoted in my local paper.

Mr. President, I thought we were beyond the pony express era. I thought that we were on C-SPAN and 60 million people could immediately see how you vote and what you say and they would know that before you get home. I have represented my State, now, for almost 22 years here in the Senate. I have been fortunate to have been reelected by a large percentage. I think when I vote and I explain my vote to my people some may not like it but they understand the reason for it.

Mr. President, I voted for a balanced budget amendment until this time. Then we were labeled, yesterday, as BBA 6. So I am one of the BBA 6's now. I do not know exactly what that means, except when the leadership on the Republican side sat down in the Democratic Cloakroom, and with a fountain pen wrote how much money they would be taking from Social Security each of the next 7 years, how much they would be taking from Social Security to balance the budget, that is when I reneged. That is when I said if you want my vote, put a firewall in as it relates to Social Security. Now I have that piece of paper, Mr. President. It is in my file and I will keep it. It is the handwriting of some of the leadership on the Republican side, how many billions of dollars, and as I recall the last 2 years, roughly $147 billion they were going to take out of Social Security trust fund.

Now, when the junior Senator from Oklahoma says those of us who voted "no" last time, the 33, did not want a balanced budget, I just disagree with that. How can he say I do not want a balanced budget amendment? All I say is build a firewall for Social Security. You could have 70-odd votes if you do that. It would be easy to pass. But, no, the Republicans want an issue. They want an issue. They do not want it passed. They lost a vote today for one reason and one reason only. You are talking about star wars, and you have one of the greatest minds as it relates to defense in this country in the Senate in SAM NUNN, the Senator from Georgia, who was vehemently opposed. He said you are mandating that we put it in to spend $60 billion and you do not know whether it will work. Let us research it for another 3 years. You are not going to get it up any faster. Then in 3 years you will know it will work, and then let us do it. No, we were forced into the vote on the basis that we shall do it whether we know if it will work or not, and at a cost of $60 billion, and that is right behind that attempted $700 billion tax break—in one day. And the next day, they holler, "The sky is falling." So you have turned at least one Senator off as it relates to the political tactics being used on the Senate floor.

Now, we have 10 fictitious reasons for voting against the balanced budget amendment. There is only one reason, in my mind. We have heard a lot about a contract. We have heard a lot about a contract now for almost 2 years. Well, we had a contract with the farmers called the Freedom to Farm Act. Signed it, passed it. A contract. Within 7 weeks, you are breaking that contract. The House Agriculture Appropriations Committee was eliminating almost $100 million out of the payments to the farmers that they thought they had signed up for next year. You are reducing WIC by having it frozen. You are reducing nutrition programs by $300 million on the House side. Contracts are being broken. I thought both sides had agreed to a contract. Both sides were committed to it. Therefore, we find that we are already breaking contracts.

When you are going to use Social Security funding, then I think we are breaking a contract with those who are expecting that. Sure, we are having a bump in the road on Medicare. We all understand that. The President has submitted two budgets reducing part A. Now, everybody talks about Medicare and paints it with a broad brush. It is part A that is short, not part B. Part A is the hospital and part B is the doctor, if you want to put it into categories. So part A is the part having problems. Part B still has a surplus. Part B will have a surplus from now on, the way things are going.

So we have one part of Medicare to be fixed. Even now, there is a $100 billion surplus in part A, as I understand it. If you continue to use it, over a period of time, that will be reduced to zero. You need to keep it at a level where it will not be reduced and where the level will stay the same over the next 7 years.

Mr. President, if Social Security were protected, we could pass the balanced budget amendment and get on with actually passing our spending bills. We hear a lot about how bad things have been. I have been here 22 years now. I did not see any vetoes, under the Republican administration, as it related to tax increases and spending increases. I did not see those vetoes. We did not have enough votes to override them, if the Republicans would have stayed together. But, no, we went from a $900 billion deficit to $5 trillion in 12 years under Republican leadership. During that time, Republicans had 6 years of control here in the Senate Chamber. Could you have supported a veto? Absolutely, you could have sustained a veto.

Now, Mr. President, I do not mind debating the issues, but I certainly hate to be singled out and it becomes a personal issue. As I say, the junior Senator from Oklahoma came very close to the edge of being challenged under the rules of the Senate yesterday. So I just hope that, as we debate the issues, we eliminate the personalities and the personal attacks. It is nice to have a picture of your grandson here on the Senate floor. I have five grandchildren.

I enjoy grandchildren. But do you know something? It is hard for me to believe, as a grandfather, that if I watched my daughter give birth to a son, my grandson—as I read the RECORD and listened to him yesterday, in his first breath, it was handed to him and the first thing he thought about is that this poor child owes $18,000 in back taxes, or he has that debt on him. I would have thanked the Lord for my daughter coming through the delivery healthy. I would thank the Lord for being given a healthy baby before worrying about how much tax load or debt load that newborn baby had. Nevertheless, I am sure the taxpayers had something to do with paying for the picture of that grandson that was here on the Senate floor.

So here we are getting personal again, and I do not like it. The only way I know how to say to my colleagues that think the debate is about who supports a balanced budget—this is a debate about who wants to save Medicare. This is a debate about who wants to raid Medicare, who wants to cut the deficit, and that sort of thing. Those issues are fine. But when I am accused of voting one way here and going home and saying another thing—the day of the Pony Express is over. It is instantaneous what I say and do here, and it is getting to my constituents.

So while people are predicting doom and gloom again today, the BB-6 can point to a record of deficit reduction and a commitment to balance the budget, while protecting the pact we made with citizens to protect Social Security. So we passed a bill in 1990, under a Republican President, signed by him, not to include the Social Security trust fund.

I yield the floor.

Mr. KENNEDY. Mr. President, are we proceeding as in morning business?

The PRESIDING OFFICER. That is correct, for a period of up to 10 minutes.

THE HEALTH INSURANCE REFORM BILL

Mr. KENNEDY. Mr. President, earlier this afternoon, there were some comments made about where we are on the Kassebaum-Kennedy health reform bill. I wanted to just take a few moments of the Senate's time to review a little bit of the bidding on where we have been, where we are, and what the hope is in terms of the future.

Mr. President, as we know, this legislation was developed by Senator KASSEBAUM, myself, and other members of our Labor and Human Resources Committee in the wake of the 1994 debate on comprehensive health care. It was really reflective of the expressions that were made by Republicans and Democrats alike, both the now majority leader, Senator DOLE, and others on the Democratic side, who said, "Let us try to find common ground together, areas where we agree. Let us try, if we cannot do a comprehensive program, to at least shape a proposal that can make a difference to millions of Americans—particularly those with preexisting conditions—recognizing the importance of portability, moving from one job to another, being able to carry the insurance if, for some reason, an individual loses their job, or the company closes down."

Over the period of really the last months, and even over recent years, that proposal has been working its way through the Labor and Human Resources Committee. It had virtually unanimous support of Republicans and Democrats alike, and it has worked its way through the Senate with 100 votes. Unanimity, Mr. President, 100 votes—a unanimous vote here in the Senate and in our committee. I find that to be an extraordinarily rare occasion, when you take something that can provide such a meaningful difference and provide relief for families and for working families, a measure that can make a very important difference, particularly to those with preexisting conditions.

The efforts of Senator KASSEBAUM and myself have been to try to keep the legislation clean—that is, to try to resist various amendments, in spite of the fact that we might have agreed with some of those provisions at other times. That was certainly true in my case with regard to the excellent proposals that were added to the measure by Senator DOMENICI and Senator WELLSTONE on mental health. I feel very strongly that it is about time that we treat mental health in the way that we consider other serious illnesses, and not make the consideration of mental health a stepchild in our health care policy areas.

Nonetheless, we had worked out a process where we were going to try to move ahead with the areas that we could agree on, so that we can move through this legislative process with that in mind. We accepted some matters that were overwhelmingly supported by Members of the Senate where there was no serious objection.

We accepted the mental health provisions. But it has always been the position of the Senator from Kansas and myself that we were going to be committed to a proposal that would provide just the measures which initially came out of the committee unless we were going to be able to convince our Members in the conference that we needed to make at least some progress in the areas of mental health.

Senator DOMENICI, Senator WELLSTONE, I must say Tipper Gore, who has been enormously interested in the areas of mental health, have all weighed in in terms of making the case once again of the importance of extending some protections to the area of mental health. That is an issue which I know is still under consideration by at least those that are meeting. I can point out for the Members of the Senate, that those meetings have not included the Members of this side of the aisle, but we have tried to work in a constructive way in at least getting some of these ideas forward for the consideration of those who are in the room.

I want to just mention parenthetically that there were some comments made earlier today on the issue of appointing conferees. It has always been our position that we should have conferees that reflect at least the will of the Senate, but the various proposals that have been made here in terms of the conferees were not even close to the ratio of Republican to Democrat. We were not going to agree to a stacked deck and a position that would not reflect the will of the Senate.

It always interests me how worked up some of our Members can become when they are talking with this righteous sense of indignation about the fact that there is some objection to the appointment of the conferees, particularly in the way and the numbers in which they were suggested. There has never been any reluctance to naming conferees that were going to be reflective and represent the committees that had the prime jurisdiction. That is the way it has been done here. The particular proportion that was suggested was completely out of order, which is why we are in that stalemate.

Most importantly, we are prepared to see the measure that passed 100 to nothing here on the floor of the U.S. Senate, or the measure that passed unanimously out of our committee, to pass out of the conference, to pass the House of Representatives, to pass the Senate and be signed by the President of the United States in the matter of the next day or two. That is what we are able to do as legislators. That would make a difference to the 25 million Americans each year who would be helped by this bill—who would find that they are able to be assured of continuing attention to their particular health needs as long as they were going to pay their participation in premiums.

We have the opportunity to move on that legislation. It is still out there. We are caught in a situation evidently that unless we are prepared to accept other measures which have been controversial and divisive and recognized as such, or where at least very important questions have been raised about those matters, that we cannot make progress unless we are prepared to bend on those matters. It is still my hope that even at this very sensitive time in the discussions where leaders in the House and leaders in the Senate are attempting to try to make at least one additional effort to try to find the common ground, that we can still resolve

this and be able to respond to the millions of our fellow citizens that have these preexisting conditions and want to be able to carry their health care measures with them.

But I want to take just a few moments of the Senate's time this afternoon—I see other colleagues. Could I ask for 5 more minutes?

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, I appreciate it.

Mr. President, I still hope that we will be able to achieve this measure.

I have gone into, in some detail, the principal concerns of the issues on medical savings account. But there are a few items that have been mentioned with regard to medical savings accounts that were not mentioned here in the course of this afternoon.

Let us understand that if insurance companies want to sell medical savings accounts, they can do that today. They do not need to have additional legislation. For those that say let us have the free choice, individuals can be out and purchase those measures at the present time. A number of States have begun to set up their own medical savings accounts. So the idea that we are denying some kind of free choice is virtually inaccurate and a distortion and a gross misrepresentation about where the medical savings account issue is.

Individual companies—and there are the companies, for example, like the Golden Rule Insurance Co., that are out selling medical savings accounts today. Of course, it is true that Golden Rule Insurance Co. has been drummed out of the State of Vermont because of the way that they have exploited consumers. And it is true that Golden Rule Insurance Co., the principal company that would benefit from medical savings insurance companies, refuses to share market information with even the American Academy of Actuaries so that we could get a real reflection as to what has been the experience of that company. When asked by the American Academy to share their data, Golden Rule said, absolutely no, we will not do that, even though they have experienced extraordinary profits in this area.

Nonetheless, Mr. President, one of the factors that was not raised this afternoon was the fact that we are talking about the cost to the American taxpayers by those that are proposing medical savings accounts. The Joint Tax Committee has estimated that if there were just to be 1 million Americans out of the pool of about 130 million Americans who purchase health insurance, if we have to have 1 million of those, the cost to the taxpayers and to the deficit would be $3 billion for 1 million people. That is not what I am saying. That is what the Joint Tax Committee is saying.

We are talking about when you are going from 1 million to 10 million to 20 million, or as the Rand Corp. considered, 70 million, you do not need much of a slide rule to understand what this is going to do to the Federal deficit, let alone health care policy.

So it is so interesting to me to hear out there many of our Members saying, "All we want is freedom. All we want is freedom." Sure it is all they want is freedom to put their hands into the till of the Federal Government and take out billions of dollars to subsidize what will be primarily a benefit for the richest individuals in this country; the richest individuals in this country. And we pointed that out over the course of the debate and the discussion. I heard one of my colleagues talk about the fact that there were some Democrats that wanted this at another time. At another time, we were talking in the context of a comprehensive health care reform where we were going to have effective cost controls, an entirely different situation than we have today.

So those who are out on the floor with their big charts saying what is wrong with these words that were stated a few years ago, I daresay that is when we were talking about a comprehensive program with effective kinds of cost containment, which is not what we are dealing with today. Anyone should understand it. I question whether it would have been really justified even at that time. But, nonetheless, there were those that believed it ought to be given a try, and that was an issue within that context that I think was legitimate. But that is not what we are talking about.

Make no mistake about it. We are talking about underwriting the health care insurance for the wealthiest individuals at the expense of the average taxpayer. The Joint Tax Committee has pointed out, well, if you spend $3 billion, how much of that would go to average working families? How much would they benefit from that? One percent of that $3 billion would benefit average working families. Who gets the rest of the 99 percent? The ones that get the rest of the 99 percent are going to be in the highest income brackets. That is just one issue that ought to be debated and discussed.

There is a body of opinion in the Senate and in the House of Representatives that support this concept. Certainly we ought to have an opportunity to review it. We ought to examine it. We ought to have at least an opportunity to see whether the greatest fears about what it would mean in terms of cost and what it would mean in terms of skewing the whole insurance system and what it would mean in terms of preventive care are true—we ought to at least have an opportunity to test that.

The President of the United States has indicated that he would sign a bill, if there was a proposal that would really test this idea, in an area that provided a real test about medical theory and about the costs of this program over a reasonable period of time, which seems to me to be a reasonable position. Why we have to deal with this at this time is beyond me. But nonetheless, it is a matter which is at least before the House of Representatives.

Mr. President, I will include in my full comments the various opinions that have been made about the American actuaries, what they believe will be the impact in terms of the cost of health insurance, the analysis which has been made about who would use this, who would benefit and who would suffer under this program, what the impact would be on children who are so often the ones who are left out and left behind, and the fact that medical savings accounts will effectively discourage all preventive care in terms of needy children in our society and what the Congressional Research Service said was going to be the health implications. These are important matters. I believe that the Senate, before it is going to jump into this program, ought to have very complete answers to it.

So I hope if we are going to have an opportunity—and certainly we should at some time—to get to the issue of medical savings account, the American people ought to understand that we have the opportunity in the House of Representatives and the Senate of the United States to do something meaningful for millions and millions and millions of American families today. We have a proposal that will make a difference to those families—more than 25 million of those families. It passed unanimously in the House and the Senate of the United States, with broad bipartisan support. Our urging is that we take that very important, modest but very, very important proposal and that we move it down to the President's desk and we get on with it. If there are other measures that ought to be debated, let us debate them but not on this bill.

Mr. President, if we follow that recommendation of the Senator from Kansas [Mrs. KASSEBAUM] and those of us who are members of the committee, we can do something truly worthy to be remembered in the area of health care reform.

Mr. President, medical savings accounts do not belong in the Kassebaum-Kennedy health insurance reform bill. They have already been rejected by the Senate. A bill containing them cannot be enacted into law and signed by the President. They are an untried idea with the potential to destroy the access to affordable, comprehensive coverage that tens of millions of Americans now enjoy.

Millions of Americans need insurance reform, so that they can be secure in the knowledge that their health care,

coverage cannot be taken away because they become sick, because they change jobs, or because they lose their job. Their hopes should not be held hostage to this extremist, special interest proposal. But because the Republican leadership in the House and Senate is pursuing a rule or ruin approach to this legislation, their hopes may be dashed once again.

Medical savings accounts sound good in theory. Why not encourage businesses and individuals to buy less costly high-deductible health insurance policies and put the premium savings into a tax-free account that can be used to pay some routine medical costs? But in this case, what sounds like good medicine in theory is quack medicine in practice.

Medical savings accounts are an idea whose time should never come. Under conservative estimates by the Joint Tax Committee they are a $3 billion tax break for the wealthy and healthy. As the Center on Budget and Policy Priorities said, "MSAs create new tax shelter opportunities. Use of an MSA would be highly advantageous to substantial numbers of higher income taxpayers. Low and moderate-income taxpayers would receive little or no tax benefits from using MSAs because they either do not pay income taxes or pay taxes at much lower rates." The American Academy of Actuaries concluded that medical savings accounts are "Taxing money from the unhealthy and giving it to the healthy." The Joint Tax Committee estimated that only 1 percent of the tax benefits would go to people with incomes of less than $30,000.

If more people enroll in these accounts than Joint Tax has estimated, as many analysts believe will happen, the cost could rise to the tens of billions. How ironic that those who are loudest in their clamor to reduce the deficit are willing to waste these vast sums on this destructive special interest boondoggle. If we have billions to spare, they should be spent on reducing the cost of coverage for hard-working American families or on deficit reduction—not on a perverse income transfer from the poor and sick to the healthy and rich.

Medical savings accounts raise premiums for the vast majority of Americans—especially those who are sick and need coverage the most—by siphoning the healthiest people out of the insurance pool. As premiums rise, more and more working families will be forced to drop coverage. In the words of the Congressional Budget Office, medical savings accounts "could threaten the existence of standard health insurance." Mary Nell Lenhardt, Senior Vice-President of Blue Cross and Blue Shield concluded, that MSAs destroy "the whole principle of insurance." A new report by the Urban Institute concludes that, even under conservative assumption, premiums for comprehensive coverage could rise by 40 percent. If a higher proportion of people shift to MSAs, the cost of comprehensive coverage could rise by more than 300 percent.

Moderate income people who choose medical savings accounts could be exposed to financial disaster if someone in the family becomes seriously ill. As the American Academy of Actuaries said, "individuals and families who experience significant medical expenses soon after the establishment of MSA programs will face high out-of-pocket costs. These high out-of-pocket costs will not be randomly distributed. They will be concentrated among older workers and their families and among those with disabilities and chronic illness." The last thing that the American people need—especially those who need health care the most—is another massive increase in the cost of medical care.

Because they encourage high deductible plans, medical savings accounts discourage preventive care. According to the Congressional Research Service, high deductible plans that come with MSAs have meant that poor children are 40 percent less likely to get the care they need as compared to fully-insured children. This is the wrong direction for health policy.

Medical savings accounts are a giveaway to the insurance companies who have the worst record of profiting from the abuses of the current system. But the American people should not have to pay such a high price to reward them—even in return for $1.5 million in campaign contributions over the last 5 years. It is no accident that a company like Golden Rule Insurance favors medical savings accounts. This is a company that is ranked near the bottom by consumer reports because of its inadequate coverage, frequent rate increases, and readiness to cancel policies. When Golden Rule withdrew from Vermont because they were unwilling to compete on the level playing field created by insurance reform, Blue Cross and Blue Shield took over their policies. They found that one in four policies included an exemption. Whole body parts, like arms, backs, breasts, and even skin were written out of coverage. Newborns were excluded unless they were born healthy.

The Republican medical savings account plan includes absolutely no guarantees that companies profiting from selling these policies will be prevented from abuses like this in the individual market. Moreover, although MSA's are billed as providing catastrophic protection, there is no requirement that they have reasonable life-time limits or not impose excessive co-payments when the deductible level is reached.

It is shocking that the very company that has provided the financial engine behind this right-wing proposal has refused to share any data about its plans with the American Academy of Actuaries or other impartial analysts. Golden Rule knows that medical savings accounts can't stand the light of day—and that's why they are tying to ram them through on a bill that the American people want.

Some Republicans are anxious to include MSA's in the insurance reform bill because MSA's are part of their long-run plan to dismantle Medicare and turn it over to private insurance companies. This is a foot in the door for that item on the right-wing agenda—and this, too, has no place in an insurance reform program.

No respectable health policy analyst supports medical savings accounts. Newspapers from the Washington Post to the New York Times to the Los Angeles Times to the Boston Globe have condemned them. The President has said that they could doom the bill's prospects for becoming law. They don't belong in this bill—and I urge my colleagues to reject them.

Finally, Mr. President, I would like to say a word about the charge that I am blocking the appointment of conferees. The fact is that the list of proposed conferees the Republican leadership has offered is unprecedented in its unfairness. In the last three Congresses, there has been no conference that has been so stacked. The only reason for this unacceptable proposal is to try to ram medical savings accounts—a proposal the Senate has already rejected and which will kill the bill—into insurance reform.

Republicans leaders know that Americans want the reforms promised in this bill and have little interest in medical savings accounts. That is why Representative KASICH said, on March 24, "We will not let medical savings accounts destroy the ability to give people portability and eliminate pre-existing conditions." On March 29, Speaker GINGRICH said he would not let medical savings accounts stand in the way of a Presidential signature. But the American people should know that there is a vast gap between the words and the reality. In spite of repeated offers from the Democrats to sit down and discuss the issues in the bill, in spite of three separate Democratic proposals for a sensible compromise on medical savings accounts, Republican leaders have been unwilling to negotiate and unwilling to back off their insistence on this poison pill.

Whether the issue is tax fairness, preservation of comprehensive health insurance for the vast majority of Americans, or the special interests versus the general interests, medical savings accounts are bad medicine for our health care system. They are a poison pill that would kill health insurance reform. The Senate has already spoken. It is time to send a clean bill to President Clinton without further delay. The American people are waiting.

PROBLEMS WITH MEDICAL SAVINGS ACCOUNTS

1. LAVISH TAX BREAKS FOR THE RICH

The $1.7 billion revenue loss will go almost exclusively to the highest income and healthiest Americans.

Joint Tax Committee Analysis concludes that less than 1% of those who will purchase MSAs under this amendment will make less than $30,000 a year. Virtually no one will purchase these plans who makes less than $20,000 a year.

The well-to-do will be able to use MSA as a second IRA, except that this IRA will have no income limits and will accrue disproportionately to the extremely wealthy. People choosing this option with large assets can use their own money to pay their medical bills and protect their tax deferred MSA savings.

Health care analysts are virtually unanimous in their opposition to MSAs.

The American Academy of Actuaries says that MSAs are, "Taking money from the unhealthy and giving it to the healthy."

The Center on Budget and Policy Priorities says, "MSAs create new tax shelter opportunities. Use of an MSA would be highly advantageous to substantial members of high income taxpayers."

2. HAND-OUT TO GOLDEN RULE INSURANCE COMPANY

To select MSAs, an individual is required to select a catastrophic insurance plan, and Golden Rule is one of the largest marketers of catastrophic plans in the country. MSAs would simply allow Golden Rule to greatly enlarge their market.

The company has given $1.6 million in political contributions to Republicans over the last 5 years.

They are near the bottom of insurance company rankings done by consumer groups, such as Consumers' Union, because they provide inadequate coverage, frequent rating increases, very aggressive underwriting, and readiness to contest claims and cancel policies.

3. UNRAVELS HEALTH INSURANCE AND INCREASES PREMIUMS FOR WORKING AMERICANS

Because healthy and wealthy individuals are most likely to purchase MSAs, those who remain behind in the traditional insurance plans will likely face higher premiums because the insurance pool has been weakened.

The premium increases could be high enough to force lower income working people to drop their coverage.

Insurance pool for ordinary Americans without MSAs will suffer both from healthy people pulling out to obtain MSAs and also from individuals with MSAs who become sick going back into the traditional insurance pools.

4. PART OF THE REPUBLICAN PLAN TO "WITHER AWAY" MEDICARE

This Golden Rule plan is the tool that Republicans want to use to have Medicare "wither on the vine." It is advocated by Speaker GINGRICH—who coined this phrase and by Leader DOLE, who proudly talks about his vote against the original enactment of the Medicare program.

Clearly, Medicare MSAs have an even greater potential to undermine the financial stability of the Medicare program to both beneficiaries and the taxpayers who support it by exposing the program to an option that rewards cherry-picking healthy beneficiaries—not competition over cost and quality. Medicare MSAs were included in the Republican reconciliation bill vetoed by President Clinton in December, 1995.

Today's amendment is just the first step back toward the Republicans and Golden Rule's ultimate goal of putting in MSAs into the Medicare program. They were rejected doing Medicare MSAs when the President vetoed their excessive Medicare cuts; now—through today's amendment—they are setting the stage for pushing Medicare MSAs as the next logical step.

5. DISCOURAGES PREVENTIVE CARE

MSAs may discourage cost-saving preventive care, such as annual check-ups, immunizations and other wellness efforts. The high deductible coverage associated with MSAs may lead to delayed care and under-utilization of routine and preventive health care services.

MSAs divert participation from managed care. Capitated plans and other managed care arrangements hold the promise of coordinated, quality-tested care and cost efficiency not provided through MSAs.

MSAs will not promote cost containment in the long-run. By allowing people to have MSAs when they are healthy but switch to more traditional coverage when they become ill, the MSAs simply become a vehicle for sheltering income, not a means of promoting more cost-conscious consumers.

Mr. MURKOWSKI addressed the Chair.

The PRESIDING OFFICER (Mr. THOMPSON). The Senator from Alaska.

Mr. MURKOWSKI. I thank the Chair.

Mr. President, yesterday the trustees of the Medicare and Social Security trust funds released their long-awaited annual report, and that report confirms our worst fears that the Medicare Hospital Insurance trust fund—which pays for the hospital bills of our Nation's elderly—will be bankrupt in nearly 4 years, in the year 2001. This is a year earlier than the trustees predicted in their last report.

The report, which by law, Mr. President, was due April 1 but only received yesterday, 10 weeks late, indicates that the Medicare trust fund ran a deficit of $2.6 billion in 1995 and that the deficit will nearly quadruple to $9.2 billion this year. By the year 2001, the fund will have a deficit of $56 billion, and, having exhausted all accrued interest, it will be bankrupt.

That is what we are looking at. The Trustees report provides a striking reminder that this crisis which the Medicare system faces did not disappear with the President's veto of the Balanced Budget Act of 1995—the one honest attempt to make structural reforms to the Medicare Program. To the contrary, this report shows us that Medicare is going broke at even a faster rate than previously predicted.

What are we doing about it? Last year, Congress passed a 7-year balanced budget plan—the first in a generation—that included Medicare reforms that would have extended the life of the hospital insurance trust fund for a decade and also addressed long-term structural reforms to help preserve the program for the critical time when the baby boomers begin to retire. This proposal was vetoed by the President.

The plan passed by Congress allowed Medicare to grow at a rate of over 6 percent a year—not cut, Mr. President, but grow at a rate of over 6 percent a year—with the spending per beneficiary growing from $5,300 to $7,000 by the year 2002.

It has been characterized by some on the other side that these are draconian cuts. Is a 6-percent increase a draconian cut? Is an increase in payments for beneficiaries from $5,300 to $7,000 by the year 2002 a cut? It certainly is not, Mr. President.

The Medicare reforms passed by Congress last year made changes to the system that reflect the way health is practiced in the 1990's, offering for the first time real health care choice to seniors. What is wrong with choice? We proposed insurance options that would allow doctors and hospitals to integrate and provide affordable coordinated care to seniors. We proposed medical savings accounts as an option—an option, not a mandate—for Medicare beneficiaries giving individuals the ability to manage their own health care dollars, choose any doctor they want, and shop around for the best quality care at the best price.

Congress acted. The President chose to abdicate. We responded to the urgency to save the program. The President chose to veto our proposals, thus ensuring that the crisis in Medicare is simply going to continue. Understanding the political risks involved in engaging in a debate over Medicare, I think we acted responsibly. I think we negotiated in good faith. I would hate to think that this was all just an exercise in futility.

Yet, we have seen more of the same from this administration this year. The President's budget includes Medicare gimmicks, not Medicare reforms. As we all know, the Medicare problem is not just a crisis of the much talked about pending insolvency of the Medicare Hospital Insurance—HI—trust fund, it is a fiscal crisis affecting all areas of the Medicare program, with Federal spending increasing by 12 percent in 1995 and projected to grow 8.6 and 10 percent from now until the year 2005.

The administration attempts to be deceptive by proposing to move spending obligations for home health care from part A, where outlays are limited by incoming receipts from the Medicaid HI tax, to part B, where 72 percent of the funds come from general revenues and where, theoretically, there are no limits on growth in spending or solvency problems. I think it is deceiving to make this accounting move and mask it as reforms that "save" the Medicare Program.

This gimmick does add life to the part A trust fund ensuring solvency to the year 2005 as opposed to 2001, but it is simply that, Mr. President. It is a gimmick. It does nothing to address the true problem of the Medicare system which is basically the absence of market influences and a lack of alternatives to the current one-size-fits-all

program. Seniors need and deserve the same choices in health care plans available to the rest of us. Why should they not have it?

Mr. President, we are going to attempt again to put forth real Medicare reforms this year. It is my hope the President will stop proposing gimmicks, stop scaring the seniors, and start dealing honestly with true Medicare reforms that everybody can understand. At the end of the day, we are not all that far apart. I believe we share the same goals of saving the Medicare Program for future generations. So let us get on with it in real, honest reforms.

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. 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.

THE MEDICARE TRUSTEE'S REPORT AND THE REPUBLICAN BUDGET

Mr. KENNEDY. Mr. President, today is D-day, the anniversary of the Normandy invasion, a climactic moment in the long struggle to liberate Europe in World War II. How ironic it is that on this anniversary, Republicans are reviving their failed campaign to deny Medicare benefits to the same senior citizens who fought so bravely for our country in that war.

One of the most unsavory tactics in the Republican attack on Medicare last year was their disinformation campaign to use the 1995 Medicare trustee's report to justify their cuts. Their scare tactics were unsuccessful. Their crocodile tears for Medicare were unconvincing.

The $89 billion—the amount which the Trustees said was needed to restore solvency—could not possibly justify the $270 billion in Medicare cuts or the higher premiums and higher deductibles proposed by the Republicans. Far from preserving and protecting, and strengthening Medicare, the Republican plan was designed to damage and destroy it by forcing senior citizens to give up their family doctors and join HMO's and other private insurance plans. President Clinton saved Medicare by vetoing the Republican plan—and he was right to do so.

This year, the Republicans are returning to the scene of their crime. They are trotting out the same old sales campaign that didn't sell in 1996. They are trying to use this year's trustee's report to peddle a retread of the irresponsible proposals the American people resoundingly rejected last year.

There is nothing really new in this year's report. There has been a modest change in projections of outlay and income—projections that always fluctuate from year to year. Under this year's projections, Medicare solvency extends to 2001 rather than 2002. That leaves us 5 years to make necessary corrections instead of 6 years—corrections that the President has already proposed and that could be adopted tomorrow if the Republicans were not determined to use Medicare as a piggy bank for new tax breaks for the wealthy.

They are not prepared to say: All right, these are the adjustments in the Medicare system that are necessary to carry the Medicare solvency for the next 10 years. We are not going to do that. We are not going to agree to it because we want to be able to squeeze Medicare even more, to justify our tax breaks which have been estimated by Mr. KASICH in the House at over $178 billion. Let us just understand that, I say to our senior citizens.

Mr. President, the $178 billion they want for tax breaks for wealthy individuals and corporations, where are they getting it? By squeezing the Medicare system. It is wrong. And the seniors understood that it was wrong last year and it is wrong this year as well.

Just as there is nothing really new in this year's trustee's report, there is nothing really new in this year's Republican retread. As they did last year, Republicans try to justify their deep Medicare cuts by claiming they are needed to preserve Medicare against the insolvency of the hospital insurance trust fund.

The hypocrisy of this claim is so transparent that no senior citizen should take it seriously. Last year, a few weeks before they proposed their massive Medicare cuts, House Republicans passed a tax bill that took almost $90 billion in revenues out of the Medicare hospital insurance trust fund over the next 10 years—and brought it that much closer to insolvency.

Understand, Republicans took $90 billion out of that last year for the purposes of their tax breaks. We did not hear a word then about the impending bankruptcy in Medicare. The President's economic recovery plan in 1993 extended the solvency of the trust fund for 3 years. It passed without a single Republican vote.

When we had the opportunity to provide for additional kinds of solvency, we were unable to get a single Republican vote. We did not hear a word from the Republicans then about the impending bankruptcy of Medicare.

Like last year, the Republican plan proposes deep cuts in Medicare to fund new, undeserved tax breaks for the wealthy. Like last year, the Republican plan is designed to cause Medicare to "wither on the vine" in the words of Speaker GINGRICH—by forcing senior citizens to give up their family doctor and join private insurance plans. Majority Leader DOLE has said that enacting Medicare was a mistake from the beginning—and he is trying to use this budget to correct that mistake.

Last year, Republicans tried to justify their excessive Medicare cuts with a large array of misguided arguments. This year they are repeating the same arguments, as if repetition can somehow substitute for reality. The American people were not fooled last year—and they certainly will not be fooled this year.

When Republicans took up the issue last year, they proposed to cut Medicare by $270 billion—three times more than the amount the Medicare trustees said was needed to stabilize the trust fund. This year, Republicans are proposing to cut $167 billion from Medicare. By contrast, the President's plan cuts Medicare by $116 billion—44 percent less, but it guarantees Medicare solvency for 10 years. And it funds Medicare at the level necessary to assure that quality care will be available for senior citizens when they need it.

Even worse, Republicans support an inflexible ceiling on Medicare spending. Consequently, if inflation is higher or medical needs are greater than anticipated, Medicare spending will not go up, and many senior citizens will be out of luck and out of care.

An estimated 20 percent of all Medicare hospitalization can be avoided by relying on better preventive services and more timely primary and outpatient care.

So, if we have interventions earlier, if we have better home care, if we have the investment in our seniors to avoid the more costly expenses when they must come into the hospital, that can save billions and billions of dollars. We ought to be thinking about that, without reducing the services for our elderly and actually improve the quality of health care for our seniors.

As much as 10 percent of all Medicare expenditures may be due to fraud, and can be reduced or eliminated by better oversight.

The work Senator HARKIN has been involved in, in reviewing Medicaid and Medicare fraud, is absolutely powerful and absolutely convincing about the tens of billions of dollars that can be saved. You go to any hall in this country and ask our senior citizens where there can be savings. Any senior citizen can give you chapter and verse about how there can be savings in the Medicare system. Many of them can tell you about the fraud that is being perpetrated upon them at the present time. We ought to address that kind of issue before we are talking about reductions in essential services.

Medicare could save $20 billion annually if senior citizens have assistance in monitoring their medications more

carefully in order to avoid adverse drug reactions.

We spend billions and billions of dollars a year from adverse drug reactions where the senior will go to a doctor and receive various medications, receive other medications from another doctor, and find there is an inconsistency in terms of taking both medications and then find they have an illness. There are ways to remedy that problem, to save billions and billions of dollars—again, to improve the quality of health. We do not hear that issue raised or discussed or debated.

We do not have to destroy Medicare in order to save it. Congress will never allow the Medicare trust fund to become bankrupt. I know that, and the American people know it. It is time for the Republicans to stop raiding Medicare, and join in sensible steps to improve and strengthen it for the future.

Another false Republican argument in defense of their Medicare cuts is that the reductions are not really cuts, because the total amount of Medicare spending will continue to grow. But every household in America knows that if the cost of your rent, the cost of your utilities, and the cost of your food go up—and your income stays the same or goes up more slowly—you have taken a real cut in your living standard.

Republicans speak of a cut in defense, even though defense spending has remained stable. Apparently, the same Republican logic does not apply to spending on Medicare that applies to spending on guns and tanks. A cut is a cut is a cut—whether it is in Medicare or Social Security or national defense.

Republicans also claim that deep cuts in Medicare are necessary to balance the budget. But that argument only proves that Republican priorities are wrong. Democrats favor a balanced budget, and President Clinton has proposed a balanced budget—balanced fairly, not balanced on the backs of senior citizens, or children, or workers. There is a right way to balance the budget, and a right-wing way. And unfortunately, the Republicans continue to pick the right-wing way.

Republicans deny that their Medicare cuts will fund tax cuts for the wealthy. This time, the leopard claims that it really has changed its spots. But their budget clearly envisions $60 billion in revenue increases from tax extenders and closing of selected corporate loopholes in order to fund $60 billion in new tax breaks for the undeserving rich. Without those new tax breaks, they wouldn't need to cut Medicare by $167 billion.

The Democratic amendment eliminates these new tax breaks for the wealthy and uses them to protect Medicare. The Medicare trust fund should not be a slush fund for Republican tax breaks for the rich.

Republicans can run as hard as they want in this election year, but they can not hide from these facts.

Even more damaging than the loss of the billions of dollars that Republicans would slash from Medicare is their attempt to turn Medicare over to the private insurance industry. The Republican budget contains a number of changes to force senior citizens to give up their own doctors and join private insurance plans.

Once they are forced into these plans, senior citizens will be stripped of many of the protections they enjoy today—protection against overcharges by doctors and other health care providers, protection against premium-gouging and profiteering by insurance companies, protection of their right to keep their own family doctor and go to the specialist of their choice.

Republicans claim they only want to offer senior citizens a choice, but this is a choice no senior citizen should be forced to make.

The harsh cuts in Medicare contained in the Republican budget are also a repudiation of our historic commitment to Social Security, because the distinction between Medicare and Social Security is a false one. Medicare is part of the same compact between the Government and the people as Social Security. That compact says contribute during your working years, and we will guarantee basic income and health security in your retirement years.

Any senior citizen who has been hospitalized or who suffers from a serious chronic illness knows that there is no retirement security without health security. The cost of illness is too high. A few days in an intensive care unit can cost more than the total yearly income of many senior citizens.

The low and moderate-income elderly will suffer most from these Medicare cuts. Eighty-three percent of all Medicare spending is for older Americans with annual incomes below $25,000. Two-thirds is for those with incomes below $15,000.

No budget plan that purports to be part of a Contract With America should break America's contract with the elderly. It is bad enough to propose these deep cuts in Medicare at all. It is even worse to make these cuts in order to pay for an undeserved and unneeded tax break for the wealthiest Americans.

Everyone knows that the real vote on Medicare is not on the floor of the Senate or the floor of the House of Representatives. The real vote will be cast in November by the American people, and they know that the future of Medicare is too important to be decided by a Republican Congress or a Republican President.

Mr. ROCKEFELLER. Will the Senator yield for a question?

Mr. KENNEDY. I ask unanimous consent to proceed for 2 more minutes to respond to questions.

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

Mr. ROCKEFELLER. I simply ask the Senator from Massachusetts, when he was referring to the 1993 Budget Reconciliation Act—where I think we reduced Medicare expenditures because that had to be done, but we did it consistent with beneficiary purposes—the Senator brought up the point that we did not get a single Republican vote. It was a stunning moment. I will never forget it. I was sitting right over there. We had to get every single Democrat to let that effort to improve Medicare survive.

I do not understand that. I do not understand the inconsistency of that. If they are for trying to do something about Medicare now, why, 3 years ago, was there a total lack of interest, with no mention of Medicare trust fund health at that time?

Mr. KENNEDY. The Senator is entirely correct, and there is no Member of the Senate who knows more about those negotiations than the Senator from West Virginia, since he was really the leader in those negotiations, which were enormously complex and difficult.

Even with the reductions that were worked out, we were sensitive to any reduction in benefits for recipients and looked for other ways to find the savings that were achieved in that program but, nonetheless, extended the solvency for a period of 3 years.

As the Senator knows, even after that period of time, we found out at the start of this Congress that our Republican friends wanted to take some $80 to $90 billion out of the trust fund to designate it for tax breaks for the wealthy. Not only were they unresponsive to the calls and challenges at the time the Senator has mentioned, but even following that, they were willing to raid the trust funds for tax breaks for the wealthy.

It is enormously troublesome, I think, for all of us to see, again, the effort to raid the Medicare trust funds to use for additional tax breaks today.

I am wondering, as the Senator from West Virginia, who is a real expert on Medicare, Medicaid and health policy generally, if he does not find that to be one of the most repulsive aspects of the proposal that has been advanced by our Republican friends?

Mr. ROCKEFELLER. I say to the Senator from Massachusetts, I do, and I am also confounded, frankly, by the sense of its stupidity. It is not just obscene, it is stupid. The American people have rejected the idea of tax cuts for the wealthy. That was rejected, and then they come right back again for the same thing. Maybe there has been more emphasis in the House than here, but nevertheless, there is this tremendous desire for tax cuts for the wealthy. They have to have those tax cuts, and the Medicare beneficiaries just take second place.

I was stunned when I heard the Senator say, "this is the anniversary of the invasion of Normandy and for those people, let them fall where they might."

Mr. KENNEDY. They are the ones who fought in the wars and pulled the country out of the Depression and are the ones who paid into this fund over a period of time. This is not a piggy bank. The Medicare trust fund is not a piggy bank for Republicans to dip into to grant tax breaks for wealthy individuals. That is really the fundamental issue. It will continue to be debated here and across the country in the course of the campaign.

I thank the Senator from West Virginia.

Mr. ROCKEFELLER addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. ROCKEFELLER. I thank the Presiding Officer. I want to continue some of the thoughts of the distinguished Senator from Massachusetts, who has incredible knowledge of this history, over 30 years in the development and nondevelopment of health care policy.

Might I ask the Presiding Officer how much time I have in order to speak?

The PRESIDING OFFICER. Ten minutes.

IMPLICATIONS OF MEDICARE TRUSTEES' REPORT

Mr. ROCKEFELLER. Mr. President, first of all, I will not be able to finish, but I will do the best I can. I want to acknowledge the very serious implications of the Medicare trustees' report released yesterday. The Medicare part A trust fund, the part that pays the hospital bills of beneficiaries, is likely to be insolvent by 2001, a year earlier than predicted last year. This is a very serious issue. I take it as such, and it must be addressed.

So the news is bad, Mr. President. Unfortunately, contrary to assertions made by my colleagues on the other side of the aisle, this is not a new problem, and unlike the Republicans, this is not a problem Democrats just discovered.

The Republicans chose to ignore 20 previous trustees' reports that warned of future trust fund problems. But when they needed to come up with the money to pay for tax breaks, they decided to manufacture an impending crisis.

Just 3 years ago, as the Senator from Massachusetts and I were discussing, the trustees projected the hospital trust fund was going to run out of money in 1999, which is 3 years hence. Democrats took immediate measures, and I know because I was responsible for putting some of those together, to add 3 more years of solvency by very carefully reducing Medicare spending by about $59 billion. And, Mr. President, Democrats have produced our own Medicare proposals that would postpone the date of trust insolvency for at least another decade. That is called 10 years. That is quite a lot of time.

The CBO has certified that the President's Medicare plan would extend trust fund solvency until the year 2005. Here we are dealing with 9 or 10 years.

The big difference between Democrats and Republicans is that we have only proposed those reductions in spending that are necessary to achieve 10 more years of solvency. That is our only purpose. That is our only policy purpose. The Republicans continue to propose drastic Medicare cuts so that they can pay, again, for what has become a cliche—but a cliche is something that is said so often it is true—tax breaks for the wealthy.

Mr. President, over the past decade, Congress has, and usually in a very bipartisan manner, taken repeated steps to rein in the costs of the Medicare Program. We do not have a bad record on this. We reformed the hospital payment system in 1983. We reformed the physician payment system in 1989. Senator Durenberger, a Republican from Minnesota, was instrumental in that. We did this together, Democrats and Republicans, with minor controversy, to shore up the hospital trust fund. That was the policy purpose, and to make the Medicare Program a prudent purchaser of health care services.

Unfortunately, the bipartisanship to address the problems of Medicare ended—and ended completely—in 1993 when the Republicans refused to participate in what was an entirely serious effort to reduce the Federal deficit. Democrats were forced, therefore, to act alone. Because of the Democratic efforts, and without, as the Senator from Massachusetts said, a single Republican vote. This is really extraordinary when you think about it; there are usually a few people who will help on this—there was not a single one, not a single one.

The deficit has fallen now for 4 straight years as a result of that action in 1993. That had not happened since either Harry Truman was President or the Civil War. I am not sure which, and there is a big difference. But, anyway, 4 years of budget deficit reduction has not happened in a long, long time.

Bipartisanship also failed to materialize last year when the Democrats refused to engage in an exercise to carry out Speaker GINGRICH's Contract With America, that handed out tax breaks for the wealthy at the expense of the Medicare and Medicaid Programs.

Mr. President, there are billions of dollars in common Medicare savings that we could agree on tomorrow to strengthen the trust fund. But compromise is not something that many of my colleagues on the other side of the aisle, and particularly on the other side of the Capitol, have learned to do to this point.

Last year, the public overwhelmingly rejected the massive health care cuts proposed by the Republicans. Instead, though, of coming up with a new plan, or even new numbers, the Republicans have not changed much at all.

They say their plan is more moderate, but it is not. The total Medicare savings in their new plan are lower, but they are lower only because their new budget covers 6 years, not 7.

That tends to make a difference. If you look at the year-by-year Medicare cuts in this year's Republican budget, you can see that the cuts are nearly identical to—identical to or larger—than the cuts in the vetoed budget reconciliation bill from last year.

Kevin Phillips, a Republican political analyst, who Republicans do not like to hear quoted, said just a few weeks ago that the "new" Republican budget "is no more than a routine expression"—this is interesting—"a routine expression of core GOP fiscal policy: never to ask the top 1 percent of Americans to sacrifice if Medicaid, Medicare, or education funds for ordinary people can be targeted instead."

The Republican budget resolution goes way too far in trying to reduce Medicare spending. The cuts are much more than is needed to extend short-term solvency for another decade. The Republicans know that.

The Republican budget would hold Medicare to a much tougher standard on its health care costs than current projections for even private health insurance. That is an important point. Private health insurance is expected to grow by 7.1 percent on a per person basis over the next 7 years. The Republican plan caps Medicare per person spending at 4.8 percent over the next 7 years, even though Medicare generally serves an older and a sicker population. And Medicare, as a program, is even covering more people, while private health insurance is covering fewer and fewer Americans, as employers pull back from what I would consider their responsibility.

So these very tight budget caps that the Republican plan would impose on Medicare spending will seriously harm the quality of care that seniors currently receive, or will significantly increase their out-of-pocket expenses, or will do both.

Last year Dr. June O'Neill, the Republican-appointed head of the Congressional Budget Office, testified before the Senate Finance Committee that seniors would in fact have to pay more, pay more to keep the same level of quality that they have today under the Republican plan. She is their appointee. That is what she said.

I asked her how much more? She said she did not know. I sent her a letter

soon after the specifics of the Republican plan were finally unveiled by the Finance Committee. That was not only signed by myself, but also by the minority leader, asking her again, how much more would seniors have to pay under the Republican proposal?

I never got a response. I am a U.S. Senator. I assume that after a while somebody in that position would eventually get a response. I did not. I still do not know exactly how much more seniors would have to pay. All I know is that they will have to pay a lot more.

Mr. President, in West Virginia, which I represent, the average senior's income is $10,700 a year. We talk of seniors making $25,000, $17,000, $18,000. In West Virginia the average is $10,700 a year. They are already spending 21 percent of their income on health care. They do not have a margin. They do not have room for more.

People always assume that somehow the Democrats are just being silly and soft because they assume that seniors can pay more. Some seniors should pay more, and high-income seniors probably should. That should be worked out as a package, dealing with the whole Medicare Program, in exactly the kind of Medicare commission that Senator DOLE proposes and which I support.

Mr. President, for my constituents in West Virginia, "more" is a very scary word. Last year I talked about Geno Maynard, Sue Lemaster, and John and Betty Shumate.

Geno Maynard is 78 years old and lives in Kenova, WV; Sue Lemaster, is an 83-year-old who lives in Follansbee; and John and Betty Shumate are Medicare beneficiaries who live in Beckley. They're 4 of the 330,000 West Virginians who depend on the Medicare Program for health care, and they all told me that they were worried. They quite flatly told me, they do not have any more money to spend on health care. It's a big worry for millions of other seniors all over America. On average, seniors already spend 21 percent of their incomes on health care expenses.

Mr. President, it is a year later and I still cannot tell my constituents how much more they would have to pay under the Republican plan. I can only say that according to reliable health experts and the Republican-appointed head of the Congressional Budget Office, they are going to have to pay more for their health care.

Mr. President, in addition to tight budget caps, the Republican plan also assumes enactment of some very dangerous programmatic changes. For example, Mr. President, the Republican plan assumes elimination of current law balance billing protections for senior citizens. Medicare currently prohibits health care providers from price gouging. Health care providers are banned from charging Medicare patients more than 15 percent above what Medicare pays them. This is an incredibly important financial protection that we enacted in 1989—on a bipartisan basis—as a part of physician payment reform. Prior to enactment of balance billing protections, seniors spent over $2 billion a year on out-of-pocket balance billing charges.

Last year, I offered an amendment during the Finance Committee's markup of the Republican Medicare bill that would make sure beneficiaries would continue to have the same financial protections that they have under current Medicare law. My amendment was defeated on a strict party line vote. This is just one more example of how the Republican plan will insidiously destroy the Medicare Program.

Mr. President, there are plenty of other examples. To name just one more: A Medicare medical savings account proposal that actually costs the Medicare Program $4 billion a year; and will further weaken the Medicare trust fund. The New York Times reported that according to "many experts" MSA's would lead to the "balkanization of healthy and sick."

Let us not forget that the Medicare Program is an incredible success when it comes to access. Seniors are the only group of Americans who enjoy universal coverage. If Medicare is cut by unprecedented amounts of money to pay for anything but Medicare, the consequences will be disastrous for health care providers and beneficiaries.

Mr. President, the bigger problem that we all continue to skirt around is the long-term solvency of the Medicare trust fund. When the baby boomers begin to retire in 2011, the Medicare Program will be severely, severely strained. I proposed a Greenspan-like commission last year to try to take this debate out of the political arena. The American Hospital Association also thinks a commission is necessary to force action to improve the short-term and long-term solvency of the trust fund.

Hospitals have plenty of reason to worry. Not only are their bills paid from the part A trust fund, but the American Hospital Association estimates that the new Republican budget cuts hospital payments 20 percent more than last year's Republican budget. As a result of these larger hits to hospitals, "hospitals are likely to experience actual reductions in payment rates," not just reductions in the rate of Medicare revenue growth.

The Prospective Payment Review Commission [ProPAC]—a nonpartisan commission that advises Congress on hospital payment issues—has issued a stern warning about the severe negative effect massive Medicare reductions will have on hospitals. In my own State, over 50 percent of all our senior citizens live in rural areas. How far are they going to have to travel to get basic hospital care if their local, rural hospital is forced to shut its doors?

Mr. President, the solvency of the Medicare trust fund is too important of an issue to be left to politics-as-usual. Thirty-seven million Americans rely on the Medicare Program to pay for their health care services. The Republicans' suggestion that the Democrats are uninterested in doing what is necessary to put Medicare on sound financial footing is preposterous. It was Republicans in Congress who voted against Medicare's creation in 1965—and it is now Republicans in this Congress who pose a real threat to Medicare's future. They will keep on saying they are saving Medicare, but raiding Medicare is no way to rescue it.

The PRESIDING OFFICER. The Senator's 10 minutes has expired.

Mr. ROCKEFELLER. I thank the Presiding Officer.

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

A CONSTITUTIONAL AMENDMENT TO BALANCE THE BUDGET

Mr. SPECTER. Mr. President, I have sought recognition to comment briefly on the vote earlier today rejecting the constitutional amendment for a balanced budget. I supported that amendment, as I have on a number of occasions during my tenure in the U.S. Senate. I was disappointed to find the amendment failed today in light of the repetitive speeches on the floor of the U.S. Senate about the importance of balancing the budget.

It is true that, if discipline could be imposed in the Congress of the United States, a balanced budget amendment would not be necessary. But the historical fact is unmistakable that the kind of discipline necessary is simply not present, given the nature of our system where there are so many demands for programs to spend and where there is such an aversion, understandably, to increases in taxation. So if there is to be a balanced budget, it is mandatory that it be a requirement of law which would rise to constitutional proportion.

Every other unit of government has the requirement for a balanced budget. My State, the Commonwealth of Pennsylvania, has such a requirement. Cities have such a requirement. Townships have such a requirement. Counties have such a requirement. On an individual basis, all of us must live within our means or we wind up in the bankruptcy court.

The issue of a balanced budget came into sharper focus for me 2 years and 4 months ago when my wife Joan and I had our first grandchild. It would be absolutely unthinkable, as individuals, for us to purchase on a credit card for young Sylvie Specter or her sister Perry Specter. But that is precisely what we are doing as a nation in building up deficits in the range of $200 billion a year and a national debt which

now exceeds $5 trillion. There has been a unique opportunity to deal with this in an institutional way to achieve a balanced budget. That is through a constitutional amendment.

There are many subjects which are talked about on the Senate floor, repetitively, where it is very hard to find out which philosophy is correct and which political party is at fault. I suggest, Mr. President—and I do not do this often—that there is a defining difference between the philosophy of the Republicans and the philosophy of the Democrats on this subject. That has been continuously demonstrated by the votes on this subject.

Today's vote was 64 to 35. So the Senate fell three votes short of the two-thirds necessary to have a constitutional amendment. Among the 53 Republicans, 52 voted in favor of the constitutional amendment for a balanced budget. Among the 46 Democrats who voted, one Democrat being absent, 12 Democrats voted in favor of the constitutional amendment for a balanced budget and 34 voted against.

President Clinton has stated his position in being in opposition to a constitutional amendment for a balanced budget. Senator DOLE, the presumptive Republican nominee, has led the fight for a constitutional amendment for a balanced budget.

I believe that this is very similar to the Clinton health care proposal as a defining issue as to where the parties stand. The Clinton health care proposal was a very drastic change to put the Government into the health care business.

When I read the Clinton proposal in September 1993, I started to make a list of all the agencies, boards, and commissions which were created. I found I could not tabulate them all and asked an assistant to make me a comprehensive list. My assistant, instead, made a chart instead of a list. I am sparing C-SPAN viewers showing again the chart. It has been fairly extensively shown with boxes in red showing more than 100 new agencies, boards, and commissions under the Clinton health care plan, and the boxes in green, 50, giving additional tasks to 50 existing bureaus.

Bob Woodward of the Washington Post said that chart was the critical fact to defeat the Clinton health care plan. A picture is worth 1,000 words. A chart in some situations is worth 1,000 pictures and perhaps worth more than $100 billion in this case.

I believe that the health care program that President Clinton proposed was a defining issue, just as this vote today on a constitutional amendment for a balanced budget is a defining issue.

I am convinced that the budget can be balanced with a scalpel and not a meat ax. I serve as chairman of the Appropriations Subcommittee on Labor, Health, Human Services and Education. The allocation to that subcommittee was reduced from $70 billion last year to $62 billion.

Senator TOM HARKIN, my distinguished ranking member on the Democratic side, Senator HARKIN and I worked collaboratively, as we did when he was chairman of the subcommittee and I the ranking minority member, and we structured a budget that handled it with a scalpel and not a meat ax.

We found that budget would not meet the President's requirements, and we came back on the floor of the U.S. Senate this spring. Senator HARKIN and I offered an amendment which added $2.7 billion. It was like threading a needle to find a way to reach an amount which was satisfactory to the President, which would pass muster with the House committee in conference. After 20 hours of negotiations, the House Members approved the compromise by a vote of 6 to 5 and we got it done. This year, Senator HARKIN and I looked at the budget resolution, saw that we were still going to be short of a mark which would be satisfactory, and we structured another amendment for $2.7 billion. This time, Senator DOMENICI, chairman of the Budget Committee, came in and added another $2.3 billion for a total of $5 billion in excess of what his committee had reported to the floor, so that we would have a realistic figure to do the job.

I cite that as an illustration. If you examine the fine print and look at the semicolons, there would be agreement that it was done within our confines, moving toward the balanced budget, and done with a scalpel and not a meat ax. I believe that we can establish priorities to have a balanced budget and do it carefully, preserving the important programs and eliminating those that are unnecessary, cutting those where cuts can be made.

I am personally convinced that the American people are prepared to have shared sacrifice to have a balanced budget if the cuts are uniform. As I said on this floor last year before we took up the budget resolution, I thought as much as I would like a tax cut I was opposed to it, because while you can justify the cuts if they are fairly made, if there is a tax cut at the same time it simply is unacceptable—some will be favored for a tax cut, with some of the proposals favoring those in the $100,000 category while others at a much lesser figure had to have the reductions. If the reductions are fairly stated, I think shared sacrifice is something that the American people are prepared to accept. That is the concept of a balanced budget.

It is my hope that this issue, like the issue of health care, will be dealt with by the American people in November. I thought it a mistake when the Government was closed down last November, not something I am saying for the first time on June 6, 1996. I said it back on November 14, as the CONGRESSIONAL RECORD will show during the first shutdown. That was an opportunity to crystalize the issue for the November election.

I think this is a watershed, a landmark signal issue on today's vote. When you take a look at the party alignment, with President Clinton leading the Democrats and 34 out of 46 voting Democrats in the Senate today voting "no" on the balanced budget amendment, and 52 out of 53 Republicans voting "yes" on the balanced budget amendment, that is an issue which ought to be submitted to the referendum this November. I yield the floor.

MEDICARE INSOLVENCY

Mr. COCHRAN. Mr. President, this afternoon, we had an interesting hearing in the subcommittee for appropriations which is chaired by the distinguished Senator from Pennsylvania [Mr. SPECTER]. The witness was the Secretary of Health and Human Services, Secretary Shalala. We were examining the budget request being submitted by the administration for appropriations to operate that Department of the Government for the next fiscal year that begins October 1.

Secretary Shalala happens to be in another capacity a trustee of this group who have the responsibility of monitoring the trust fund that supports the benefits paid out under the Medicare Program. Since that group of trustees had just made their report public yesterday at the news conference which we all read and heard about, that subject came up.

It occurred to me, since there was before the general public a suggestion by the President that he had made recommendations that were almost identical with the Republican suggestion about how to protect the benefits of this Medicare Program and how to deal with this impending insolvency of that fund, it occurs to me that we are going to see more of the same kind of political shenanigans from now until the end of this year, with nothing being done unless somebody is ready to say, "OK, we will go along with your proposal."

The President can say that to the Congress, or we can say that to the President. I am prepared at this point to suggest, in a serious way, and said this to Secretary Shalala at the hearing, the Congress accept the President's suggestions. We can pass the suggested changes for short-term relief of pressure on that fund, but at the same time appoint a commission which is also called for by the President and the trustees in their report to propose long-term changes, changes to affect the long-term insolvency problems of the trust fund, and that the Congress, through its leaders and the President

himself, agree to implement the recommendations of that commission for long-term changes.

It seems to me that is one way to resolve this as a part of this argument over whether Republicans are trying to cut taxes, to impose changes on Medicare beneficiaries as a part of a budget balancing act. We already, in the Congress, submitted to the President proposals to rescue the Medicare Program. That was a part of the Balanced Budget Act which the President vetoed. He has already rejected what Congress has suggested. After weeks and weeks of negotiations with leaders of the Congress and the President at the White House, all we got out of it were some photo ops, some political posturing, partisan sniping. We have had enough of that. The American people are fed up with that kind of politics. That is not the way to run the Government. I am tired of it.

I have recommended and seriously urge this Congress to accept the recommendation of the President—not the one, of course, that says that home health care ought to be paid for out of the general Treasury; I am talking about changes that will reduce the costs of the program in a way that saves the program from insolvency—they recommended last year that we had to act before the year 2002, that we were going to see an insolvency, there would be a bankrupted fund, in effect.

Now, the report this year is worse than that. The year before it was going insolvent. Under the last report, it is going to lose $33 billion, and the following year $100 billion. Contrary to what the junior Senator from West Virginia said, that this is a Republican-manufactured crisis, that is an outrageous comment. That is totally outrageous. These trustees are Democrats by and large. Secretary Rubin said it, Secretary Shalala said it is going to be insolvent, Secretary Reich said it would be insolvent, the head of the Social Security Administration was standing there and agreed with them. That is not a group of Republicans. The Republicans are not manufacturing a crisis. The crisis is real. The crisis is now.

It is irresponsible for us to continue to sit here and listen to this kind of arguing made by Senators on the other side that this is some kind of effort by Republicans to frighten older people. I am frightened. I am not an eligible beneficiary yet. We have to act.

I want to commend the Senator from Pennsylvania for his leadership in an effort to get the Secretary to agree to recommendations to the administration, that they take a stand, put their recommendations in the form of legislation, send it to the Hill, and see if we can pass it.

The PRESIDING OFFICER (Mr. ABRAHAM). The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I thank my distinguished colleague from Mississippi for his kind comments and would amplify what he said. After his leadership in bringing this issue before the subcommittee and the Secretary of Health and Human Services, it was the subject of extended additional discussion. Secretary Shalala did say that she would be prepared to recommend to the President that he sign a separate bill.

There are really few black and white issues on the floor of the U.S. Senate or in the Congress of the United States. I believe that the gridlock is visible right down the middle between Republicans and Democrats. I think there are, as a rarity, some clear-cut issues, as I mentioned a few moments ago on the Clinton health care plan or on the balanced budget amendment, where there is a clear philosophical and factual difference. The posturing which has been undertaken on Medicare I think has been a plague on both Houses and is so recognized by the American people.

Senator COCHRAN and I put it on the table in a direct conclusive way today and Secretary Shalala agreed with the Cochran-Specter proposal, and that is not giving up on the attempt to reach an overall reconciliation bill, to have a balanced budget, which will be presented by the Congress; but, at the same time, that there be a second bill, and if the first overall bill is rejected—which will be a global settlement on the deficit, an agreement between the President and Congress—Secretary Shalala said she would recommend that a separate bill be approved. That bill would be to accept the figure of the President, where he has recommended—and on this floor it is always articulated in terms of "cuts," which is inaccurate. It is $116 billion of reduction on the rate of increase.

Nobody is suggesting cuts. Every time somebody talks about a cut, it is factually incorrect. Last year, there was not a proposal for cuts in Medicare. There was a proposal to have the rate of increase of 7.1 percent instead of a higher figure on increase. This year, the proposal is 6.1 percent of increase, which is a decrease in the rate of increase. That is to say that the increase is not as much as it would have been.

President Clinton has proposed a reduction of $116 billion in the rate of increase. And the proposal which Senator COCHRAN suggested, and I seconded, and Secretary Shalala agreed to, would be to have that as a separate bill, which would be an accommodation to the Medicare trust fund, which would keep it solvent for a period estimated on a variety of between 5 and 10 years.

Right after Senator COCHRAN's questioning and comments to Secretary Shalala, I said that it was the most forceful statement I have heard on the Appropriations Committee in the 16 years that I was present. I was about ready to say the most forceful statement by Senator COCHRAN, but I amended that to be the most forceful statement from anyone that I have seen in my 16 years. Then I walked over to him and said, had it been on national television, he would have been an instantaneous national, if not worldwide, hero. But that happens to be an area where, perhaps in an off moment, we have had agreement between a Democrat and two Republicans.

I said to Senator COCHRAN that if he would introduce the legislation, I would cosponsor it. Now I say, if he will not, I will, and I hope that he will cosponsor it.

Mr. HELMS addressed the Chair.

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

(The remarks of Mr. HELMS and Mr. FEINGOLD pertaining to the introduction of S.J. Res. 56 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

UNCONSTITUTIONALITY OF S. 1740, THE SO-CALLED DEFENSE OF MARRIAGE ACT

Mr. KENNEDY. Mr. President, S. 1740, the so-called Defense of Marriage Act, raises serious questions about the authority of Congress to limit the effect of a State court judgment in other States.

To assist the Senate in its consideration of S. 1740, I asked Harvard Law School Professor Laurence H. Tribe, one of the most respected constitutional scholars in the Nation, to review the bill and its constitutionality. Professor Tribe has done so and has concluded unequivocally that enactment of S. 1740 would be an unconstitutional attempt by Congress to limit the full faith and credit clause of the Constitution.

Mr. President, assaulting the Constitution is hardly defending marriage. I believe that all Members of Congress will be interested in Professor Tribe's analysis, and I ask unanimous consent that the text of his letter be printed at this point in the RECORD.

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

MAY 24, 1996.

Hon. EDWARD M. KENNEDY,
U.S. Senate, Russell Senate Office Building, Washington, DC.

DEAR SENATOR KENNEDY: You have asked me whether the Constitution empowers Congress to enact Section 2(a) of S. 1740, which calls itself the Defense of Marriage Act and which would amend 28 U.S.C. 1738 by amending a new section 1738C to exempt "same sex * * * marriage[s]" from the reach of the Constitution's Full Faith and Credit Clause, Art. IV, sec. 1, cl. 1, by authorizing any State choosing to do so to deny all "effect to any

public act, record, or judicial proceeding" by which another State either recognizes such marriages as valid and binding, or treats such marriages as giving rise to any "right or claim."

My exclusive focus in this analysis is the question of affirmative constitutional authority in light of the Full Faith and Credit Clause, which the Supreme Court over half a century ago aptly described as "a nationally unifying force," "alter[ing] the status of the several states as independent foreign sovereignties, each free to ignore rights and obligations created under the laws or established by the judicial proceedings of the others, by making each an integral part of a single nation, in which rights * * * established in any [state] are given nationwide application." *Magnolia Petroleum Co.* v. *Hunt*, 320 U.S. 430, 439 (1943). I have not found it necessary to pursue the further inquiry that would be required if one were to conclude that Congress does have affirmative authority to create the proposed exception to the Full Faith and Credit Clause for same-sex marriages—namely, whether such an exception would nonetheless violate a negative prohibition like that of the Due Process Clause of the Fifth Amendment, see *Adarand Constructors, Inc.* v. *Pena*, 115 S. Ct. 2097, 2111–16 (1995); *Bolling* v. *Sharpe*, 347 U.S. 497, 500 (1954), on the ground that it singles out same-sex relationships for unfavorable legal treatment for no discernable reason beyond public animosity to homosexuals, cf. *Romer* v. *Evans*, 1996 WL 262293, *9 (U.S. May 20, 1996).

Whether this fairly characterizes the Defense of Marriage Act and would in fact be a fatal constitutional flaw in the Act, or whether part or all of the Act could be successfully defended against such a Due Process Clause attack, are questions on which I express no view here, and indeed are questions that it would be unwise to address in light of the conclusion I think one must reach on the anterior question of affirmative congressional power. On that question—and for reasons having absolutely nothing to do with anybody's views on the merits of same-sex marriage or homosexual relationships, and nothing to do with anybody's views about *Romer* v. *Evans* or other equal protection cases—my conclusion is unequivocal: Congress possesses no power under any provision of the Constitution to legislate any such categorical exemption from the Full Faith and Credit Clause of Article IV. For Congress to enact such an exemption—whether for same-sex marriages or for any other substantively defined category of public acts, records, or proceedings—would entail an exercise by Congress of a "power[] not delegated to the United States by the Constitution"—a power therefore "reserved to the States" under the Tenth Amendment. The proposed legislation is thus plainly unconstitutional, both because of the basic "limited-government" axiom that ours is a National Government whose powers are confined to those that are delegated to the federal level in the Constitution itself, and because of the equally fundamental "states'-rights" postulate that all powers not so delegated are reserved to the States and their people.

As many of this statute's proponents are fond of reminding us, the Tenth Amendment says in no uncertain terms that the "powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." But it is that basic axiom, as I will explain below, that most clearly condemns the proposed statute. The Supreme Court explained in *New York* v. *United States*, 505. U.S. 144, 155–56 (1992), that the inquiry "whether an Act of Congress invades the province of state sovereignty reserved by the Tenth Amendment" is a "mirror image[]" of the inquiry "whether an Act of Congress is authorized by one of the powers delegated to Congress . . . in the Constitution." Thus, in *United States* v. *Lopez*, 115 S. Ct. 1624 (1995), the Supreme Court struck down the Gun-Free School Zones Act of 1990 ("GFSZA") on the ground that, because neither the Commerce Clause nor any other provision of the Constitution delegated to the Federal Government the power that it sought to exercise in the GFSZA, Congress had usurped states' rights in enacting that seemingly sensible measure. The Court stressed, as a matter of "first principles," that requiring Congress to confine itself to those "few and defined" powers delegated to the National Legislature, id. at 1626 (quoting James Madison, The Federalist No. 45), was the Constitution's most fundamental device for "ensuring[] protection of our fundamental liberties'," and "reduc[ing] the risk[s] of tyranny and abuse." Id. at 1626 (quoting *Gregory* v. *Ashcroft*, 501 U.S. 452, 458 (1991)).

As a constitutional scholar sometimes identified as "liberal," I was apparently expected by many to side with the Lopez dissenters—Justices Stevens, Souter, Ginsburg, and Breyer. In fact, however, I had publicly predicted, and publicly applauded, the Court's Lopez decision, believing strongly that Congress, however, sound its policy objectives, has a solemn duty to take seriously the constitutional boundaries of its affirmative authority—something I believe it failed to do when enacting the GFSZA, and something I believe it would even more clearly fail to do were it to enact the Defense of Marriage Act.

Who but a madman could favor handgun possession near schools? Who but a scoundrel could oppose the defense of marriage? But of course that isn't the issue. We must look beneath these plain vanilla wrappings to see the power grabs they conceal. In the "defense of marriage" context, that power grab is remarkably clear once one strips away the emotion-laden rhetoric that surrounds the issue.

The defenders of the proposed new 28 U.S.C. §1738C, conceding that the Constitution requires them to identify an affirmative delegation of power to Congress as the source of the lawmaking authority they would have Congress exercise, can point only to the Full Faith and Credit Clause itself, and to this statement in particular: "And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof." The proposed law's defenders, without any evident embarrassment or sense of irony, claim that a law licensing States to give no effect at all to a specific category of "Acts, Records and Proceedings" is a general law prescribing "the effect" of such acts, records and proceedings. That is a play on words, not a legal argument. There may be legitimate debate about precisely what sorts of national legislation this clause empowers Congress to enact so as to mandate sister-state enforcement of various state policies which, absent such effectuating legislation, the States might otherwise be free to disregard notwithstanding the Full Faith and legislation, the States might otherwise be free to disregard notwithstanding the Full Faith and Credit Clause. But it is as plain as words can make it the congressional power to "prescribe . . . the effect" of sister-state acts, records, and proceedings, within the context of the Full Faith and Credit Clause, includes no congressional power to prescribe that some acts, records and proceedings that would otherwise be entitled to full faith and credit under the Full Faith and Credit Clause as judicially interpreted shall instead to be entitled to no faith or credit at all!

The reason is straightforward: Power to specify how a sister-state's official acts are to be "proved" and to prescribe "the effect thereof" includes no power to decree that, if those official acts offend a congressional majority, the need to be given no effect whatsoever by any State that happens to share Congress's substantive views. To read the enabling sentence of the Full Faith and Credit Clause to confer upon Congress a power to delegate this sort of nullification authority—to read it, in other words, as the proponents of this anti-same-sex-marriage-law must read it if they are to treat it as the source of power for the legislation they advocate—would entail the conclusion that congress may constitutionally decree that no Hawaii marriage, no California divorce, no Kansas default judgment, no punitive damages award by any state court against a civil rights lawyer—to suggest a few of infinitely many possible examples—need to be given any legal effect at all by any State that chooses to avail itself of a congressional license to ignore the Full Faith and Credit Clause. The enabling sentence simply will not bear so tortured a reading.

The claim of its supporters that this measure would somehow defend states' rights by enlarging the constitutional authority of States opposing same-sex marriage at the expense of the constitutional authority of States accepting same-sex marriage rests on a profound misunderstanding of what a dedication to "states' rights" means. If this is a protection of states' rights, then it would equally protect states' rights for Congress, without any affirmative authorization in the Constitution, to license any State wishing to do so to deny basic police protection to same-sex couples visiting the State after getting married in a home State that recognizes same-sex marriage, despite the Privileges and Immunities Clause, Art. IV, §2, cl. 1. Our Constitution protects the rights of the States by assuring their equal status in the Union, and by guaranteeing that Congress may legislate only pursuant to a delegation of power in the Constitution. The proposal federal law transgresses both of these principles. That it does so in a manner that involves licensing some States to take actions that the Constitution itself would otherwise forbid—and in this sense enlarges the powers of States availing themselves of its purported authorization—should not be permitted to deceive anyone into mistaking this legislation for a law friendly to principles of state sovereignty.

Indeed, the proposed measure would create a precedent dangerous to the very idea of a United States of America. For if Congress may exempt same-sex marriage from full faith and credit, then Congress may also exempt from the mandate of the Full Faith and Credit Clause whatever category of judgments—including not only decrees affecting family structure but also specified types of commercial judgments—a majority of the House and Senate might wish to license States to nullify at their option. Such purported authority to dismantle the nationally unifying shield of Article IV's Full Faith and Credit Clause, far from protecting states' rights, would destroy one of the Constitution's core guarantees that the United

States of America will remain a union of equal sovereigns; that no law, not even one favored by a great majority of the States, can ever reduce any State's official acts, on any subject, to second-class status; and, most basic of all, that there will be no ad hoc exceptions to the constitutional axiom, reflected in the Tenth Amendment's unambiguous language, that ours is a National Government whose powers are limited to those enumerated in the Constitution itself.

The basic point is a simple one: The Full Faith and Credit Clause authorizes Congress to enforce the clause's self-executing requirements insofar as judicial enforcement alone, as overseen by the Supreme Court, might reasonably be deemed insufficient. But the Full Faith and Credit Clause confers upon Congress no power to gut its self-executing requirements, either piecemeal or all at once.

If judicial precedent for this textually and structurally evident conclusion is sought, it must be sought in analogous areas rather than in the context of the Full Faith and Credit Clause itself, for Congress has never attempted to exercise its Full Faith and Credit enforcement power to nullify rather than to enforce the mandate of that clause. In perhaps the closest analogy, the Supreme Court has interpreted another of the Constitution's few clauses expressly authorizing Congress to enforce a constitutional mandate addressed to the States to mean that Congress may effectuate such a mandate but may not "exercise discretion in the other direction [by] enact[ing]" statutes that "dilute" the mandate's self-executing force as authoritatively construed by the Supreme Court. *Katzenbach* v. *Morgan*, 384 U.S. 641, 651 n. 10 (1966) (Section 5 of the Fourteenth Amendment). A similar principle must guide interpretation of the Full Faith and Credit Clause, whose text leaves no real doubt that its self-executing reach, as authoritatively determined by the Supreme Court, may not be negated or nullified, in whole or in part, under the guise of legislatively enforcing or effectuating that clause. This is especially so in light of "the strong unifying principle embodied in the Full Faith and Credit Clause looking toward maximum enforcement in each state of the obligation's or rights created or recognized by . . . sister states . . . " *Hughes* v. *Fetter* 341 U.S. 609, 612 (1951).

It would do violence not only to the letter but also to the spirit of the Full Faith and Credit Clause to construe it as a fount of affirmative authority for Congress—if I may be excused for borrowing a marriage metaphor—to set asunder the States that this clause brought together. The Constitution's plan to form a "more perfect Union," in the preamble's words, would be inexcusably subverted by treating its most vital unifying provision as a license for legislation that does not unify or integrate but divides and disintegrates.

It is no answer at all to say that some purported marriages—e.g., marriages entered into in one State by residents of another in order to evade the latter State's prohibition against bigamy—might in any event be entitled to no "faith and credit" under Art. IV, §1, cl. 1, as occasionally construed by the courts. To the degree that this is in fact true of any given category of marriages, divorces, or other official state acts—itself a complex and controversial question (see Robert H. Jackson, Full Faith and Credit—the Lawyer's Clause of the Constitution, 45 Colum. L. Rev. 1, 27 (1945); Douglas Laycock, Equal Citizens of Equal and Territorial States, 92 Colum. L. Rev. 249, 313–37 (1992))—all that follows is that, with respect to such marriages, divorces, or other official acts, the proposed federal legislation would be entirely redundant and indeed altogether devoid of content.

In any such context, "[e]ven if the Federal Government possessed the broad authority to facilitate state powers, in this case there would be nothing that suggests that States are in need of federal assistance." *Rubin* v. *Coors Brewing Co.*, 115 S. Ct. 1585, 1591 (1995) (rejecting on First Amendment grounds a "let-Congress-assist-the-States" argument in support of a federal regulation of beer advertising). The essential point is that States need no congressional license to deny enforcement of whatever sister-state decisions might fall within any judicially recognized full faith and credit exception. The only authority the proposed statute could possibly add to whatever discretion States already possess would be authority to treat a sister State's binding acts as though they were the acts of a foreign nation—authority that Congress has no constitutional power to confer.

Sincerely,

LAURENCE H. TRIBE,
Ralph S. Tyler, Jr.,
Professor of Constitutional Law, Harvard Law School.

RACE FOR THE CURE

Mr. HEFLIN. Mr. President, on June 15, in Washington, there will be a race to raise money to find a cure for a disease that will take the lives of an estimated 44,560 women this year. Appropriately titled Race for the Cure, it stresses the importance of finding a cure for breast cancer, a disease that will claim one in nine women. This race is one of people who care coming together for a cause in which they believe. However, this race is much more than that. It is symbolic of the race women are running against time. The Race for the Cure represents our efforts and concern in finding a cure for breast cancer and helping many women achieve a greater peace of mind.

This terrible disease affects women everywhere. Here in the United States, breast cancer is second to lung cancer in cancer-related deaths among women. However, in spite of its prevalence, we still cling to the belief that it will not happen to us or those we are close to. Chances are that someone you know and love will be a victim of this tragic disease. Chances are that someone will be your wife, mother, daughter, or sister.

As with most types of cancer, a primary cause has not been found. Young women are increasingly dealing with the fear of this potentially threatening disease. Older women, who are at a much higher risk, are often not aware of their vulnerability to breast cancer. Only 34 percent of women over the age of 50 receive regular mammograms.

Until a cure is found, we all must join in the effort to raise money for research and continually improve education and awareness of this disease. I am proud to say that Alabama has been a driving force in our Nation's efforts toward these goals. Advances at the University of Alabama at Birmingham, like the identification of the human natural killer cell thought to play a key role in the body's destruction of cancer cells, are vital to the discovery of a cure. The consistent support of research centers, like the Marshall Space Flight Center, which assist with and support cancer research, are crucial to our progression toward a cure. Not unlike UAB and Marshall Space Flight Center, cancer research and education facilities across the country must receive funding. This signifies the importance of the Race for the Cure which allows individuals, who are essentially helpless against cancer, to work in unison for cancer research and awareness.

Having chaired the Alabama Breast Cancer Summit, I have been amazed at the aggressiveness and frequency of this disease. An article which appeared in The Journal of the American Medical Association on February 9, 1994, told of how the baby boom generation have about twice the risk of developing cancer as their grandparents. The threat becomes even more imminent when one considers how quickly the percentage of elderly people in this country is growing. Even now, the risk for women is greater than before. Women born in the 1950's have almost a 3 times greater risk of being diagnosed with breast cancer than women born 50 years earlier. Some of this increase can be attributed to the improved methods of diagnosing breast cancer. However, because the trends are steady and are seen in women over 50, who receive less screening, researchers believe better diagnoses cannot explain the whole picture.

The Race for the Cure is, therefore, important not only in terms of raising money for breast cancer research but also in providing a forum for awareness and education. I encourage everyone who can to participate in the Race on June 15. Also, I would like to encourage everyone in the Nation to get involved in efforts to fight breast cancer in their communities. We all have to work diligently toward a cure for this tragic disease.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, the impression will not go away: The $5 trillion Federal debt stands today as an increasingly grotesque parallel to the TV energizer bunny that keeps moving and moving and moving—precisely in the same manner and to the same extent that the President is sitting on his hands while the Federal debt keeps going up and up and up into the stratosphere.

Same old story. Some politicians talk a good game—"talk" is the operative word here—about cutting Federal

spending and thereby bringing the Federal debt under control. But watch what they do when efforts are made to balance the Federal budget.

Mr. President, as of the close of business yesterday, Wednesday, June 5, the Federal debt stood at exactly $5,141,669,992,686.17, which amounts to $19,401.82 per man, woman, child on a per capita basis.

A TRIBUTE TO GEORGE L. WESSEL

Mr. MOYNIHAN. Mr. President, I rise today to pay tribute to George L. Wessel, a friend and associate, who is stepping down as president of the Buffalo AFL–CIO Council after 27 years as Erie County's foremost labor leader representing more than 100,000 workers in more than 200 labor locals. Though he will continue to stay active in the community, he will now be fortunate enough to spend more time with his wife of 49 years, Mary; his daughter, Mary Catherine; and his three grandchildren, Joseph, Mary Anna, and Catherine Victoria. I thank him for his good work and wish him the best of luck in the future.

George Wessel's career involvement with the labor movement began when he returned home from serving his country in the U.S. Navy during World War II. He worked for Remington Rand, joined the Printing Pressmen's Union, and eventually became a journeyman printer. From that position, he advanced to become a chief steward in the plant and a member of the Local 27 executive board. His fellow workers noticed his dedication to the cause of organized labor, and in January 1961, they elected George as secretary-treasurer of the local which represented all print shops in western New York. In this post, he again served with distinction until January 1, 1969, when he was elected to succeed Judge James L. Kane as president of the Buffalo AFL–CIO Council.

As President, George Wessel has enjoyed great popularity as a leader of labor and as a leader in civic life. Elected to nine 3-year terms as president of the Buffalo AFL–CIO Council, George has been a tremendous influence on the labor movement in the past quarter century. In the early 1980's, the Buffalo AFL–CIO Council was in the forefront of efforts to organize Solidarity Day in Washington, DC. Since then, thousands of union activists have converged at the Nation's Capital each year to call attention to issues affecting working men and women. George has also overseen council activities, negotiated with business leaders, mobilized affiliated locals for public demonstrations, and been the official spokesman for organized labor in Erie County. He also started the grand tradition of the Labor Day parade through the streets of Buffalo. It was several times my honor to march through the streets with George during the parade, and I was always the better for having done so.

George Wessel has also been a sterling member of the community as he has constantly worked to improve the physical, social, and cultural environment of Buffalo. Whether as a member of the United Way, or as a member of the labor advisory board at Cornell University, George Wessel has strived to make Buffalo a better place to live and work.

Though labor has faced many setbacks in western New York and throughout much of the country in recent years, George Wessel has fought to stem that tide. Due to his great efforts, organized labor still remains at the forefront of commercial activity and is a much respected movement in the Buffalo community.

We shall all be sorry to see George step down as president of the council, but organized labor will still remain a force in Erie County. Like the Workers Memorial in Chestnut Ridge, this is a testament to George Wessel's half century of involvement with the union movement in Buffalo.

Mr. COVERDELL. Mr. President, parliamentary inquiry. Are we operating as if we were in morning business?

The PRESIDING OFFICER. Yes, with a time limit of 10 minutes per speaker.

BALANCED BUDGET AMENDMENT

Mr. COVERDELL. Mr. President, I ask unanimous consent that current letters from the Governors of California, Illinois, Kansas, Louisiana, Michigan, New Hampshire, New Mexico, New York, North Dakota, Oklahoma, South Carolina, Virginia, and Wyoming on the need for the balanced budget amendment to the Constitution be —I would use the word memorialized—in the RECORD.

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

STATE CAPITOL,
Sacramento, CA, June 4, 1996.

The PRESIDENT,
The White House, Washington, DC.

DEAR MR. PRESIDENT: This week, the 104th Congress will make a final attempt to pass the Balanced Budget Amendment. The amendment has already been approved overwhelmingly by the House of Representatives, and it is within two votes of passage in the Senate. I urge you to take this opportunity to endorse the Balanced Budget Amendment and help secure the Democratic votes needed to ensure its passage.

To Californians alone, certainty of a balanced federal budget is literally worth billions upon billions of dollars. The lower interest rates that would accompany reduced federal borrowing would save our state government more than $3 billion per year, enough to provide a $262 tax cut for every household in California. More importantly, balancing the budget by 2002 would prevent each and every citizen in California from assuming more than $4,000 worth of additional federal debt.

Comparison of federal spending and California state spending over the past five years shows that if Washington had practiced a level of fiscal discipline similar to that we have exercised in Sacramento, the federal government would now be running a surplus rather than a deficit. There is no question that California's constitutional mandate for a balanced budget has provided an essential incentive for achieving this performance.

Now, California is reaping the benefits of tightly controlled spending, with a resurgent economy driving up state tax revenues. This has set the stage for tax cuts that will let people keep more of their own money, and increased funding for education and other investments in California's future.

Mr. President, you, more than anyone else, should be supporting the Balanced Budget Amendment to show your honest commitment to reforming federal spending and sparing future generations from a crushing burden of debt. The Balanced Budget Amendment is a promise that transcends elections; a promise that cannot be simply revoked on November 6.

I challenge you to make public your support for the Balanced Budget Amendment and help secure the two Democratic votes needed to pass it.

Sincerely,

PETE WILSON.

STATE OF ILLINOIS,
OFFICE OF THE GOVERNOR,
Springfield, IL, June 4, 1996.

Hon. WILLIAM J. CLINTON,
President of the United States,
The White House, Washington, DC.

DEAR PRESIDENT CLINTON: In the next week, the Senate will be voting on the Balanced Budget Amendment. I urge you to contact Senators from your party and ask them to vote for this critical measure. We must change the direction our country is going financially, and this is the first step.

This is a very bi-partisan issue, as Senator Simon from the State of Illinois has proven. Members from both sides of the aisle have recognized the importance of passing a bill mandating to Congress that this country operates under a balanced budget. The longer we wait to balance the budget, the more we leave a legacy of debt for our children and grandchildren and take away from our ability to address pressing national priorities.

In the United States, we currently spend 11 times more money on interest on the national debt than we do on education, and twice as much on interest than on all of our poverty programs. We have come to realize in Illinois the importance of a balanced budget and the sacrifices that are needed to achieve that goal. A balanced budget requirement as been part of our state constitution since 1970, and members of both parties have worked hard at maintaining that requirement.

Mr. President, I can not stress enough the importance of passing the Balanced Budget Amendment. In order to achieve the balanced budgets that you and the Republican leadership have proposed, we need the discipline of a constitutional amendment. Again, I urge you to contact members of your party in the Senate, and request that they vote for the Balanced Budget Amendment. I thank you, in advance, for your consideration on this matter.

Sincerely,

JIM EDGAR,
Governor.

STATE OF KANSAS,
OFFICE OF THE GOVERNOR,
Topeka, KS, June 5, 1996.

Hon. WILLIAM J. CLINTON,
President of the United States,
The White House, Washington, DC.

DEAR PRESIDENT CLINTON: The next few days will be historic. The announcement by United States Senator Bob Dole to resign from his position as Majority Leader and U.S. Senator is of great historical significance. Before the distinguished Senator departs, you and the members of Congress will have the opportunity to perform a legislative act equally historic—approving legislation to balance the federal budget. As Senator Dole concludes his terms in the United States Senate, this week has been proclaimed *Balanced Budget Week* in recognition of Senator Dole's efforts to set America back on track toward economic vitality. I encourage you to do everything in your power to promote a balanced budget amendment.

Since 1932, Kansas has been a cash basis state, which means that pursuant to State law, Kansas cannot debt spend. We are forced to project revenues and balance our budgets accordingly. Sometimes we must reevaluate our priorities and tighten our belts. Other times we must reevaluate the relationship between the State and its citizens by determining in what programs the people of Kansas want their government to engage, and which programs are no longer worthy of the people's financial resources. That kind of common sense approach to budgeting has served Kansas well, and it can go a long way toward resolving the deficit at the federal level. If Kansas can balance its budget each and every year, as do the people of America, so too can the federal government.

In Kansas, we directed an Administration that has taken the initiative to provide Kansas children with the same opportunities for a sound fiscal future with which we were blessed. The budget we submitted to the state Legislature this year is the first in a generation that spends less than the year before. We have been able to pass along the savings to Kansas taxpayers in the form of meaningful tax relief—in excess of $1.4 billion over five years. We accomplished significant tax relief—reducing the burden on Kansas taxpayers—without neglecting those in need of our help and support. Although this was a daunting and challenging task, the people of Kansas expected nothing less than courageous leadership from their elected officials. Similarly, the people of America expect nothing less from their President.

The future of America's children depends on your support of a balanced budget amendment. Please do not fail to make the most of the historic possibilities presented in the days ahead.

Sincerely,

BILL GRAVES,
Governor.
SHEILA FRAHM,
Lt. Governor, U.S. Senator Designate.

STATE OF LOUISIANA,
OFFICE OF THE GOVERNOR,
Baton Rouge, June 4, 1996.

Hon. WILLIAM J. CLINTON,
President of the United States,
Washington, DC.

DEAR MR. PRESIDENT: As I mentioned when you were here last week, Louisiana is a conservative state. That Louisiana's State Constitution requires the Legislature to pass and the Governor to sign a balanced budget is a strong reflection of these conservative values.

I would like to take this opportunity to request that you join me, a majority of our nation's governors, and eighty-three percent of all Americans in supporting a balanced budget amendment to the United States Constitution. A balanced budget requirement has been good for Louisiana, it has been good for your home state of Arkansas, and it would be good for the United States of America.

It is time for our elected officials in Washington to exercise the same degree of fiscal discipline that their colleagues in statehouses across the country do. I'm afraid that past history makes it all too clear that we will not get a balanced federal budget unless we require one constitutionally.

For the sake of our children and their children, to put their needs above those of the federal government in Washington, I urge you to announce your support for a balanced budget amendment today.

Sincerely,

M.J. "MIKE" FOSTER, JR.,
Governor.

STATE OF MICHIGAN,
OFFICE OF THE GOVERNOR,
Lansing, MI, June 5, 1996.

Hon. WILLIAM J. CLINTON,
President, The White House,
Washington, DC.

DEAR MR. PRESIDENT: This week Congress has the opportunity to pass a Balanced Budget Amendment that will truly change the way Washington does business.

Large deficits and public indebtedness undermine the growth of the economy and impose unnecessary and unfair burdens on our future generations. This may explain why the American people overwhelmingly support a Balanced Budget Amendment. Recent surveys indicate over 80% of those individuals polled support a Constitutional amendment to require a balanced budget, while only 16% said that they oppose this measure.

The Balanced Budget Amendment will force the federal government to take appropriate action to live within its means just as 49 of the 50 states must do. This action is necessary to prevent further burdens on our children and succeeding generations. A balanced budget plan would add $32 billion in disposable income to the U.S. economy, $88 billion in new investment and would yield up to 6.1 million new job opportunities with the confidence and assurance that real work and real wages bring.

Mr. President, I strongly urge you to join the majority of the nation's Governors and the nation's citizens in supporting the Balanced Budget Amendment. I encourage you to request Members of the Senate to support this measure when it comes up for a vote this week.

Thank you for your consideration on this matter.

Sincerely,

JOHN ENGLER,
Governor.

STATE OF NEW HAMPSHIRE,
OFFICE OF THE GOVERNOR,
Concord, NH, June 4, 1996.

Hon. WILLIAM CLINTON,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: As Governor of New Hampshire, I write to you today in support of the Balanced Budget Amendment to the United States Constitution.

The time has come to deal with the greatest threat to the well-being of Americans, the ability of our federal government to balance its budget without raising taxes and without sending unfunded mandates to be paid for by the citizens of our State. It must be done and I believe it is of tremendous importance that we do it now.

As a former Attorney General, one who has studied our nation's Constitution and loves it, I recommend amending it only after considerable reflection. I simply know of no other way to restore belief in our citizens that government can be responsive to the principles and values that made this country great. It is unfortunate that such an amendment is required, but it is clear that it is required.

New Hampshire does not have a balanced budget amendment, but no Governor has ever submitted an unbalanced budget. In New Hampshire, it is illegal for a department head to deficit spend.

New Hampshire has balanced budgets for 200 years without an income or sales tax. All governors share common problems and seek common solutions. In New Hampshire, however, balanced budgets are the norm, as they should be in Washington.

The Balanced Budget Amendment is a bold step, but the American people are ready for bold change. They have grown frustrated with excuses as to why the federal budget cannot be balanced. They have rejected the attitude that our children will somehow be able to pay for financial mismanagement.

This moment in history can return the United States to a policy of fiscal sanity. I respectfully urge you to move forward and support the Balanced Budget Amendment.

The American people will be with you.

Very truly yours,

STEPHEN MERRILL,
Governor.

OFFICE OF THE GOVERNOR,
STATE CAPITOL,
Santa Fe, NM, June 4, 1996.

President WILLIAM J. CLINTON,
The White House,
Washington, DC.

DEAR PRESIDENT CLINTON: I am writing to request your support of a balanced budget amendment in 1996. This would initiate an era of sound fiscal policy for the federal government and serve to make our nation stronger and our children's future more secure. To take a stand on this issue and work with Congress is to offer the American people a reason to again believe in the decision making ability of government.

The national debt, though often discussed in the abstract, is a very real danger. If you do not take measures to ensure a balanced budget amendment, this insidious threat to our nation's future will continue to grow without impediment. We must not let this opportunity go unanswered and I implore you to lead this country into a future secured by solid government policy. We cannot go forward without a balanced budget amendment.

Sincerely,

GARY E. JOHNSON,
Governor.

STATE OF NEW YORK,
EXECUTIVE CHAMBER,
Albany, NY, June 5, 1996.

Hon. WILLIAM JEFFERSON CLINTON,
President of the United States,
The White House,
Washington, DC.

DEAR PRESIDENT CLINTON: I urge you, Mr. President, to support and actively work to pass the Balanced Budget Amendment to the Constitution offered by Senator Dole. This

amendment calls for a balanced federal budget by the year 2002.

Passing a Balanced Budget Amendment is critical to America's strength as a world leader. Moreover, as elected officials, we have a special obligation to free our children and grandchildren from the mountains of government debt which are mortgaging their future. Approving a Balanced Budget Amendment would not only instill long-needed fiscal discipline in Washington, but also would lower interest rates, increase real disposable income for working families, and help create millions of new jobs.

Last year, despite virtual unanimous Republican support, the Balanced Budget Amendment failed in the Senate because of overwhelming Democrat opposition. In addition, you vetoed the only balanced budget bill passed by Congress in the last 26 years. However, it's not too late to correct the mistakes of the past and put our nation on sounder financial footing.

Again, I urge you, Mr. President, to support Senator Dole's Balanced Budget Amendment and actively lobby your party members to secure its passage.

Very truly yours,

GEORGE E. PATAKI,
Governor.

STATE OF NORTH DAKOTA,
OFFICE OF THE GOVERNOR,
Bismarck, ND, June 5, 1996.

The PRESIDENT,
The White House,
Washington, DC.

MR. PRESIDENT, I am writing today to express my support for the Balanced Budget Amendment.

All but one state in our United States has a requirement to balance its budget. In my home state of North Dakota, the legislature has made tough, hard, and sometimes unpopular decisions to balance its budget every biennium since statehood. It is only proper that our federal government in Washington take on that same responsibility to protect the future generations of our country.

The passage of the Congressional balanced budget plan would add $32 billion in real disposable income, $66 billion in new purchases, $88 billion in new investments, and over 100,000 new housing starts to the United States Economy while also providing up to 6.1 million new job opportunities.

In North Dakota the passage would mean a savings of $2,388 a year on payments for a 30-year mortgage on a $75,000 house; $1,026 in savings over the life of a 4-year loan on a $15,000 automobile; $1,891 in savings over the life of a 10-year student loan of $11,000—all totaled these savings would amount to $74,381 over the duration of the loans.

All Americans must be assured that their future and the future of their children are secure and that their needs are foremost in the minds of our leaders in Washington. There is no better way to guarantee the citizens of North Dakota the bright future they deserve than to pass the Balanced Budget Amendment.

Sincerely,

EDWARD T. SCHAFER,
Governor.

STATE OF OKLAHOMA,
OFFICE OF THE GOVERNOR,
Oklahoma City, OK, June 4, 1996.

Hon. BILL CLINTON,
The White House.

DEAR MR. PRESIDENT: On Friday, May 31, at 4:59 p.m., the Legislature of the State of Oklahoma adjourned its 1996 session. Not once during that four-month session was there a moment of discussion about deficit spending. Not one penny was appropriated to pay interest on a state debt. No bill was passed that spent a cent in excess of actual state revenues—all because the Constitution of Oklahoma contains an amendment that requires a balanced budget.

The Balanced Budget Amendment to the United States Constitution will be considered in the Senate this week. I urge you to follow the examples of 49 of our 50 states—including Oklahoma and Arkansas—and support this effort to import common sense from the states to Washington.

Sincerely,

FRANK KEATING,
Governor.

STATE OF SOUTH CAROLINA,
OFFICE OF THE GOVERNOR,
Columbia, SC, June 5, 1996.

The PRESIDENT,
The White House, Washington, DC.

DEAR MR. PRESIDENT: As the Senate prepares to reconsider the Balanced Budget Amendment, I write to express my strong support of this important legislation. The time has come for the federal government to abide by the same rules of fiscal responsibility that every family, business, and state government must follow.

The federal deficit imposes debilitating costs on both current and future generations. We must start setting priorities and make difficult decisions now for the sake of our children and our children's children. The longer that we avoid our responsibility to the American people, the more we put the prosperity of future generations at risk.

A balanced budget will result in lower interest rates, which will allow working families to keep more of their hard-earned money. With lower interest rates, more families will have the opportunity to own their own home, and businesses will be able to afford the capital investment to grow jobs.

Unfortunately, despite promises made in Washington, a balanced budget has not become law in decades. In fact, your veto of the first balanced budget in 26 years makes it imperative that the Congress pass a constitutional amendment to balance the federal budget. Your support for this amendment would give the citizens of South Carolina and across the nation the opportunity to vote on the nation's fiscal integrity and the future of our country. Only a constitutional amendment will provide the ironclad discipline needed to restore fiscal responsibility.

You have historically been in favor of a balanced budget, as evidenced by your recent budget proposal, and as a former governor, you had to balance your own state books every year. By expressing your public support for the Balanced Budget Amendment, you would prove your convictions to the American public, over eighty percent of whom strongly support such an amendment.

I respectfully ask you to urge the Senate to pass the Balanced Budget Amendment and put America on the path of prosperity and growth for generations to come.

Sincerely,

DAVID M. BEASLEY,
Governor.

COMMONWEALTH OF VIRGINIA,
OFFICE OF THE GOVERNOR,
Richmond, VA, June 4, 1996.

Hon. WILLIAM J. CLINTON,
The White House, Washington, DC.

DEAR MR. PRESIDENT: The United States Senate is preparing to consider again the Balanced Budget Amendment to the U.S. Constitution. Often in the past, you have voiced your commitment to balancing the federal budget, and I sincerely hope that you will couple your words with actions and publicly and energetically encourage the Senate to approve the Balanced Budget Amendment now.

As an original sponsor of the Kyl-Allen Balanced Budget Amendment in the United States House of Representatives, I was most disappointed last year when the Senate failed by one vote to send this constitutional amendment to the States for ratification. The Balanced Budget Amendment is not a unique or unproven concept. As a former governor, you are no doubt aware that virtually every State operates under the discipline of a balanced budget requirement. The fact is, it works. With our requirement for a balanced budget, Virginia is one of only four States with a AAA Bond Rating for our careful and limited use of debt.

The people of the United States recognize that passage of the Balanced Budget Amendment is an essential discipline for getting the federal government on the path toward fiscal responsibility. It is also important to improving the quality of life for working families in Virginia and across America.

A family's cost of living is greatly affected by interest rates. The lower interest rates would accompany a balanced budget. Working Americans deserve to be able to keep more of their hard-earned money and put it to work for their families. As borrowing costs drop, housing becomes more affordable as well. A 2% drop in interest rates would save the average homeowner between $1,600 and $1,800 per year in mortgage payments. More affordable housing means more home ownership which is the American Dream. And a healthy housing industry increases job opportunities for electricians, plumbers, carpenters, excavators, forestry products, appliance manufacturers, Realtors, and many more that are associated with the housing industry.

Our government should be helping, not hindering, more individuals and families to realize the American dream of homeownership. We can begin to do so by making the balanced budget the law of the land in Washington, as it is in our States. Please put the force of your office behind a balanced budget for America—let us in Virginia vote on this important Amendment.

With kind personal regards, I remain,

Sincerely,

GEORGE ALLEN,
Governor.

STATE OF WYOMING,
OFFICE OF THE GOVERNOR,
Cheyenne, WY, June 5, 1996.

Hon. WILLIAM J. CLINTON,
President of the United States,
Washington, DC.

DEAR MR. PRESIDENT: Next week the 104th Congress will have it's final opportunity this year to pass a Balanced Budget Amendment. Once allowed to become law, this Amendment will truly change the way our country does business.

It is time for our elected officials in Washington to exercise the same degree of fiscal responsibility that state governments have adopted. I am concerned that if Washington continues with the current financial practices, future generations will have a financial burden beyond repair. History has made it all too clear that we will not balance the federal budget unless required by the constitution.

The United States spends 11 times more money to pay for interest accrued on the national debt than we do on education, and twice as much on interest than on all of our entitlement programs. In 1993 the state of Wyoming recognized a need for the Governor to submit the budget under estimated revenues. It is important to realize the need for a balanced budget, and to make the sacrifices necessary to achieve that goal. Now is the time for action!

In Wyoming, our constitution requires a balanced budget each biennium. The people of Wyoming cannot understand why such a requirement at the federal level is even questioned. Your support for the Balanced Budget Amendment would do much to bring accountability back to the federal government. I trust we in Wyoming can count on your support.

I can not stress enough the importance of passing the Balanced Budget Amendment. In order to achieve the balanced budget that you have proposed, the people of the United States deserve the discipline of a constitutional amendment. I urge you to contact members of your party in the Senate, and request that they vote for the Balanced Budget Amendment!

Sincerely,

JIM GERINGER,
Governor.

MEDICARE

Mr. COVERDELL. Mr. President, the whole Nation is waking to yet another trustees' report that should paint a very bright, vivid red light to every American. We have gone past the yellow light. I would like to share with the Senate just a few facts that have recently been published by the Coalition To Save Medicare.

Fact: Medicare's hospital fund will be broke in less than 5 years.

Fact: Because Medicare reform was not enacted last year, $133 billion more in savings is needed to meet the trustees' own minimum requirements.

In other words, when the President of the United States vetoed the attempt to keep Medicare solvent, to make it solvent for almost 20 years, to improve the options that seniors would have, to increase the investment in it 70 to 80 percent, the net effect is in 1 year we have made the job of solving and saving Medicare $133 billion more difficult.

Fact: Each day, Medicare is spending $25 million more than it takes in.

Fact: Without reform, a working American's annual payroll taxes will have to increase between $1,880 and $3,185 immediately to assure the long-term health of Medicare.

Fact: Maintaining the current system as it is for the long term without reform or tax increases will require immediately increasing the annual hospital deductible a senior pays to between $5,380 and $6,540.

Fact: Without reform, a working American's annual payroll taxes must immediately increase to between $1,229 and $1,564 just to ensure that Medicare survives 25 years.

Mr. President, as I have told Georgians and Americans all across the country, the era of passing these problems on to another generation is over. It is absolutely over. Within a decade, Social Security, Medicare, Medicaid, Federal retirement and the interest only on our debt will consume 100 percent of the U.S. Treasury. It does not take a rocket scientist or a brilliant economist from one of our major universities to understand that that will wreak havoc on every family and every business. It will destabilize the world's greatest democracy.

This problem is going to get worked out. We are either going to take charge of it and lead our way out of it or we are going to stumble into it, and world markets and the economy will come crashing down on our heads.

I am reading from the Washington Times, Wednesday, June 5, 1996. It opens by saying:

> The Clinton administration today is expected to confirm that Medicare will go bankrupt by 2001, but prospects for resolving the problem this year look dim.

So, as we approach this train wreck, we continue to turn away from it and we run the risk of destabilizing the lives of millions of Americans. But the more important thing that I read in this article is the following. It reads, "Democrats said they are not that concerned that Medicare will go broke," that is interesting, "because Congress has always acted at the last minute to avert a disaster."

The last minute part is correct. But the averting of a disaster is not. We have been moving with each succeeding year towards an ultimate disaster which has been called to our attention, once again, by the trustees. It says:

> "I think Congress would default on Treasury bonds first," said Rep. Pete Stark, California Democrat.

It is interesting. Mr. Stark is the ranking member on the subcommittee on Ways and Means that deals with entitlements. This is a most interesting statement that he makes on this dilemma. He says:

> Mr. Stark acknowledged the $90 billion Democratic plan does not go far enough to reform the system, even in the near-term, and does not even begin to address what all sides say is a massive insolvency problem in 2010, when the Baby Boom generation starts to retire.

He goes on to say, and this is the key:

> To fix the longer-term problem, Mr. Stark said, Democrats probably would resort either to a government takeover of the hospital and health-insurance payment system or raising payroll taxes.

I hope everybody across our land has a chance to hear that solution. This is the solution he is offering up that produced the 104th Congress. This was the idea that the administration and the President and the First Lady took all across the country and said, look, the way to solve this problem is to have the Government take over medicine, have the Government take over another 17 percent of the American economy. And Americans said, "No way." They were so offended by this idea that they turned the majority of the Congress over.

But the idea has not left, and I believe that this statement by Representative Stark means that we are going to enter into, through the issue of Medicare, the whole question of our plan to modernize it, to create new options, to keep it in the private sector, to make it competitive, versus their plan, which is the old standard status quo, let the Government take it over and increase the economic burden on the American family and the American worker.

Mr. President, an average family in the State of Georgia today makes $45,000 a year. By the time the Federal Government gets through going through their checking account, and the State government, and FICA for Social Security and Medicare, and their cost of regulatory reform, and their share of the higher interest rates because of the national debt, they end up with 49 percent of their wages to run their families' business. The suggestion that Mr. Stark is coming forward with is: That is not enough. Let us take another 10 or 20 percent out of their checking accounts.

What America needs is for Washington to return these resources to the checking accounts of the average American family and to reject the administration and Mr. Stark's everlasting plea for more government and bigger government and more taxes and higher taxes.

I think Mr. Stark, knowingly or unknowingly, wittingly or unwittingly, has drawn an enormous benchmark for us to debate over the balance of this year and the balance of this Congress as we talk about Medicare and talk about life in the American family and community in this great United States of America.

Mr. President, I yield the floor and 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. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. McCathran, 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 sundry nominations

which were referred to the appropriate committees.

(the nominations received today are printed at the end of the Senate proceedings.)

MEASURES REFERRED

The following bill, previously received from the House of Representatives for the concurrence of the Senate, was read the first and second times by unanimous consent and referred as indicated

H.R. 3448. An act to provide tax relief for small businesses, to protect jobs, to create opportunities, to increase the take home pay of workers, to amend the Portal-to-Portal Act of 1947 relating to the payment of wages to employees who use employer owned vehicles, and to amend the Fair Labor Standards Act of 1938 to increase the minimum wage rate and to prevent job loss by providing flexibility to employers in complying with minimum wage and overtime requirements under that Act; to the Committee on Finance.

The following bill was reported by the Committee on Armed Services, with amendments, and referred to the Committee on Governmental Affairs for a 30-day period provided in section 3(b) of Senate Resolution 400, 94th Congress, except that if the committee fails to report the bill within the 30-day limit, the Committee shall be automatically discharged from further consideration of the bill in accordance with that section:

S. 1718. A bill to authorize appropriations for fiscal year 1997 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and for the Central Intelligence Agency Retirement and Disability System, and for other purposes.

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–2886. A communication from the Under Secretary of Defense, transmitting, pursuant to law, the report of a violation of the Antideficiency Act, case number 95–13; to the Committee on Appropriations.

EC–2887. A communication from the Secretary of Labor, transmitting, pursuant to law, the report entitled "Effects of the Immigration Reform and Control Act: Characteristics and Labor Market Behavior of the Legalized Population Five Years Following Legalization"; to the Committee on the Judiciary.

EC–2888. A communication from the Assistant Attorney General, transmitting, a draft of proposed legislation to strengthen federal child protection laws; to the Committee on the Judiciary.

EC–2889. A communication from the Assistant Attorney General, transmitting, a draft of proposed legislation entitled "The Anti-Gang and Youth Violence Control Act of 1996"; to the Committee on the Judiciary.

EC–2890. A communication from the Secretary of Health and Human Services, transmitting, a draft of proposed legislation entitled "The Runaway and Homeless Youth Amendments of 1996"; to the Committee on the Judiciary.

EC–2891. A communication from the Acting Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, the final rule on longshore activities by alien crewmembers, received on May 28, 1996; to the Committee on the Judiciary.

EC–2892. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, a determination relative to financing the exports of goods or services to the People's Republic of China; to the Committee on Banking, Housing, and Urban Affairs.

EC–2893. A communication from the President of the United States, transmitting, pursuant to law, a notice concerning the continuation of the national emergency with respect to the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Bosnia Serbs; to the Committee on Banking, Housing, and Urban Affairs.

EC–2894. A communication from the Under Secretary for Export Administration, Department of Commerce, transmitting, pursuant to law, the report of a final rule relative to exports of Alaskan north slope crude oil, (RIN0694–AB44) received on May 29, 1996; to the Committee on Banking, Housing, and Urban Affairs.

EC–2895. A communication from the Secretary of the Securities and Exchange Commission, transmitting, pursuant to law, the report of a final rule relative to obligations of officers, directors and principal security holders, (RIN3235-AF66) received on May 31, 1996; to the Committee on Banking, Housing, and Urban Affairs.

EC–2896. A communication from the Secretary of the Securities and Exchanges Commission, transmitting, pursuant to law, the report of a final rule relative to phase one recommendation of task for on disclosure simplification, (RIN3235-AG75) received on May 31, 1996; to the Committee on Banking, Housing, and Urban Affairs.

EC–2897. A communication from the Chairman of the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the staff report for calendar year 1995; to the Committee on Banking, Housing, and Urban Affairs.

EC–2898. A communication from the Executive Director of the Thrift Depositor Protection Oversight Board, transmitting, pursuant to law, the annual report of the Resolution Funding Corporation for calendar year 1995; to the Committee on Banking, Housing, and Urban Affairs.

EC–2899. A communication from the Chairperson of the Appraisal Subcommittee of the Federal Financial Institutions Examination Council, transmitting, pursuant to law, the annual report for calendar year 1995; to the Committee on Banking, Housing, and Urban Affairs.

EC–2900. A communication from the Director, Regulations Policy, Management Staff, Office of Policy, Food and Drug Administration, Department of Health Human Services, transmitting, pursuant to law, the report of four rules including a rule entitled "Food and Drugs," received on June 3, 1996; to the Committee on Labor and Human Resources.

EC–2901. A communication from the Acting Commissioner of the National Center For Education Statistics, Office of Educational Research and Improvement, Department of Education, transmitting, pursuant to law, a report entitled "The Condition of Education: 1996"; to the Committee on Labor and Human Resources.

EC–2902. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report entitled "The Model Comprehensive Program for the Treatment of Substance Abuse Metropolitan Area Treatment Enhancement System"; to the Committee on Labor and Human Resources.

EC–2903. A communication from the Director of the Office of Regulations Management, Office of the General Counsel, Department of Veterans' Affairs, transmitting, pursuant to law, the rule entitled "Delegations of Authority," (RIN2900–AI10) received on June 3, 1996; to the Committee on Veterans' Affairs.

EC–2904. A communication from the Director of the Office of Regulations Management, Office of the General Counsel, Department of Veterans' Affairs, transmitting, pursuant to law, the rule entitled "Veterans Education," (RIN2900–AH78) received on June 3, 1996; to the Committee on Veterans' Affairs.

EC–2905. A communication from the Director of the Office of Regulations Management, Office of the General Counsel, Department of Veterans' Affairs, transmitting, pursuant to law, the rule entitled "Loan Guaranty," (RIN2900–AI01) received on June 3, 1996; to the Committee on Veterans' Affairs.

EC–2906. A communication from the Director of the Office of Regulations Management, Office of the General Counsel, Department of Veterans' Affairs, transmitting, pursuant to law, the rule entitled "Post-Vietnam Era Veterans' Educational Assistance," (RIN2900–AH64) received on June 3, 1996; to the Committee on Veterans' Affairs.

EC–2907. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report on direct spending or receipts legislation within five days of enactment; to the Committee on the Budget.

EC–2908. A communication from the Commissioner of Social Security, transmitting, pursuant to law, the report of the Office of Inspector General for the period October 1, 1995 through March 31, 1996; to the Committee on Governmental Affairs.

EC–2909. A communication from the Chairman of the Consumer Product Safety Commission, pursuant to law, the report of the Office of Inspector General for the period October 1, 1995 through March 31, 1996; to the Committee on Governmental Affairs.

EC–2910. A communication from the Chairman of the Board of Governors of the Federal Reserve System, pursuant to law, the report of the Office of Inspector General for the period October 1, 1995 through March 31, 1996; to the Committee on Governmental Affairs.

EC–2911. A communication from the Chairman of the Board of the National Credit Union Administration, pursuant to law, the report of the Office of Inspector General for the period October 1, 1995 through March 31, 1996; to the Committee on Governmental Affairs.

EC–2912. A communication from the Chairman of the U.S. Securities and Exchange Commission, pursuant to law, the report of the Office of Inspector General for the period October 1, 1995 through March 31, 1996; to the Committee on Governmental Affairs.

EC–2913. A communication from the Chairman of the U.S. International Trade Commission, pursuant to law, the report of the Office of Inspector General for the period October 1, 1995 through March 31, 1996; to the Committee on Governmental Affairs.

EC–2914. A communication from the Director of the U.S. Information Agency, pursuant to law, the report of the Office of Inspector

General for the period October 1, 1995 through March 31, 1996; to the Committee on Governmental Affairs.

EC-2915. A communication from the Chairman of the U.S. Equal Employment Opportunity Commission, pursuant to law, the report of the Office of Inspector General for the period October 1, 1995 through March 31, 1996; to the Committee on Governmental Affairs.

EC-2916. A communication from the Secretary of Agriculture, pursuant to law, the report of the Office of Inspector General for the period October 1, 1995 through March 31, 1996; to the Committee on Governmental Affairs.

EC-2917. A communication from the Secretary of the Interior, pursuant to law, the report of the Office of Inspector General for the period October 1, 1995 through March 31, 1996; to the Committee on Governmental Affairs.

EC-2918. A communication from the Chairman of the U.S. Federal Trade Commission, pursuant to law, the report of the Office of Inspector General for the period October 1, 1995 through March 31, 1996; to the Committee on Governmental Affairs.

EC-2919. A communication from the Chairman of the National Science Board, pursuant to law, the report of the Office of Inspector General for the period October 1, 1995 through March 31, 1996; to the Committee on Governmental Affairs.

EC-2920. A communication from the Chairman of the Board of the Pension Benefit Guaranty Corporation, pursuant to law, the report of the Office of Inspector General for the period October 1, 1995 through March 31, 1996; to the Committee on Governmental Affairs.

EC-2921. A communication from the Chief Executive Officer of the Corporation For National Service, pursuant to law, the report of the Office of Inspector General for the period October 1, 1995 through March 31, 1996; to the Committee on Governmental Affairs.

EC-2922. A communication from the Acting Administrator of the General Services Administration, pursuant to law, the report of the Office of Inspector General for the period October 1, 1995 through March 31, 1996; to the Committee on Governmental Affairs.

EC-2923. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 11-269 adopted by the Council on May 7, 1996; to the Committee on Governmental Affairs.

EC-2924. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 11-270 adopted by the Council on May 7, 1996; to the Committee on Governmental Affairs.

EC-2925. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 11-271 adopted by the Council on May 7, 1996; to the Committee on Governmental Affairs.

EC-2926. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 11-272 adopted by the Council on May 7, 1996; to the Committee on Governmental Affairs.

EC-2927. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 11-273 adopted by the Council on May 7, 1996; to the Committee on Governmental Affairs.

EC-2928. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 11-274 adopted by the Council on May 7, 1996; to the Committee on Governmental Affairs.

EC-2929. A communication from the General Counsel of the Department of Defense, transmitting, a draft of proposed legislation to assist in the reform of travel management in the Federal Government; to the Committee on Governmental Affairs.

EC-2930. A communication from the Secretary of Agriculture, transmitting, a draft of proposed legislation to authorize subsistence payment for employees performing certain dues; to the Committee on Governmental Affairs.

EC-2931. A communication from the Director of the Office of Government Ethics, transmitting, pursuant to law, the rule entitled "The Extension and Revocation of Post-Employment Waiver," received on May 31, 1996; to the Committee on Governmental Affairs.

EC-2932. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a list of General Accounting Office reports from April 1996; to the Committee on Governmental Affairs.

EC-2933. A communication from Chairman of the Farm Credit System Insurance Corporation, transmitting, pursuant to law, the annual report for calendar year 1995; to the Committee on Governmental Affairs.

EC-2934. A communication from the Office of the District of Columbia Auditor, transmitting, pursuant to law, the report entitled "The Performance Review of the Board of Real Property Assessments and Appeals for the District of Columbia for Tax Year 1996 Appeals"; to the Committee on Governmental Affairs.

EC-2935. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule regarding announcement 96-53, received on June 3, 1996; to the Committee on Finance.

EC-2936. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule regarding Revenue Procedure 96-35, received on May 31, 1996; to the Committee on Finance.

EC-2937. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule regarding Revenue Ruling 96-31, received on May 31, 1996; to the Committee on Finance.

EC-2938. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule regarding Revenue Ruling 96-32, received on May 31, 1996; to the Committee on Finance.

EC-2939. A communication from the Commissioner of Social Security, transmitting, a draft of proposed legislation regarding the Social Security Act; to the Committee on Finance.

EC-2940. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report concerning participation, assignment, and extra billing in the Medicare program; to the Committee on Finance.

EC-2941. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report entitled "Health Care Financing Administration Staff Summary"; to the Committee on Finance.

EC-2942. A communication from the Chief of Staff, Office of Social Security, transmitting, pursuant to law, the report of a final rule regarding Federal Old-Age, Survivors and Disability Insurance (RIN0960-AE43), received on June 3, 1996; to the Committee on Finance.

EC-2943. A communication from the Chief of the Regulations Branch, U.S. Customs Service, Department of the Treasury, transmitting, pursuant to law, the report of a final rule entitled "Removal of Toshiba Sanction Regulations," (RIN1515-AB96) received on May 31, 1996; to the Committee on Finance.

EC-2944. A communication from the Attorney-Advisor Federal Register Certifying Officer, Financial Management Service, Department of the Treasury, transmitting, pursuant to law, the report of a final rule entitled "Federal Process Agents of Surety Companies," (RIN1510-AA49) received on May 31, 1996; to the Committee on Finance.

EC-2945. A communication from the Secretary of the Department of the Treasury, transmitting, pursuant to law, the report of the Treasury Forfeiture Fund for fiscal year 1995; to the Committee on Finance.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THURMOND, from the Committee on Armed Services, with amendments:

S. 1718. An original bill to authorize appropriations for fiscal year 1997 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and for the Central Intelligence Agency Retirement and Disability System, and for other purposes (Rept. No. 104-277).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. PRESSLER, from the Committee on Commerce, Science, and Transportation:

James E. Hall, of Tennessee, to be Chairman of the National Transportation Safety Board for a term of 2 years. (Reappointment)

(The above nomination was reported with the recommendation that he be confirmed, subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

Mr. PRESSLER. Mr. President, for the Committee on Commerce, Science, and Transportation, I also report favorably two nomination lists in the Coast Guard, which were printed in full in the CONGRESSIONAL RECORDS on April 19, and May 22, 1996, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar, that these nominations lie at the Secretary's desk for the information of Senators.

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

(The nominations ordered to lie on the Secretary's desk were printed in the RECORDS of April 19, and May 22, 1996, at the end of the Senate proceedings.)

The following officers of the United States Coast Guard to be members of the Permanent Commissioned Teaching Staff at the

Coast Guard Academy in the grade of lieutenant commander:

Vincent Wilczynski John B. McDermott

The following officer of the United States Coast Guard to be a member of the Permanent Commissioned Teaching Staff at the Coast Guard Academy in the grade of lieutenant:

James R. Dire

The following individual for appointment as a permanent regular commissioned officer in the United States Coast Guard in the grade of lieutenant:

Andrew J. Sorenson

By Mr. THURMOND, from the Committee on Armed Services:

Robert E. Anderson, of Minnesota, to be a Member of the Board of Regents of the Uniformed Services University of the Health Sciences for a term expiring June 20, 2001.

Lonnie R. Bristow, of California, to be a Member of the Board of Regents of the Uniformed Services University of the Health Sciences for a term expiring June 20, 2001.

Shirley Ledbetter Jones, of Arkansas, to be a Member of the Board of Regents of the Uniformed Services University of the Health Sciences for a term expiring May 1, 2001.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

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. GREGG (for himself, Mr. HELMS, and Mr. SHELBY):

S. 1845. A bill to amend the Federal Election Campaign Act of 1971 to require written consent before using union dues and other mandatory employee fees for political activities; to the Committee on Rules and Administration.

By Mr. KYL:

S. 1846. A bill to permit duty free treatment for certain articles provided by the Max Planck Institute for Radioastronomy and the Arcetri Astrophysical Observatory to the Steward Observatory; to the Committee on Finance.

By Mr. AKAKA (for himself and Mr. SMITH):

S. 1847. A bill to amend the Packers and Stockyards Act, 1921, to make it unlawful for any stockyard owner, market agency, or dealer to transfer or market nonambulatory cattle, sheep, swine, horses, mules, or goats, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. BOXER (for herself, Mr. INOUYE, Mrs. FEINSTEIN, and Mr. KENNEDY):

S. 1848. A bill to amend the Internal Revenue Code of 1986 to encourage the production and use of clean-fuel vehicles, and for other purposes; to the Committee on Finance.

By Mr. ROTH (for himself and Mr. MOYNIHAN):

S. 1849. A bill to make technical corrections in trade legislation; to the Committee on Finance.

By Mr. STEVENS (for himself, Mr. WARNER, Mr. DODD, Mr. BENNETT, Mrs. BOXER, Mr. BREAUX, Mr. BRYAN, Mr. BURNS, Mr. CHAFEE, Mr. COATS, Mr. COCHRAN, Mr. D'AMATO, Mr. GRAHAM, Mr. HEFLIN, Mrs. HUTCHISON, Mr. JEFFORDS, Mr. KERRY, Mr. LIEBERMAN, Mr. LOTT, Ms. MOSELEY-BRAUN, Mr. MURKOWSKI, Mr. PELL, Mr. PRESSLER, Mr. ROBB, Mr. SIMON, and Ms. SNOWE):

S. 1850. A bill to provide for the recognition and designation of the official society to administer and coordinate the United States of America activities to commemorate and celebrate the achievements of the second millennium, and promote even greater achievements in the millennium to come by endowing an international cross-cultural scholarship fund to further the development and education of the world's future leaders; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HELMS (for himself, Mr. FEINGOLD, Mr. MACK, and Mr. SMITH):

S.J. Res. 56. A joint resolution disapproving the extension of nondiscriminatory treatment (most-favored-nation treatment) to the products of the People's Republic of China; to the Committee on Finance.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GREGG (for himself, Mr. SHELBY, and Mr. HELMS):

S. 1845. A bill to amend the Federal Election Campaign Act of 1971 to require written consent before using union dues and other mandatory employee fees for political activities; to the Committee on Rules and Administration.

THE UNION MEMBER PROTECTION ACT

• Mr. GREGG. Mr. President, I introduce the Union Member Protection Act. As you may know, the unions are mounting an unprecedented campaign this year to defeat Republican Members of Congress. The main source of the money for this campaign comes from compulsory union dues levied upon rank-and-file union members, as well as nonunion members who work in union shops. This past March the AFL–CIO, at a unique convention in Washington, DC, voted to levy a special assessment on every dues payer of 15 cents monthly per person to raise $25 million of the $35 million goal.

In a recent survey of 1,000 rank-and-file union members, commissioned by Americans for a balanced budget and conducted by the Luntz Research Cos. 58 percent of the union members were not aware that the national labor unions were using mandatory monthly dues on a $35 million campaign to defeat Republican Members of Congress. When told of this, 62 percent opposed the use of their union dues for this political effort. This is not surprising considering that nearly 40 percent of union members voted Republican in the 1994 elections.

When discussing the pledge of $35 million from the unions for the purpose of unseating Republicans, Vice President GORE stated, "One group with a conscience connected to working families can overpower hundreds of thousands of interests working against the interest of working families." Conscience? Washington union bosses are living extravagant lifestyles, financed from workers' paychecks and, yet, they would have people believe that Republicans are the ones out of touch with rank and file working families. Union bosses have spent $2.3 million on the AFL–CIO's private airplane, $1.9 million to decorate the personal home and conference center of a union boss, $250,000 for a Washington, DC, condominium, and more than $100,000 for a union boss' funeral. These very same union bosses are responsible for President Clinton exempting the labor unions' health care plans from his proposed Government takeover of the Nation's health care system, revoking President Bush's executive order requiring unions to notify their rank-and-file members of their right not to fund union political activities, and vetoing numerous bills opposed by the Washington union bosses, including a balanced budget, family tax cuts, and welfare reform. It's no wonder that 66 percent of union members prefer the leadership of their local chapters.

My bill, the Union Member Protection Act, will allow no dues, fees, or other money required as a condition of employment to be collected from an individual for use in noncollective-bargaining activities unless the individual has given prior written consent. Noncollective-bargaining activities would include: First, nonpartisan registration and get-out-the-vote campaigns and second; the establishment, administration, and solicitation of contributions to a separate fund to be used for political purposes. The written consent could be revoked in writing at any time.

Mr. President, when a meeting of union leaders in Washington, DC, can result in the bosses' effectively imposing a tax increase on the union workers across the country so that the union bosses can have millions of dollars at their disposal to pursue their personal political agendas, the collective-bargaining power that Congress granted the unions is being abused. When we know that nearly two-thirds of the union workers are not even aware they are being so taxed and disagree with the D.C. bosses' politicizing of their own dues in this manner, the abuse becomes so acute that it calls out for reform. My bill is a simple reform: It gives individual workers the direct right to say "yes" or "no" whenever union bosses ask them to finance activities that fall outside the scope of collective bargaining. If the union bosses here in Washington are so confident their workers agree with their politics, they should have no problem with this bill. We'll soon see how confident they are.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1845

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 "Union Member Protection Act".

SEC. 2. WRITTEN CONSENT REQUIRED TO USE UNION DUES AND OTHER MANDATORY EMPLOYEE FEES FOR POLITICAL ACTIVITIES.

(a) IN GENERAL.—Section 316(b) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441b(b)) is amended by adding at the end the following new paragraph:

"(8)(A) No dues, fees, or other moneys required as a condition of membership in a labor organization or as a condition of employment shall be collected from an individual for use in activities described in subparagraph (A), (B), or (C) of paragraph (2) unless the individual has given prior written consent for such use.

"(B) Any consent granted by an individual under subparagraph (A) shall remain in effect until revoked and may be revoked in writing at any time.

"(C) This paragraph shall apply to activities described in paragraph (2)(A) only if the communications involved expressly advocate the election or defeat of any clearly identified candidate for elective public office."

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to amounts collected more than 30 days after the date of the enactment of this Act.●

By Mr. KYL:

S. 1846. A bill to permit duty free treatment for certain articles provided by the Max Planck Institute for Radioastronomy and the Arcetri Astrophysical Observatory; to the Committee on Finance.

TARIFF EXEMPTION LEGISLATION

● Mr. KYL. Mr. President, I introduce legislation today to permit duty-free treatment for certain structures, parts, and components provided by the Max Planck Institute to University of Arizona's submillimeter telescope and provided by the Arcetri Astrophysical Observatory for the University of Arizona's large binocular telescope [LBT]. This legislation will help ensure the continued progress of astronomy in the United States and in Arizona.

To advance the potential of submillimeter astronomy, the Steward Observatory of the University of Arizona and the Max Planck Institute in Germany are collaborating on the construction and operation of a dedicated submillimeter telescope in Arizona. The University of Arizona has unique capabilities in large glass optics, instrumentation, and mountaintop sites; the Max Planck Institute in development of large, precise radio astronomy telescopes.

The SMT is the highest accuracy radio telescope ever built. And the SMT project has fostered an effective collaboration between an American University, a German national research laboratory and high-technology industries in both Germany and America.

The Tariff and Trade Act of 1984 provided a waiver of tariffs for equipment and materials provided by the Max Planck Institute. An extension of the waiver is necessary to further develop custom instrumentation not available from any U.S. producer. An extension of the waiver is also necessary to allow the calibration and repair of the equipment required by the project.

In addition, the University of Arizona has collaborated with Arcetri Astrophysical Observatory in Florence, Italy, to build the large binocular telescope. The scientific goals of the LBT include studies of the early universe and the formation of galaxies more than 10 billion years ago. The very high sensitivity and spatial resolution for the LBT will make it the most powerful instrument in the world for this kind of astronomical research.

This legislation will also provide duty-free treatment for components that cannot be obtained in the United States for construction of the University of Arizona's large binocular telescope.

At a time when Federal budget constraints have made belt-tightening necessary, these tariff exemptions are important to the continued success of scientific research.●

By Mrs. BOXER (for herself, Mr. INOUYE, Mrs. FEINSTEIN, and Mr. KENNEDY):

S. 1848. A bill to amend the Internal Revenue Code of 1986 to encourage the production and use of clean-fuel vehicles and for other purposes; to the Committee on Finance.

THE CLEAN FUEL VEHICLE ACT OF 1996

● Mrs. BOXER. Mr. President, today I want to talk about choices in transportation. Most Americans who travel to work get there by car, some perhaps by bus or commuter rail. Some even fly by jet airplane. These are all choices in transportation modes, but they all have one thing in common: oil.

As we enter the 21st century, we must expand our choices in how we power transportation in this country. The percentage of total energy use devoted to transportation is now at its highest level ever. Transportation accounts for two-thirds of the country's total petroleum use, and transportation is 97 percent dependent on petroleum.

Americans are traveling by car more and more. The total number of vehicle miles traveled in California has increased by 10 percent since 1991. Meanwhile, fuel economy has decreased for the second year in a row.

This dependence on petroleum puts our economy foolishly at risk. The arteries of our economy run on oil; and as we have seen with the latest gasoline price hikes, clogged arteries can cause heart problems in this economy.

The cost of our oil addiction is paid not just at the pump but at our hospitals and doctors' offices.

According to the Coalition for Clean Air, diesel exhaust alone has been associated with up to 30,000 lung cancer deaths in California. Think about this: thirty thousand painful, premature deaths from one source in one State.

In order to develop transportation choices that improve our health and wean us from the oil pump, we must develop real incentives for buyers to consider alternatively fueled vehicles.

We began to do that in a real meaningful way in Congress in 1992 with the Energy Policy Act. The modest incentives in that law helped to almost double the number of alternatively fueled vehicles on the road. To continue this trend, we need to build on our current incentives and really spur the market for clean-fuel vehicles.

That is why I am introducing, with Senators INOUYE, FEINSTEIN, and KENNEDY, the Clean Fuel Vehicle Act of 1996. This bill provides a set of temporary, targeted tax incentives designed to spur the market for clean-fuel vehicles by making them cost competitive with fossil-fueled vehicles.

Increased use of zero-emission or low-emission vehicles will reduce the Nation's dependence on foreign oil, reduce harmful transportation emissions, and stimulate market demand for high-technology vehicles and components.

First, my bill exempts electric vehicles [EV's] and other clean-fuel vehicles from the luxury tax and from the depreciation on luxury automobiles. This corrects a ludicrous inconsistency in current tax law. The law now provides a 10 percent tax credit of up to $4,000 on the purchase of an EV. At the same time, however, a luxury tax is imposed if the total price of the car exceeds $32,000. In effect, our current stimulus program puts a tax break into one pocket and takes it out of the other.

Second, my bill will allow the entire cost of an EV to be depreciated over a 5-year span. Under current law, only the first $3,000 or so of the purchase price may be depreciated over 5 years; the remaining cost must be recovered over a much longer period.

Third, the Boxer bill lifts the Government use restriction on tax incentives, giving a private business that leases EV's to a Government agency the same tax incentives it gets for leasing to a private interest. Because of their great size and visibility, Government fleets are the initial target market for clean-fuel vehicles.

Fourth, my bill eliminates an oversight in the 1992 Energy Act that allows an electric-powered bus to take advantage of only the existing $4,000 tax credit. The bill would make electric buses also eligible for the $50,000

tax deduction available to other clean-fuel buses. This tax deduction would be greater than the $4,000 tax credit, especially for urban transit buses.

Finally, my bill overturns a 1995 IRS decision to tax liquified natural gas [LNG] as a liquid fuel similar to diesel.

LNG holds the most promise as an alternative fuel for heavy-duty transportation such as trucks and locomotives. It is abundant and cheaper than oil, and it contains more energy per pound than gasoline or diesel fuel. LNG is cooled to an extreme temperature whereas its chemical cousin, compressed natural gas [CNG] is pressurized for storage. Both perform the same in a vehicle's engine. The advantage for LNG is less volume needed for on-board storage, which is important for heavy-duty vehicles such as trucks and buses. Lowering the tax on LNG is an important step for putting clean-fuel trucks and buses on California highways.

The IRS ruling put LNG at a tremendous cost disadvantage, which might well doom the emerging market for this clean-burning fuel. The IRS ruled that since LNG was not specifically mentioned in the 1993 legislation which set the tax rate for CNG, it must be an other liquid fuel used in motor vehicle transportation under IRC section 4041(a), even though LNG is exactly the same as CNG when it enters an engine. The tax on gas is levied on 1 million cubic feet rate. If you do the math that provides the per gallon equivalence, it reveals that the IRS ruling places an effective tax rate of 31.5 cents per gallon, diesel, equivalent on LNG, a disparity of 25.6 cents when compared to the tax on CNG. In fact, this tax rate places LNG 7.1 cents above the tax on diesel, the very fuel for which LNG is the clean-burning alternative.

As you can see, the provisions in the Boxer Clean Fuel Vehicle Act are based on common sense:

Don't give clean-fuel vehicles a small tax break and then turn around and tax them as luxury vehicles;

Give electric buses the same tax deduction provided other clean-fuel buses; and

Make the taxes on natural gas fair and consistent and let LNG be a real competitor to diesel.

Finally, this bill says: Let's get serious and provide a significant tax credit for those who buy electric vehicles. And let's encourage leasing arrangements with local governments by allowing private companies to obtain the tax breaks and pass them to the governments through lower costs.

As anyone who has been gouged at the gas pump recently can tell you, it is high time to break oil's stranglehold on American consumers. To do that, we must help provide them with choices.

The Boxer bill provides a jump-start for clean-fuel vehicles, not a permanent subsidy. All of the tax incentives in my bill will expire at the end of the year 2004. By then, the clean-fuel vehicle market will be on its own, and we can enjoy a cleaner, healthier 21st century.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1848

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; AMENDMENT OF 1986 CODE.

(a) SHORT TITLE.—This Act may be cited as the "Clean-Fuel Vehicle Act of 1996".

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

SEC. 2. EXEMPTION OF ELECTRIC AND OTHER CLEAN-FUEL MOTOR VEHICLES FROM LUXURY AUTOMOBILE CLASSIFICATION.

(a) IN GENERAL.—Subsection (a) of section 4001 (relating to imposition of tax) is amended to read as follows:

"(a) IMPOSITION OF TAX.—

"(1) IN GENERAL.—There is hereby imposed on the 1st retail sale of any passenger vehicle a tax equal to 10 percent of the price for which so sold to the extent such price exceeds the applicable amount.

"(2) APPLICABLE AMOUNT.—

"(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), the applicable amount is $30,000.

"(B) QUALIFIED CLEAN-FUEL VEHICLE PROPERTY.—In the case of a passenger vehicle which is propelled by a fuel which is not a clean-burning fuel to which is installed qualified clean-fuel vehicle property (as defined in section 179A(c)(1)(A)) for purposes of permitting such vehicle to be propelled by a clean-burning fuel, the applicable amount is equal to the sum of—

"(i) $30,000, plus

"(ii) the increase in the price for which the passenger vehicle was sold (within the meaning of section 4002) due to the installation of such property.

"(C) PURPOSE BUILT PASSENGER VEHICLE.—

"(i) IN GENERAL.—In the case of a purpose built passenger vehicle, the applicable amount is equal to 150 percent of $30,000.

"(ii) PURPOSE BUILT PASSENGER VEHICLE.—For purposes of clause (i), the term 'purpose built passenger vehicle' means a passenger vehicle produced by an original equipment manufacturer and designed so that the vehicle may be propelled primarily by electricity."

(b) CONFORMING AMENDMENTS.—

(1) Subsection (e) of section 4001 (relating to inflation adjustment) is amended to read as follows:

"(e) INFLATION ADJUSTMENT.—

"(1) IN GENERAL.—The $30,000 amount in subparagraphs (A), (B)(i), and (C)(i) of subsection (a)(2) shall be increased by an amount equal to—

"(A) $30,000, multiplied by

"(B) the cost-of-living adjustment under section 1(f)(3) for the calendar year in which the vehicle is sold, determined by substituting 'calendar year 1990' for 'calendar year 1992' in subparagraph (B) thereof.

"(2) ROUNDING.—If any amount as adjusted under paragraph (1) is not a multiple of $2,000, such amount shall be rounded to the next lowest multiple of $2,000."

(2) Subparagraph (B) of section 4003(a)(2) is amended to read as follows:

"(B) the appropriate applicable amount as determined under section 4001(a)(2)."

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to sales and installations occurring and property placed in service on or after July 1, 1996.

SEC. 3. GOVERNMENTAL USE RESTRICTION MODIFIED FOR ELECTRIC VEHICLES.

(a) IN GENERAL.—Paragraph (3) of section 30(d) (relating to special rules) is amended by inserting "(without regard to paragraph (4)(A)(i) thereof)" after "section 50(b)".

(b) CONFORMING AMENDMENT.—Paragraph (5) of section 179A(e) (relating to other definitions and special rules) is amended by inserting "(without regard to paragraph (4)(A)(i) thereof in the case of a qualified electric vehicle described in subclause (I) or (II) of subsection (b)(1)(A)(iii) of this section)" after "section 50(b)".

(c) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service on or after the date of the enactment of this Act.

SEC. 4. LARGE ELECTRIC TRUCKS, VANS, AND BUSES ELIGIBLE FOR DEDUCTION FOR CLEAN-FUEL VEHICLES.

(a) IN GENERAL.—Paragraph (3) of section 179A(c) (defining qualified clean-fuel vehicle property) is amended by inserting ", other than any vehicle described in subclause (I) or (II) of subsection (b)(1)(A)(iii)" after "section 30(c))".

(b) DENIAL OF CREDIT.—Subsection (c) of section 30 (relating to credit for qualified electric vehicles) is amended by adding at the end the following new paragraph:

"(3) DENIAL OF CREDIT FOR VEHICLES FOR WHICH DEDUCTION ALLOWABLE.—The term 'qualified electric vehicle' shall not include any vehicle described in subclause (I) or (II) of section 179A(b)(1)(A)(iii)."

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service on or after the date of the enactment of this Act.

SEC. 5. ELECTRIC VEHICLE CREDIT AMOUNT AND APPLICATION AGAINST ALTERNATIVE MINIMUM TAX.

(a) IN GENERAL.—Subsection (a) of section 30 (relating to credit for qualified electric vehicles) is amended by striking "10 percent of".

(b) APPLICATION AGAINST ALTERNATIVE MINIMUM TAX.—Section 30(b) (relating to limitations) is amended by striking paragraph (3).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 1996.

SEC. 6. RATE OF TAX ON LIQUEFIED NATURAL GAS TO BE EQUIVALENT TO RATE OF TAX ON COMPRESSED NATURAL GAS.

(a) IN GENERAL.—Paragraph (3) of section 4041(a) (relating to diesel fuel and special motor fuels) is amended—

(1) by striking subparagraph (A) and inserting the following new subparagraph:

"(A) IMPOSITION OF TAX.—

"(i) IN GENERAL.—There is hereby imposed a tax on compressed or liquefied natural gas—

"(I) sold by any person to an owner, lessee, or other operator of a motor vehicle or motorboat for use as a fuel in such motor vehicle or motorboat, or

"(II) used by any person as a fuel in a motor vehicle or motorboat unless there was

a taxable sale of such gas under subclause (I).

"(ii) RATE OF TAX.—The rate of tax imposed by this paragraph shall be—

"(I) in the case of compressed natural gas, 48.54 cents per MCF (determined at standard temperature and pressure), and

"(II) in the case of liquefied natural gas, 4.3 cents per gallon.", and

(2) by inserting "OR LIQUEFIED" after "COMPRESSED" in the heading.

(b) CONFORMING AMENDMENTS.—

(1) Paragraph (2) of section 4041(a)(2) is amended by striking "other than a Kerosene" and inserting "other than liquefied natural gas, kerosene".

(2) The heading for section 9503(f)(2)(D) is amended by inserting "OR LIQUEFIED" after "COMPRESSED".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.●

By Mr. STEVENS (for himself, Mr. WARNER, Mr. DODD, Mr. BENNETT, Mrs. BOXER, Mr. BREAUX, Mr. BRYAN, Mr. BURNS, Mr. CHAFEE, Mr. COATS, Mr. COCHRAN, Mr. D'AMATO, Mr. GRAHAM, Mr. HEFLIN, Mrs. HUTCHISON, Mr. JEFFORDS, Mr. KERRY, Mr. LIEBERMAN, Mr. LOTT, Ms. MOSELEY-BRAUN, Mr. MURKOWSKI, Mr. PELL, Mr. PRESSLER, Mr. ROBB, Mr. SIMON, and Ms. SNOWE):

S. 1850. A bill to provide for the recognition and designation of the official society to administer and coordinate the United States of America activities to commemorate and celebrate the achievements of the second millennium, and promote even greater achievements in the millennium to come by endowing an international cross-cultural scholarship fund to further the development and education of the world's future leaders; to the Committee on Banking, Housing, and Urban Affairs.

THE MILLENNIUM ACT OF 1996

● Mr. STEVENS. Mr. President, today I am introducing the Millennium Act of 1996 along with my colleagues, Senators WARNER, DODD, BENNETT, BOXER, BREAUX, BURNS, CHAFEE, COATS, D'AMATO, GRAHAM, HEFLIN, HUTCHISON, JEFFORDS, KERRY, LIEBERMAN, LOTT, MOSELEY-BRAUN, MURKOWSKI, PELL, PRESSLER, ROBB, SIMON, SNOWE, BRYAN, and COCHRAN.

This bill is a bipartisan effort to focus the Nation's attention on what may become one of the most anticipated events in history—the beginning of the new millennium. As the new millennium nears, this bill hopes to focus our attention on the achievements of the past 1,000 years and helps to foster educational opportunities for those who may take on leadership responsibilities in the next 1,000 years.

Since its founding in 1979 by a group of college students from around the world, The Millennium Society has worked to organize a global celebration and commemoration of humankind's achievements during this millennium and to endow a cross-cultural scholarship program to help educate future leaders. I believe it is the oldest organization in the country formed for the specific purpose of celebrating and commemorating the historical significance of the Millennium. The Society was incorporated as a 501(c)(3) nonprofit, charitable organization in 1984 for the purpose of establishing and administering the Millennium Society Scholarship Program.

The Millennium Society plans to organize and telecast "Countdown 2000" celebrations here and around the world to enable the international community to both view and participate in this historic moment. The Society hopes that the "Countdown 2000" events will raise at least $100 million to permanently endow its Millennium Scholars Program.

Unlike the Bicentennial Commission which required Federal funding, this bill asks for no Federal funds. Title I of this bill provides the Society with the official authorization and designation to administer Millennium activities both here and abroad and ensures that charitable proceeds go to the Millennium Scholars Program. The organizers hope that this designation can operate much like the U.S. Olympic Committee trademark. Mr. President, to the best of my knowledge, there are no other organizations that are competing for this designation nor have any indicated any specific interest in doing so.

The second title authorizes the minting of commemorative coins. This bill incorporates some of the language from the House Commemorative Coin reform legislative package, H.R. 2614. Specifically, the Millennium Society agrees not to derive any proceeds until all the numismatic operation and program costs allowable to the program have been recovered by the U.S. Mint. Moreover, it embodies some of the key criteria and recommendations of the Citizens Commemorative Coin Advisory Commission. The minting of the Millennium coins would not begin until July of 1999. Further, through its own fund raising efforts, the Millennium Society will match the funds received through commemorative coin sales for its scholarship program.

The third title of the bill expresses the sense of Congress that the U.S. Postal Service should consider the issuance of stamps to commemorate the close of the second millennium and the advent of the third millennium.

The Millennium Society was established as an international charitable organization dedicated to giving students from around the world a chance to go on to college and to promote international fellowship and understanding among the world's peoples on an unofficial and nongovernmental basis.

I hope other Senators will join us in supporting this legislation to both commemorate the coming millennium and help provide scholastic funding for its future leaders.●

By Mr. HELMS (for himself, Mr. FEINGOLD, Mr. MACK, and Mr. SMITH):

S.J. Res. 56. A joint resolution disapproving the extension of nondiscriminatory treatment—most-favored-nation treatment—to the products of the People's Republic of China; to the Committee on Finance.

THE CHINA MOST-FAVORED-NATION TREATMENT DISAPPROVAL JOINT RESOLUTION

Mr. HELMS. Mr. President, inasmuch as I believe Senators ought to take a position on the very significant question of a most-favored-nation designation of China by the United States, I, today, along with Senator FEINGOLD, Senator MACK, and others, offer a resolution of disapproval of President Clinton's renewal of most-favored-nation treatment for China.

As I indicated earlier, Senator FEINGOLD, Senator MACK, Senator SMITH of New Hampshire are principal cosponsors of this resolution of disapproval.

Now then, if there is somehow a valid reason for the United States—the world's leader in freedom—to offer the same trading terms to China that the United States offers to other nations that do honor their citizens' human rights and that do respect the rule of law, I cannot think of such a reason. None come to mind.

Mr. President, this is President Clinton's fourth renewal of MFN status for China. The President has covered the waterfront on this issue. He has been all over the lot. He has had his customary array of positions on MFN, as with countless other issues, and it is almost impossible to follow the President's ever-changing position without, as the saying goes, a printed program. As a candidate running for the Presidency in 1992, Mr. Clinton condemned the Bush administration for what candidate Clinton alleged was "coddling dictators." But when Mr. Clinton took office in 1993, he decided, no, it was all right with him to support MFN to China—provided that China "made progress" in respecting human rights. The following year, 1994, when the President was forced to acknowledge that there had been no progress by China in human rights, President Clinton decided that human rights should not even be a factor in the annual MFN renewal.

Instead, the President said that he would advance human rights through a set of principles for United States businesses, enhanced international broadcasting to China, and what the President described as "increased support for nongovernmental organizations working on human rights in China."

That was 2 years ago, and we are still waiting for any evidence whatsoever that any of the Clinton initiatives have

gone anywhere or accomplished anything. The business principles announced by the White House did not even mention China or its flagrant labor abuses.

We are still waiting for Radio Free Asia, which the administration has apparently renamed and is now calling it the Asia Pacific Network, or some such thing, because apparently somebody in the Clinton administration perhaps decided that the name Radio Free Asia may be a little bit confrontational insofar as the Communist Chinese are concerned. Well, as for the aid to nongovernmental groups supporting human rights in China, perhaps the administration would be willing at least to give us a hint as to what, if anything, has been done. They certainly have made no report on the matter one way or the other. I do not believe one thing has been accomplished.

This year, when the President announced his intention to renew MFN, he said the MFN decision "isn't a referendum on all China's policies." I say, the heck it is not. Whether Mr. Clinton likes it or not, when the United States extends MFN to China, we are treating China like virtually all of our other trading partners. There are, of course, many other countries that deserve a stern line from the United States, but China is in a class by itself when it comes to the violations of human rights.

The fact is, Mr. President, that China's record on human rights, since the most recent MFN renewal, has continued to be disgraceful. Even the State Department's latest annual report on human rights stated that the Chinese regime "continued to commit widespread and well-documented human rights abuses," abuse, I might add, which affect every kind of fundamental human rights imaginable.

According to many observers, religious persecution in particular intensified with the Government moving against independent Christian churches and Muslim groups. Challenges to the regime were not tolerated. Quoting the State Department, "By year's end, almost all public dissent against the central authorities was silenced by intimidation, exile or imposition of prison terms or administrative detention."

The annual MFN debate has become more than a mere referendum on China's policies; it is now a referendum on the Clinton administration's policies, and President Clinton made it so. In the future, in addition to requiring report on China's human rights record, perhaps we should consider an annual report on the Clinton administration's China policy.

During the past year alone, the Clinton administration decided to look the other way while China sent nuclear material to Pakistan because, the administration says, the Chinese leadership didn't know anything about it. Now come reports that China is seeking to acquire components of SS-18 missiles from Russia and the Ukraine. And I discussed that subject on this floor this past Tuesday.

China has fired missiles over the Taiwan Strait in a reckless and bellicose attempt to intimidate Taiwan's people as they established the first Chinese democracy. Despite explicit commitments to preserve Hong Kong's institutions and autonomy after 1997, the Chinese Government has announced it will abolish the elected legislature and made threats against the independent judiciary and civil servant of Hong Kong.

On Trade, it is the same story. Last year, the administration agreed to let China have a year to crack down on dozens of pirate compact disk factories. In April, the administration let it be known in news reports that President would be hard pressed to renew MFN if Beijing didn't follow through on its promise to end the pirating of copyrighted material. The regime has not followed through and the President renewed MFN anyway. Now we are waiting to see if the administration imposes $2 billion in sanctions against Chinese products, imported with United States.

Despite all of these egregious examples of Chinese misbehavior, we still pay China's bills. Our trade with China is one-way. The United States buys 40 of China's exports, but China severely limits United States access of United States exports to their markets. Last year, our exports to Taiwan, Hong Kong, and even Belgium were greater than our exports to China, even though those countries have a tiny fraction of China's population.

Still some businessmen contend that we need to trade with China. It will open up their society, they say. But what is going on in China is not free trade. The regime is turning over enterprises to the military so it can make money for itself and acquire technology from foreign businesses. There is no rule of law to protect Chinese or foreign investors. Official corruption is widespread. A disagreement with a business partner who has official connections can land you in jail.

Renewing MFN again this year will be a sign to Beijing that the United States will do business as usual with China no matter what the consequences. I trust that Senators will bear this in mind as the days go by.

Mr. FEINGOLD. Mr. President, I thank the chairman of the Foreign Relations Committee, the Senator from North Carolina, for his leadership on the MFN issue and for the bipartisan effort which is needed because we have a bipartisan problem on the other side of this issue.

Mr. President, on May 31, President Clinton announced his intention to extend for another year most-favored-nation trading status to China, a decision I regret as objectionable and truly perplexing. Our previous President, former President Bush, took that position, and regrettably the majority leader who obviously seeks to be President, also takes the same position. So we have a very serious problem with a past administration, a current administration, and potentially another administration all turning away from this issue of whether or not China deserves most-favored-nation status. I think that is objectionable because it reaffirms an erroneous and even illogical choice made by the administration in 1994: that trade rights and human rights are not interrelated and, yet, that through "constructive engagement," including easy trade terms, human rights will improve. The chairman of the committee and I argued then that this approach was naive and predicted that the dismal human rights situation in China would remain unchanged. Unfortunately and sadly, I and others concerned with the Beijing regime's callous disregard for the basic rights of any individual, have been proven right. De-linking MFN to improvement in human rights has resulted only in despair, prison, and abuse for those struggling in China to guarantee basic freedoms. The President' decision is perplexing because it seems so very clear to me and other, more expert, observers that the Chinese covet and need trade with the United States and that the only pressure they apparently respect is the prospect of economic sanctions. Words and exhortations to improve, to act decently and in conformity with international norms, are pocketed and ignored. It is not working. In fact, things have gotten worse.

So I rise today, Mr. President, to join in offering a resolution of disapproval of the President's action, an option available to the Congress under the 1974 Jackson-Vanik amendment. I recognize that this resolution will draw strong opposition. I know that the leadership in both Houses has already indicated its support for the President's announcement and we will soon be witness to a heavy lobbying effort by the administration and its allies in business and in the Congress to prevent our resolution from prevailing. So the odds are difficult. Of course, the odds are even more difficult for overriding a Presidential veto should we succeed. Nevertheless, I believe denying MFN-status to China is the right thing to do and should be pursued, not just for those suffering at the hands of the Chinese regime, but because it is in our national interest on many fronts: political, economic, and moral.

Let me turn first, Mr. President, to the state of human rights in China which the Senator from North Carolina has discussed in some detail. Two years after the administration's de-linking decision, the State Department's annual report on human rights described

an abysmal situation, marked by increased repression. I quote here verbatim:

Abuses included arbitary and lengthy incommunicado detention, forced confession, torture and mistreatment of prisoners. Prison conditions remained harsh. The government continues severe restrictions on freedom of speech, the press, assembly, association, religion, privacy, movement and workers rights. The report continued that by the end of 1995 almost all public dissent had been silenced by intimidation, exile or imposition of prison terms or administrative detention.

In December 1995 we were witness to a concrete example of how little constructive engagement has accomplished. Wei Jingsheng, a prominent dissident who has dedicated his life to speaking out against the Chinese Government's repression of its own people, was hauled before a show court on charges of subversion. Wei Jingsheng had already spent 16 years looking at the inside of Chinese prison walls, but when he was finally released in 1993 he immediately and courageously took up again the cause of freedom. For his bravery and unstinting devotion to human rights Wei Jingsheng—after a 6-hour court proceeding—was sentenced to another 14 years. The administration issued a condemnation, of course, and an appeal for clemency. It is any surprise, Mr. President, that the Chinese took this statement for what it was—mere words—and that Wei Jingsheng languishes today in an abusive prison system?

The impunity with which the Chinese Government acts—and knows it can act—has a debilitating effect on dissent. We know from our own contacts that prominent intellectuals and common citizens temper their statements, carefully refraining from pronouncing on political topics.

I anticipate that administration apologists will point to recent reforms in the Chinese legal system as evidence that engagement is reaping benefits. But in a way that is like a Trojan Horse. Many of the reforms are meant to facilitate foreign investment by making clear the rules of the game and providing legal recourse for settling disputes. I imagine, however, that Wei Jingsheng and others take cold comfort in China's version of the Uniform Commercial Code. To be sure, reform of prison procedures and criminal laws are welcome developments. Perhaps they do point to an evolution in the rule of law in China. But unless they are put into practice—and they clearly are not if, as is the case in China, officials can detain individuals without charge or even acknowledgment of detention—the reforms are merely paper promises.

The list of human rights horrors goes on. In the past year, we have been witness to a well-documented report by Human Rights Watch/Asia detailing fatal neglect and abuse in Chinese orphanages. Tibetan religious sensitivities were trampled on when Chinese authorities usurped and gave to themselves the right to choose the Panchen Lama, second only to the Dalai Lama in Tibetan Buddhism, continuing a nearly 50-year pattern of persecution and repression of the Tibetan people. In fact, the Chinese admitted only on June 1—and here we have truly the phenomena of a wolf in sheep's clothing—that they were holding under house arrest "for his own protection" the 7-year-old boy designated by Tibetan Buddhists as the true Panchen Lama.

Chinese contempt for construction engagement is evident in other fora: thee bald-faced attempted intimidation of Taiwan in March, sales of nuclear equipment to Pakistan, the utter disregard for agreements to end violation of U.S. intellectual property rights.

Is it possible to come to anything but this self-evident conclusion: "constructive engagement" has failed so far to improve Chinese human rights behavior. I would say the evidence justifies the exact opposite conclusion: human rights have deteriorated and the regime emboldened to act recklessly in other areas vital to U.S. national interest.

In announcing his intent to extend MFN, President Clinton said that the decision, as the chairman has pointed out, "was not a referendum on China's policies." That is what the President indicated. And, of course, I believe firmly that the President abhors the daily repression and abuse in China. That is not the issue. What is the issue is how a tortured United States policy is perceived in Beijing. Recently, the administration announced it was taking the Chinese regime at its word that it had no idea that a Chinese firm—operated by the military—was selling ring magnets to Pakistan for use in that country's nuclear weapons program. This announcement—coming on the heels of tough talk of sanctions for what seems to me to be a clear violation of China's 1992 pledge to abide by the obligations of the Non-Proliferation Treaty—must have evoked self-satisfied smiles in Beijing.

Why? Because the threat of sanctions for ignoring our policies on nonproliferation—at least in this instance—went by the boards, just as our insistence that China respect human rights in return for normal trade relations were jettisoned in 1994. Looming on the horizon is the ballyhooed trade war over our threat to impose higher tariffs on some Chinese goods, in retaliation for China's blatant continuing violation of United States intellectual property rights, IPR. We have been down this road before. It was only in February 1995, when threatened with higher tariffs on $1 billion of its goods, that China signed an agreement to curb IPR piracy. In the 15 months since, by the estimate of the Motion Picture Industry Association, the harm to U.S. copyrighters has actually increased.

Let us see if we can briefly discern a pattern here. In 1992, the administration promises to link trade preferences to improvement in human rights. Two years later, that policy is abandoned. In 1995, our intelligence agencies discover Chinese violations of nonproliferation obligations. Sanctions are threatened and then abandoned in the face of promises to do better. Also, in 1995, the Chinese promise to do better on IPR and the problem worsens. Our response: more tough talk, and this time "we mean it." If I were sitting in Beijing, I would come to the conclusion that the threats are empty, the rhetoric hollow.

Constructive engagement has failed to alter Chinese behavior to the good. So let us drop the pretense and cut to the quick. We trade with China and extend to it normal trading privileges because our Government believes it benefits American business, the United States economy, and, therefore, the national interest. We look the other way, in practice if not in word, on Chinese violations of human rights, nonproliferation—perhaps in the end even on IPR—because it is good for business. As I said at the outset, I find this rationale perplexing.

Our trading relationship with China is really quite one-sided. Writing in the New York Times, May 16, Alan Tonelson, a research fellow at the U.S. Business and Industrial Association, argued that our $34 billion trade deficit with China depresses job creation, wages and growth of the United States economy. This tremendous deficit—which has helped China amass more than $70 billion in foreign reserves, a war chest useful to riding out any trade war—is not the result of fair-trading practices. China is a protectionist nation, Mr. Tonelson notes, with some of the highest tariffs in the world. It dumps artificially low-priced goods—products manufactured by children and convicts—on American markets, hurting U.S. competitors. According to Mr. Tonelson, China extorts know how and high-skill jobs from American companies, such as Boeing, seeking to set up shop in China. Certainly China is a vast market, with tremendous potential. But our 1995 exports to China of $11.7 billion—only 0.12 percent of our GNP—were less than what we send to Belgium or Hong Kong.

On the other hand, we buy up to 40 percent of China's exports and that allows China to finance its industrial and military modernization program. We have the leverage to make them play by the rules of the game. Does it not make sense to use that leverage now, from a relative position of strength, than try to make the Chinese play fair 10, 20, or 30 years from now when by

many projections it will be a legitimate superpower? As Mr. Tonelson notes, even the higher tariffs imposed on China under a non-MFN scheme would still be lower than China's tariffs on our products.

Mr. President, if mortal outrage at blatant abuse of human rights is not reason enough for taking a tough stance with China—and I believe it is and that the American people do as well—then let us do so on grounds of self-interest.

United States credibility is at stake; a firm stance which refuses China the privilege—not the right—of MFN will enhance United States stature and, in the long run, benefit United States business, the American consumer, and, we can hope, ultimately leads to an improvement in China's economic and political behavior.

ADDITIONAL COSPONSORS

S. 459

At the request of Mr. BOND, the name of the Senator from Wisconsin [Mr. KOHL] was added as a cosponsor of S. 459, a bill to provide surveillance, research, and services aimed at prevention of birth defects, and for other purposes.

S. 607

At the request of Mr. WARNER, the name of the Senator from Minnesota [Mr. GRAMS] was added as a cosponsor of S. 607, a bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to clarify the liability of certain recycling transactions, and for other purposes.

S. 684

At the request of Mr. HATFIELD, the name of the Senator from Louisiana [Mr. JOHNSTON] was added as a cosponsor of S. 684, a bill to amend the Public Health Service Act to provide for programs of research regarding Parkinson's disease, and for other purposes.

S. 1389

At the request of Mrs. FEINSTEIN, the names of the Senator from Maryland [Ms. MIKULSKI] and the Senator from California [Mrs. BOXER] were added as cosponsors of S. 1389, a bill to reform the financing of Federal elections, and for other purposes.

S. 1703

At the request of Mr. MURKOWSKI, the name of the Senator from Colorado [Mr. CAMPBELL] was added as a cosponsor of S. 1703, a bill to amend the Act establishing the National Park Foundation.

S. 1714

At the request of Mr. BURNS, the names of the Senator from Alabama [Mr. HEFLIN] and the Senator from Missouri [Mr. ASHCROFT] 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. 1735

At the request of Mr. PRESSLER, the names of the Senator from Michigan [Mr. ABRAHAM] and the Senator from California [Mrs. FEINSTEIN] 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.

S. 1743

At the request of Mr. BINGAMAN, the name of the Senator from Louisiana [Mr. JOHNSTON] was added as a cosponsor of S. 1743, a bill to provide temporary emergency livestock feed assistance for certain producers, and for other purposes.

S. 1756

At the request of Ms. MOSELEY-BRAUN, the names of the Senator from Kansas [Mrs. KASSEBAUM] and the Senator from New Jersey [Mr. BRADLEY] were added as cosponsors of S. 1756, a bill to provide additional pension security for spouses and former spouses, and for other purposes.

S. 1757

At the request of Mr. FRIST, the name of the Senator from Vermont [Mr. JEFFORDS] was added as a cosponsor of S. 1757, a bill to amend the Developmental Disabilities Assistance and Bill of Rights Act to extend the Act, and for other purposes.

S. 1771

At the request of Mr. MURKOWSKI, the name of the Senator from Florida [Mr. GRAHAM] was added as a cosponsor of S. 1771, a bill to amend the Consolidated Omnibus Reconciliation Act of 1985 to clarify that the fee for providing customs services in connection with passengers arriving on commercial vessels making a single voyage may be collected only one time from each passenger, and for other purposes.

S. 1840

At the request of Mr. PRESSLER, the name of the Senator from Nebraska [Mr. EXON] was added as a cosponsor of S. 1840, a bill to amend the Federal Trade Commission Act to authorize appropriations for the Federal Trade Commission.

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce for the public that a hearing has been scheduled before the full Committee on Energy and Natural Resources to receive testimony regarding S. 1844, a bill to amend the Land and Water Conservation Fund Act to direct a study of the opportunities for enhanced water based recreation and for other purposes.

The hearing will be held on Thursday, June 13, 1996, it will begin at 9:30 a.m., and will take place in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

For further information, please call James P. Beirne, senior counsel or Betty Nevitt, staff assistant.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce for the public that the hearing scheduled before the full Committee on Energy and Natural Resources to receive testimony regarding S. 1804, a bill to make technical and other changes to the laws dealing with the territories and freely associated States of the United States, amendment No. 4039 and oversight into the law enforcement initiative in the Commonwealth of the Northern Mariana Islands, have been postponed from Tuesday, June 25, 1996, to Wednesday, June 26, at 9:30 a.m. and will take place in room SD-336 of the Dirksen Senate Office Building in Washington, DC.

For further information, please call James P. Beirne, senior counsel or Betty Nevitt.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. HATCH. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet at 3 p.m. on Thursday, June 6, in executive session, to mark up a proposed SASC amendment to S. 1718, the intelligence authorization bill for fiscal year 1997, and to vote to report S. 1718 to the Senate.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. HATCH. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Thursday, June 6, 1996, to conduct a hearing on S. 1317, the "Public Utility Holding Company Act of 1995."

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. HATCH. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be allowed to meet during the Thursday, June 6, 1996, session of the Senate for the purpose of conducting an executive session and markup.

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

COMMITTEE ON FINANCE

Mr. HATCH. Mr. President, the Finance Committee requests unanimous

consent to conduct a hearing on Thursday, June 6, 1996, beginning at 9:00 a.m. in room SD–215. Most-favored-nation renewal for China.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. HATCH. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, June 6, 1996, 2 p.m. to hold a hearing.

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

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. HATCH. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Committee to meet on Thursday, June 6, at 10 a.m., for a hearing on "Oversight on IRS Financial Management."

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. SPECTER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Thursday, June 6, 1996, at 5 p.m. to hold a closed markup on the DOD authorization bill.

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

SUBCOMMITTEE ON NEAR EASTERN AND SOUTH ASIAN AFFAIRS

Mr. HATCH. Mr. President, I ask unanimous consent that the Subcommittee on Near Eastern and South Asian Affairs of the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, June 6, 1996, at 10 a.m.

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

SUBCOMMITTEE ON PARKS, HISTORIC PRESERVATION, AND RECREATION

Mr. HATCH. 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, June 6, 1996, for purposes of conducting a subcommittee hearing which is scheduled to begin at 2 p.m. The purpose of this hearing is to consider S. 1703, a bill to amend the act establishing the National Park Foundation.

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

ADDITIONAL STATEMENTS

THE SOCIAL SECURITY FAMILY PROTECTION ACT

• Ms. SNOWE. Mr. President, I am pleased to join my colleague and friend the Senator from Maryland, Senator MIKULSKI, in introducing legislation to correct an inequity that exists in our Social Security system.

The Social Security Family Protection Act that we are introducing today expands upon legislation I have introduced since 1992 which calls for the prorating of Social Security benefits in the month in which the recipient dies. Currently when a Social Security beneficiary dies—regardless of whether it is the first day of the month or the 29th day of the month, his or her last monthly benefit check must be returned to the Social Security Administration. The current system ignores the fact that the beneficiary runs up expenses during that last month and that the survivors are left to pay for those expenses, without the assistance of the Social Security check. In many cases, the loss of this benefit causes serious financial problems for the surviving family members because they are unable to financially subsidize the expenses accrued by the late beneficiary in their last month of life.

My original legislation prorates the Social Security benefit based on the date of death and allows the check to go to the surviving spouse. Under the Social Security Family Protection Act, the beneficiary's check will be prorated and it will go to the surviving family members. Under the prorated system in the bill, if the beneficiary dies before the 15th, the family will receive 50 percent of the benefit, if the beneficiary dies after the 15th, the family will receive the entire check. The expansion of this bill is based on Senator MIKULSKI's own family experience with Social Security after her widowed mother died, at the end of the month.

The Social Security Family Protection Act will correct the inappropriate assumption in current law that a beneficiary has not incurred expenses during his or her last month of life. I know that my colleagues have heard, as have Senator MIKULSKI and I, from constituents who have lost a husband or wife, father or mother toward the end of the month, received the Social Security check and spent all or part of it to pay the bills only to receive a notice from Social Security that the check must be returned. Under our bill, the surviving family members—whether it is a spouse, a son, or a niece—would be able to use the check to help pay the final bills incurred by their loved one.

I would like to read a part of a letter I received from a constituent about the experience of his family when his brother-in-law died. This letter, along with Senator MIKULSKI's own experience, serves to highlight why this bill is necessary.

On February 29, 1996 at 9:20 p.m. He passed away. The way I figure it, the month of Feb. has 696 hours in it. He was alive for 693 hrs and 20 min. of the month, missing a full month by 2 hours and 40 min. Or to put it another way, he was alive for 99.99617 percent of the month missing a full month by 0.0038314 percent. With this evidence in hand, the SSA then decided that his check for the month of Feb. had to be returned to them. Unfortunately, his debts for the month didn't disappear just because he failed to live the extra 0.0038314 percent of the month.

And since they waited till April to let anyone know of this policy, we paid his outstanding bills with this money. Now they want their money back. . .. I really don't expect to see this resolved to my benefit, but it would be nice to see some kind of pro-rating system put into place for the rest of the people who are going to encounter this ghoulish practice. These people have, at this time, no recourse what-so-ever in this matter.

I know that my colleagues have all received letters like this. For many of these people that Social Security check is the only financial resource available to deal with the costs incurred during their loved one's last days of life. Without it, they are left struggling to find the money to pay back the Social Security Administration.

I believe that pro-rating Social Security checks for the month of death provides a solution to what is an unfair situation and I hope my colleagues will join us in supporting this bill.•

TRIBUTE TO HERMAN STAROBIN

• Mr. HOLLINGS. Mr. President, it is a fortunate man who can know at the end of his life that he not only earned the respect of others, but that he dedicated himself to a cause in which he believed. Herman Starobin was certainly one of those men. He died recently at the age of 75, having led a full and inspirational life. Herman was a longtime friend of mine, whose compassion for and dedication to the American worker set an example for us all. A true renaissance man, he distinguished himself in many fields over the course of his lifetime.

During the Second World War, Herman covered the European theater as a freelance journalist. After the war, he took over the family business from his father, and manufactured steel doors. While running the business Herman studied economics at New York University, where he went on to earn a doctorate. In 1969, he joined Harman Industries as corporate economist, and eventually rose to the presidency. Along the way, he garnered the well-deserved reputation as an expert on international trade.

Herman's experience at Harman Industries left an indelible impression on him. It led him in 1984 to pursue his next career with the International Ladies Garment Workers Union, where he fought valiantly for the future of American working men and women. At the time Herman had joined Harman Industries, the United States was the preeminent manufacturer of consumer electronics, but when he left 15 years later, the United States had lost its lead in manufacturing. Herman had witnessed the devastation of communities and tearing asunder of families that resulted from the deluge of imports, and that lit the fire under him.

His firsthand experience and knowledge led him to devote the rest of his life to fighting to save our manufacturing base.

In his position as Director of Research for the I.L.G.W.U., Herman was at the forefront of every major trade debate of the last decade. When Herman spoke, he spoke with authority. He did not live in the esoteric world of economic modeling; he possessed the conviction of one who understands how the real world operates in this era of global competition.

We will miss his vigor, his humor, his encyclopedic knowledge and his endearing charm. On behalf of Peatsy and my staff, I would like to express our deepest sympathies to his wife Carol and his daughter Christina. Herman was a true champion of the people, and it was an honor to have known him.•

NATIONAL ABORETUM OF THE AGRICULTURAL RESEARCH SERVICE

• Mr. BOND. Mr. President, I was pleased this morning to honor the work of the Agricultural Research Service and the U.S. National Arboretum by planting a newly developed disease-resistant American elm on the grounds of the U.S. Capitol. Joining me was Dr. Floyd Horn, Administrator of the Agricultural Research Service; Larry Coughlin, President of the Friends of the National Arboretum and former Congressman from Pennsylvania; my good friend, fellow tree junkie, and liberally utilized advisor, Dr. Tom Elias, Director of the National Arboretum; and Dr. Denny Townsend, the scientist who has spent a lifetime studying and developing new trees for cities and towns and the person responsible for developing this new American elm.

I also want to thank the Architect of the Capitol, Mr. William Ensign and the Landscape Architect in his office, Mr. Matthew Evans for their professional assistance in facilitating this event.

The Dutch elm disease has ravaged our native American elms for over 65 years and has largely eliminated these magnificent trees from cities and towns throughout the eastern and Midwestern United States. But now, with the help of Dr. Townsend, and the National Arboretum, we stand a great chance of seeing a return of the stately and valuable American elm.

I am delighted to be the congressional sponsor of the tree planting ceremony to honor the many accomplishments of the National Arboretum and the ARS in their contributions to the city and town landscapes in the United States.

The purpose of the ceremony was to recognize the National Arboretum of the Agricultural Research Service. Over 645 new and improved varieties of ornamental and floral plants have been developed and released. Truly a remarkable record. The Arboretum has given us hundreds of Glen Dale hybrid azaleas, several flowering pear trees, the very popular and widely grown hybrids and selections of crape myrtles and viburnums, a disease resistant sycamore suitable for city streets, new red maples, numerous hollies and magnolias, and now a series of new elms including Valley Forge and New Harmony.

There is no question that the Arboretum has contributed greatly to the growth of the nursery and floral industries in the U.S. Their introductions, releases, and discoveries have helped to make the green industries the number one growth industry within Agriculture in America.

I am especially proud of the new cooperative agreement recently entered into between the Arboretum and the University of Missouri. On February 7, 1996, a memorandum of understanding was signed to establish a U.S. National Arboretum Midwest Plant Research and Education Site at the Horticulture and Agroforestry Research Center in New Franklin, MO.

The new program will provide significant research and educational opportunities for all of us in our mission to discover, develop, and disseminate knowledge for the stewardship and sustainable use of human and natural resources. With this in mind, our planting at MU will be arranged to enable visitors, such as homeowners, and nurserymen to make easy comparisons between selections for their use. This relationship with the Arboretum will provide practical benefits to many ordinary Americans, while providing the research community at Missouri access to numerous vegetative types that can be used for scientific study and educational purposes. In Missouri, we are very excited about this new relationship with the Arboretum.

I offer a hearty congratulations to Dr. Horn, Dr. Elias, and Dr. Townsend. Our country is grateful for people like you and your work in developing new and better trees, shrubs and other flower plants for the benefit of our national landscape and our environment.•

BORDER DRUG PROSECUTIONS

• Mrs. BOXER. Mr. President, 2 weeks ago the Senate agreed to an amendment to the budget resolution urging the Attorney General to ensure that drug prosecutions along the United States-Mexico border are vigorously prosecuted.

In the interest of time and cooperation in moving the budget forward, I did not oppose the amendment. However, I strongly disagreed with several findings which imply that the current U.S. attorney for the Southern District of California routinely failed to prosecute major drug cases. The source of information for those findings was an article in the Los Angeles Times that made several dubious claims about drug prosecutions in the Southern District.

After the Senate passed the amendment, the Los Angeles Times published a lengthy correction that retracted many of the charges made in the original article. Specifically, the correction notes that the newspaper "misstated federal guidelines for prosecuting [drug] seizures." The article claimed—and those claims were repeated in the Senate amendment—that no prosecutions were made for the possession of less than 125 pounds of marijuana. The Times now acknowledges that several prosecutions have occurred in cases involving smaller quantities.

The correction states that examples used in the original article "contained incomplete or inaccurate information." Because this information was the basis of Senate amendment, it too should be considered incomplete and inaccurate.

I thank the Chair for the opportunity to correct the RECORD.

I ask that the correction be printed in the RECORD.

The material follows:

TIMES ARTICLE MISSTATED GUIDELINES ON BORDER DRUG CASES

A Times article disclosing the release of hundreds of Mexicans detained at the border on suspicion of drug smuggling misstated federal guidelines for prosecuting seizures.

The May 12 article—which touched off partisan political fighting over the Clinton administration's drug policy—inaccurately described a program under which federal authorities since 1994 have sent more than 1,000 drug suspects back to Mexico.

The guidelines state that prosecutors may decide not to press charges if five criteria are met. The suspect must be a first-time offender and a Mexican national and be caught with less than 125 pounds of marijuana. There also must be insufficient evidence of criminal intent, and the suspect must have little or no information about organized smuggling. Those suspects who meet all five criteria could be sent back to Mexico, and their green cards or border crossing cards confiscated.

The article, which was based on interviews with federal officials, did not list all five criteria and incorrectly implied that marijuana cases involving less than 125 pounds were not prosecuted. When The Times later obtained a copy of the internal guidelines, they were reported, as were statistics showing that the U.S. attorney's office in San Diego and the local district attorney have prosecuted hundreds of cases involving less than 125 pounds of marijuana.

In discussing the weight guidelines, the article erroneously indicated that it applies to U.S. citizens, as well as Mexican nationals, and a number of cases involving U.S. citizens were cited to make various points.

The examples illustrating lack of prosecution contained incomplete or inaccurate information, because some records pertaining to those cases could not be found or were not publicly available. The U.S. attorney's office, citing privacy concerns, had declined to reveal specific reasons for rejecting prosecution.

In one misreported case, a U.S. citizen with arrests in January and February was charged in both instances, and prosecutors say he will be charged in a third case pending a competency hearing. A U.S. citizen with a prior smuggling conviction was charged following an arrest in March with 68 pounds of marijuana. In another case, in which charges were dismissed against a woman defendant in a 158-pound cocaine seizure, the article should have added that her codefendant said the woman had no knowledge of the drugs. He was subsequently sentenced to prison.

In all, federal officials say, four of the eight cases in the article resulted in felony charges. Of the other four, the district attorney in San Diego rejected one case for insufficient evidence, the U.S. attorney rejected two on the same grounds and the investigation continues in the other.

"We prosecute all border drug cases in which we believe charges are warranted and can be proved beyond all reasonable doubt," said U.S. Atty. Alan D. Bersin.•

TRIBUTE TO WAYNE R. GRUPE

• Mr. WARNER. Mr. President, I rise today to pay tribute to Mr. Wayne R. Grupe, who is retiring from the Naval Facilities Engineering Command in Alexandria, VA, after 36 years of selfless public service to the Department of the Navy and the Nation.

Mr. Grupe began his Federal civil service as a civil engineer in 1960 with the Bureau of Yards and Docks. Throughout his career, Mr. Grupe has steadfastly and diligently applied his talents and efforts toward progressively more demanding challenges and service to the U.S. Navy. Rising through a multitude of critical management positions in the course of his distinguished career, he has advanced to become the program officer at the Naval Facilities Engineering Command with responsibility for policy and oversight of Navy and DOD programs in excess of $7 billion annually.

Among his contemporaries, Mr. Grupe is considered to be the preeminent resource manager not only in terms of seniority but also professional reputation and exhibited accomplishments. He has served in his current critical management position since 1971, a period characterized by burgeoning world-wide facilities construction and fleet base operating support requirements. His numerous professional accomplishments and achievements and his exceptional contributions to the effectiveness of his Command will be enduring for many years to come.

Mr. Grupe is a dedicated mentor and role model who has inspired and enabled many others to achieve similar accomplishments in their Federal civil service career. It is with a certain amount of regret that I wish a fond farewell to such an able and respected civil servant. His selfless service and interest in the people he so ably served will long be remembered.

I join his family, many friends and colleagues in congratulating him on his well earned retirement and wish him future "Fair Winds and Following Seas."•

STAND FOR CHILDREN

• Mr. DODD. Mr. President, I wanted to take a few moments today to speak about a wonderful and inspiring event, which took place on The Mall in Washington this past Saturday.

Mr. President on June 1, 200,000 Americans from across the country; blacks and whites, Jews and Gentiles, rich and poor, male and female, liberals and conservatives came together to stand up for the rights of our nation's most vulnerable citizens—America's children.

I applaud the efforts of all those who came to Washington to make a principled stand for the rights of children. But as the Hartford Courant noted, "the world's most prosperous democracy shouldn't require a rally to focus on deprivation of its young."

Children don't vote. They don't have a political action committee. Instead, they must rely on the benevolence of adults to assure that they have the tools and opportunities to succeed.

Unfortunately, it seems we as adults are failing to hold up our part of the bargain.

Consider the enormous adversities facing our youngest Americans. One in five children in this country is mired in poverty. Every day, 2,600 American children are born into a life of poverty. And children remain this Nation's poorest group of Americans.

Every day, 15 kids are homicide victims. Every 90 minutes, a gunshot ends the life of one of America's children. When our nightly newscasts and newspapers focus on the most heinous violent crimes committed in our Nation it is children who seem to often be the perpetrators.

Additionally, more than 8,400 of America's young people are victims of abuse or neglect. Another 12 million lack health insurance, and child care workers toil at the bottom of U.S. wage scales.

The evidence is clear that children in our Nation face innumerable difficulties. But, events of the past weekend demonstrate that there exists in our Nation a groundswell of support for a political agenda that protects children.

Two hundred thousand Americans came to The Mall in Washington because they believe that everything we do in Congress should help, not hinder, the growth and development of children.

They came to Washington because they believe that America should never shirk its commitment to providing health care for children.

They came to Washington because they believe that children have a right to play in streets and on playgrounds free from the scourge of guns and drugs.

They came to Washington because in a time when education is essential to succeeding in the global economy of the 21st century, they believe that every child must have the opportunity of a good education.

These are not, and should not, be partisan issues. And, it's with great dismay that I see some on the right attacking the intentions and goals of the organizers of Stand for Children.

They claim that the event was simply an excuse to increase the size of Government. I couldn't disagree more. As Marian Wright Edelman, head of the Children's Defense Fund and organizer of the march said, "We do not stand here advocating big government. We stand here advocating just government."

I certainly agree that government is not the answer to all of the problems of America's children.

It can't steady the hand of an abusive parent. But, it can help to protect the child.

Government can't teach a child a skill. But, it can provide educational opportunity through Head Start, good public schools, or student loans.

It can't save a child's life. But it can take murderous assault weapons off the street and throw criminals in prison.

Government can't put food on the table. But government can help provide child care, raise the minimum wage or provide economic opportunities so that parents, on their own, can focus their energies on making a better future for their children.

Only in our Nation's communities, neighborhoods and homes can we truly create an environment conducive to the good of our children.

But these cost-effective, common sense measures invest in our children's future and they should enjoy bipartisan support.

I've long supported child care initiatives in Congress, such as the 1990 Child Care and Development Block Grant and the Family and Medical Leave Act. And each time, Members from both sides of the aisle have joined in co-sponsoring and supporting these measures.

Because, children's issues are not partisan issues. They are American issues and they affect each and every one of us.

Stand for Children is a clear demonstration that we need to go beyond the rhetoric of protecting our children's future to concrete and unequivocal action.

I urge my colleagues to heed the call of the 200,000 Americans who came to Washington this past Saturday and make a similar stand for children here in Congress.•

CONGRATULATING JAMES B. GOLDEN

• Mr. SANTORUM. Mr. President, I rise today so that I might call special

attention to Mr. James B. Golden, Jr. of Philadelphia, PA, most recently sworn in as the new chief of police for Saginaw, MI. Prior to assuming this new position in Michigan, Mr. Golden served as the executive officer of the Philadelphia Police Department.

Mr. President, I would like to take the time to salute Mr. Golden for his quarter century of service to both the Philadelphia Police Department and to the residents of our city.

I would like to call attention to this distinguished record of service by asking that a proclamation honoring Mr. Golden be printed in the RECORD.

The proclamation follows:

PROCLAMATION

To honor James B. Golden, Jr. on his distinguished record of service to the City of Philadelphia and on his appointment as Chief of Police of Saginaw, Michigan.

Whereas James B. Golden, Jr. served as Executive Officer of the Philadelphia Police Department, overseeing the Human Resources, Strategic Planning, Supplemental Police Services, and Management Review Bureaus for the Department;

Whereas James B. Golden, Jr., as Executive Officer of the Philadelphia Police Department, had management oversight responsibilities over 8,000 sworn and civilian personnel as well as command over an annual budget of $325 million;

Whereas prior to his appointment as Executive Officer, James B. Golden, Jr. held the position of captain and served as Administrative Officer to Former Police Commissioner Willie L. Williams;

Whereas James B. Golden, Jr. was appointed to the Office of the First Deputy Police Commissioner, responsible for implementing the recommendations of the Philadelphia Police Study Task Force, thereby bringing about a complete change in the focus and strategy of the Philadelphia Police Department;

Whereas James B. Golden, Jr. earned a Bachelor of Science Degree in Management from the Philadelphia College of Textiles and Science, is a graduate of the 179th Session of the FBI National Academy, and has completed executive development programs at Temple and Harvard Universities;

Whereas James B. Golden, Jr. has risen from the rank of police officer in the 23rd Police District of Philadelphia to the rank of Police Chief with the Saginaw, Michigan Police Department; *Now therefore*, The Senate congratulates James B. Golden, Jr. on his distinguished service to the City of Philadelphia, on his many achievements and honors in the field of law enforcement, and wishes him a successful tenure as the Chief of Police for Saginaw, Michigan.

Again Mr. President, this appointment is an honor to both Mr. Golden and to the people of Saginaw, MI. At this time I would like to extend my best wishes to Mr. Golden as he embarks upon his new role as Chief of Police for Saginaw, MI.•

NORMAL TRADE STATUS

• Mr. BAUCUS. Mr. President, Senators ROTH, MOYNIHAN, and CHAFEE and I will soon introduce a bill to solve a small but serious problem that has plagued our trade policy for years—the fact that most favored nation or MFN status does not mean what it says.

Let me offer an analogy that may illuminate the difficulties this creates. In Greek myth, the gods punish King Sisyphus of Corinth, for various sins and repeated attempts to cheat death, by making him push a heavy stone up a hill for eternity. Each time he gets to the top, it rolls back down and he has to start again.

Our experience with MFN tariff status is somewhat similar. Each year, we have to convince the public that MFN status does not really mean "most favored nation" status, but simply the same tariff rate that applies to most countries.

This year is a good example. We will soon debate the President's decision to renew MFN status for China. We will soon, I hope, pass bills to grant Bulgaria and Cambodia permanent MFN status. And we may also take up a bill to grant permanent MFN status to Romania.

Obviously, logic tells us that these countries cannot all be America's favorite country at one time. And sound diplomatic practice would avoid ranking any single country as our favorite. Yet we can excuse the millions of Americans who do not follow the arcana of trade laws and agreements if they conclude that, somehow, Congress is attempting to anoint Bulgaria, Cambodia, China, and Romania as our favorite country all in the very same year.

The truth is, of course, that we are attempting no such thing. MFN is the normal tariff status we in the United States apply to most of our trading partners. Under the Uruguay Round, it is a tariff level averaging around 4.5 percent. Often, in fact, tariffs fall well below this MFN rate because of free trade agreements and special arrangements with developing countries. So MFN is not even the best available tariff rate. It has nothing to do with favoritism.

Yet to this day, many people oppose MFN status for China because they believe it is a kind of special favor. The term is simply misleading and wrong. And it is extremely frustrating to explain it each year, only to have to start explaining it again a few months later. It is a longstanding, needless complication in our trade policy.

This year, we could push the metaphorical MFN stone up the hill once again and hope that, this time, it stays at the top. But unlike Sisyphus, we have another choice. We can just push the stone into a lake and get rid of the problem for good.

That is what our bill will do. It will delete the term "most favored nation status" from our trade laws, and replace it with "normal trade relations."

That will not change our tariff and trade policies in any way. But it will bring our terminology in line with reality. Thus, it will make our policies more comphensive to the public and avoid needless arguments. It is good common sense, and I hope it will get the Senate's support.•

CONGRATULATIONS TO WEST WARWICK HIGH SCHOOL

• Mr. CHAFEE. Mr. President, I would like to pay tribute to a group of students from West Warwick High School, West Warwick, RI. These 18 young men and women deserve a note of recognition for their outstanding performance in the 1996 "We the People. The Citizen and the Constitution" national finals.

From April 27–29, here in Washington, DC, the team from West Warwick competed against 49 other classes from throughout the Nation. They demonstrated a remarkable understanding of the fundamental ideals and values of American constitutional democracy. The "We the People" competition is the most extensive of its kind. Developed to help students understand the history and the principles of the Constitution and the Bill of Rights, the program has reached more than 22 million students at the elementary, middle, and high school levels in its 9 year history.

I appreciate the generations of dedicated citizens who have devoted themselves to studying and interpreting, to drawing upon the principles set down in the Constitution and the Bill of Rights in order to make this Government the most effective and democratic in the world. For this reason it gives me great pleasure to pay tribute to these young people who are continuing in the fine tradition of constitutional scholarship. The group from West Warwick High School, as well as their competitors from across the Nation, not only demonstrated a remarkable understanding of the fundamental principles of the U.S. Government, but also worked together to learn to participate responsibly in our political system. For me, and I am sure for every one of my colleagues here, there can be no greater joy than to witness the emergence of a new generation of Americans dedicated to upholding those common ideals under which this Nation's leaders have convened for 220 years.

I commend the achievements of these students, and congratulate their teacher and all the faculty at West Warwick High School for a job well done.

I commend the achievements of these students, and congratulate their teacher and all the faculty at West Warwick High School for a job well done.

Mr. President, I ask that the names of these exceptional West Warwick high school students and their teacher, Michael Trofi, be entered into the CONGRESSIONAL RECORD as follows:

Susan, Bickerstaff, Joshua Brassard, Carlos Cruz, Jason Deletesky, Nicholas

Dube, Brandon Hall, Paul Heatherson, Cynthia Jutras, Jennifer Lavoie, Jessica Lavoie, Jessia Lefrancois, Steven Marandola, Richard Marrese, Jesse Nason, Matthew Raiche, Walter Richardson IV, Michael Streeter, and Tara Watson.•

OLYMPIC FLAME COMES TO MICHIGAN

• Mr. LEVIN. Mr. President, this weekend the Olympic flame travels to Michigan. This journey began on March 30 amid the ruins of the sanctuary at Ancient Olympia in Greece, the site of the first recorded Olympics in 776 B.C. The 84-day American leg of the Olympic Torch Relay began on April 27 and will ultimately involve over 10,000 torchbearers. By the time the flame reaches its final destination, it will have traveled over 15,000 miles and visited 42 States. This year's relay is the longest and most inclusive torch relay in Olympic history and will culminate on July 19 in Atlanta at the opening ceremony of the 1996 Centennial Olympic Games. The torch relay route weaves together the American people in support of the Olympic games.

Michigan is holding a weekend of festivities in celebration of the flame's arrival. The 2-day, 25-mile relay will take the Olympic flame through southeastern Michigan and will involve 80 Michiganians as torchbearers. The relay route begins Saturday in Dearborn Heights, moves on to Dearborn for major festivities and ends Sunday on Hart Plaza in downtown Detroit where a large celebration is planned. After its stay in Detroit, the flame will board an ore boat which will carry it down the Detroit River and across Lake Erie to its next stop in Cleveland, OH.

I am proud that this great symbol is being carried through Michigan. The Olympics Games are indeed a spectacular sporting event, but they represent something much greater. They are a celebration of the goodwill among nations. During the Olympic Games, people from around the world compete against each other under the banner of peace, friendship, and the pursuit of excellence. The flame symbolizes this Olympic spirit and it is an honor to have it travel to Michigan.•

VIRGINIA'S BUSINESS PERSONS OF THE YEAR

• Mr. WARNER. Mr. President, I have the great pleasure today to honor John Broughton and Monty Blizard, whom have been selected as Virginia's 1996 Business Persons of the Year. These awards were made as part of Small Business Week, and I believe this celebration of small business recognizes its crucial impact on our economy and society. John Broughton and Monty Blizard have worked together to make Broughton Systems, Inc., based in Richmond, VA, a superior firm that specializes in technology consulting and system development. Since its conception in 1981, Broughton Systems, has grown rapidly due to its intense focus on client relationships. As a result of such intense loyalty to their clients, nearly 80 percent of Broughton Systems' work is with existing or longtime clients. With its fundamental guide "treating customers as we would want to be treated," Broughton Systems was recognized by Inc. magazine as one of the fastest growing private companies in the Nation, and has continued to build on that growth.

Broughton Systems' loyalty does not stop with their clients, but carries over to its employees as well. Broughton has created a strong sense of community within its organization by treating its employees as members of a family. As part of this family, Brougton seeks ways in which it can enhance employee satisfaction and productivity through numerous programs and open lines of communication. For instance, work related issues, such as benefits and client management, are discussed openly in company town meetings held twice a year. Mr. Broughton and Mr. Blizard have also established opportunities for job sharing and have creative compensation programs to reward performance. The company seeks candidates who are reentering the work force and is proud of the fact that it has never had to lay off an employee. All of this establishes Broughton Systems as a secure place of employment, which in turn attracts creative and qualified individuals to compete in this expanding and competitive market.

It is Broughton Systems' sense of family that has also spurred their employees to be leaders and philanthropists in the local community. They have given generously in the form of time, money, and pro bono work for nonprofit organizations such as the Children's Hospital, Special Olympics, and the Multiple Sclerosis Society.

I am very pleased to have these two fine men being honored this week. It is my hope that they will serve as models not only for other business men and women in Virginia, but also entrepreneurs nationwide.•

CONDITIONS IN NIGERIA

• Mr. FEINGOLD. Mr. President, I rise to comment on the further disintegration of the human rights situation in Nigeria.

A few days ago, another assassination occurred which appears to be politically motivated.

Kudirat Abiola, the wife of Moshood Abiola, the winner of the 1993 presidential election, was brutally murdered by a group of armed men near a military checkpoint in Lagos, the capital. According to reports, they jumped out of a car, pulled Mrs. Abiola out of her own car, and shot her in the forehead—execution style. Both Mrs. Abiola and her driver died a few hours later in a Lagos hospital.

Obviously, at this point in time, the facts have not been established and it is important not to jump to conclusions before full information is available, but according to most accounts, this was a political assassination.

Mr. President, just 4 months ago, Alex Ibru, the publisher of the Nation, one of Nigeria's leading newspapers was shot at on a Lagos street. Fortunately, he was only wounded.

The shooting this week is yet another indication of the deteriorating human rights situation in Nigeria. The assassination of the spouse of a political leader is an act which is deeply shocking. Political assassination itself is a horrifying assault upon a democratic process, but when the family members of political figures become the targets for this kind of heinous act, the injury goes even deeper.

Mrs. Abiola's husband, Moshood Abiola, has been imprisoned for nearly 2 years. Kudirat Abiola herself was detained by the current regime just last month apparently because she had on her person documents which suggested that her husband should be the rightful leader of the country. She was released, but it is difficult not to see a connection between the tragic ending to her life and the earlier detention. Mrs. Abiola had been an outspoken critic of Gen. Sani Abacha's regime. For nearly 2 years, she had been working tirelessly—both in private and in public for the release of her husband. She had become a prominent individual in her own right, working to bring democracy to her country. Just last week, she met with John Shattuck, our Assistant Secretary of State for Human Rights.

The assassination of this leading figure, following the executions last year of a group of human rights activists, including the renowned playwright, Ken Sara-Wiwa, has drawn international condemnation and rightly so. According to press reports, thousands of university students marched yesterday in Ibadan, joined by many others. Over 3,000 people attended Ms. Abiola's funeral yesterday, including representatives from a number of nations.

Mr. President, Nigeria is an important country in regional and international politics. It is the most populous country in Africa and an active member of many international bodies. Nigeria's fate is thus of great significance. It has the potential to become a major world trading partner and an influential member of the international community. Yet its leadership continues to squander this potential through this horrific behavior. The military regime of Gen. Sani Abacha continues to be associated with rampant corruption,

brutal policies of repression and execution and severe economic mismanagement.

I spoke yesterday with the Nigerian Ambassador to the United States and communicated my own concern that the most recent assassination is a matter of grave concern and urged that his government conduct a full and transparent investigation of the circumstances leading to Mrs. Abiola's assassination and take steps to bring her murderers to justice.

The Senate Foreign Relations Subcommittee on Africa, on which I serve as the ranking minority member, recently held a hearing on United States policy on Nigeria. As I said then, and as I have said many times on this floor, the track of decline and violence in Nigeria causes great pain and instability in all of Africa. The brutal assassinations and executions underscore this problem.

The situation in Nigeria today stands in stark contrast to the trend in many African countries toward pluralism, transparency, and constitutional guarantees of fundamental human rights. Nigeria continues to move in the opposite direction. The international community needs to send very strong messages that this course of action will make Nigeria an international pariah, shunned by all nations and all people committed to human rights and democracy.●

TRIBUTE TO SENATOR PRYOR

Mr. DOLE. Mr. President, the first 8 years of my time as Republican leader coincided with the administrations of Republican Presidents. And one of my jobs as leader was do everything I could to support the agenda of those Presidents.

Though Senator PRYOR is not the Democrat leader, he has made it his job the past 3 years to do everything he could to support President Clinton, his long-time friend and fellow Arkansan.

And no doubt about it, President Clinton could not have asked for a better friend than Senator PRYOR. While we have disagreed on many issues—especially over the last 3 years—I have admired his loyalty to the President.

I have also admired the special interest that Senator PRYOR has taken on issues of importance to senior citizens. When he was in the House of Representatives, he was the driving force behind the establishment of the Aging Committee, and has chaired that committee here in the Senate.

Senator PRYOR will also be remembered for his longstanding crusade against overly harsh enforcement methods of the Internal Revenue Service, and he is due a great deal of credit for the passage in 1988 of the taxpayers bill of rights.

I would close by saying to Senator PRYOR that it is my hope that come next January, I will have the privilege of having Senators who are as good of friends to a Dole administration as he has been to the Clinton administration.

TRIBUTE TO BILL BRADLEY

Mr. DOLE. Mr. President, as I look back at my years in the Senate, one accomplishment of which I am very proud was the passage of tax reform legislation in 1986, when I was serving as Senate majority leader.

This bill was a very important first step in making our tax system fairer, flatter, and simpler. And one of the guiding forces behind its passage was Senator BILL BRADLEY of New Jersey.

Senator BRADLEY is retiring from the Senate at the end of this year, and he leaves behind a record of accomplishment and innovation.

From the future of Russia to international trade to the state of our cities, Senator BRADLEY has been in the forefront of debates, providing both leadership and original proposals.

Senator BRADLEY and I have not agreed on every issue over the years, but one matter on which we see eye-to-eye is the need to restore civility and a sense of decency to American society.

I have no doubt that Senator BRADLEY will continue to contribute a great deal to the debates of our time for many years to come.

Elizabeth joins with me in wishing all the best to Senator BRADLEY, and to his wife, Ernestine.

Senator BRADLEY has been a good friend. We have been on the Finance Committee together. We have agreed on a lot of issues and, as I said earlier, disagreed on some. I think he has added a great deal of civility to this body, and I know he has a bright future as he leaves the Senate in whatever he may do in the private sector.

SENATOR BENNETT JOHNSTON

Mr. DOLE. Mr. President, like many Members of this body, I learned a great deal about how to succeed in the Senate from our former colleague, Russell Long of Louisiana.

Senator Long knew this institution. He knew how to get things done. And he knew how to fight for the interests of his State. And during the 14 years they represented Louisiana together, Senator Long had a willing student and an effective partner in Senator J. BENNETT JOHNSTON.

And when Senator JOHNSTON leaves this Chamber at the end of the year, he will leave with a reputation as someone who knows the Senate, who knows how to get things done, and who knows how to fight for people of his State.

Energy, water development, agriculture, and national defense are all issues that matter to Louisiana, and they are matters that have been on the top of Senator JOHNSTON's agenda.

As Republican leader, I have appreciated Senator JOHNSTON's willingness to set partisanship aside, and to do what is best for America. His support of President Bush during the Persian Gulf War, his opposition to the Clinton tax increase, and his leadership in the effort to achieve true regulatory reform are three examples that come to mind.

I note that Senator JOHNSTON will celebrate his birthday next week, and I would say to him that he is still a very young man, and that he still has much to contribute to Louisiana and to America.

EXECUTIVE SESSION

Mr. DOLE. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session.

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

Mr. DOLE. Mr. President, let me indicate before I make any request here that I have had a phone discussion today with Senator DASCHLE, the Democratic leader. I hope there is still some way before I leave here on Tuesday that we can dispose of, if not all the nominees on the calendar, most of the nominees. It has never been my practice to hold up nominees because they have families; they have plans to make; they have moves to make.

I know that we are sort of caught in a crunch here because we have objections from both sides. And I did say on May 24, 1996, that I would be happy to call up these nominations one at a time. If we cannot agree on a package, if we cannot agree to do all or part, then it seems to me that we ought to—we are talking more about judicial nominees than anything else at this point—go one at a time.

Now, whether or not that will be satisfactory—I do not want to make the request if it is not satisfactory, because I know the Democratic leader has obligations too, to his Members.

I am not going to ask you to object if you prefer to work this out some other way, but I am prepared and I think the Democratic leader is, if we can find some way, to sort of break this logjam. We are in a position to clear at least 5 nominees, not judges but other nominations. So we are making an effort, a serious effort. I am aware the leader is making an effort to try to accommodate the concerns of the President expressed to me this morning by the Democratic leader. So rather than make the request, I ask the Democratic leader if he knows of any other way we can deal with this that might resolve the problems we both have?

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER. The Democratic leader.

Mr. DASCHLE. Mr. President, let me say first I very much appreciate the manner in which the majority leader

has attempted to resolve this issue. No one has been more fair than has he, with regard to finding a way to resolve the matter and, as he indicated some time ago, he indicated his desire to take these matters up one by one. Under the circumstances, I think, were we to not have any understanding as to how to resolve it, we would not be in a position to agree tonight to any one particular element of the Executive Calendar relating to judges. But I share the majority leader's view that our best opportunity would be, perhaps, to take these matters up one by one. I would want to work with him to see if we can resolve it in the next few days.

Mr. DOLE. As the Democratic leader knows, the Senators are coming to me and they are coming to you. They say, "Just work out my problem," which I would be happy to do. But there are others who say, "Not until you work out my problem." And therein lies the problem.

So I hope we could accommodate. The judges I had in mind were Joseph Greenaway of New Jersey and Walker Miller of Colorado. We could go down the whole list one time. Maybe everybody would cease to object, because then we would have a vote up or down or somebody would have to stand up here and say I want to speak however long it takes to sidetrack this nominee.

Perhaps we can, between now and Monday, and we are here at least for 2 or 3 hours tomorrow morning. I will be happy to visit with the Democratic leader.

Mr. DASCHLE. Very good.

EXECUTIVE CALENDAR

Mr. DOLE. I now ask we proceed en bloc to the following nominations on today's Executive Calendar, 481, 484 through 489, 493 and 494, and all nominations placed on the Secretary's desk in the Foreign Service and Public Health Service.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. DOLE. I further ask consent the nominations be confirmed en bloc, the motions to reconsider be laid upon the table, that any statements relating to nominations be placed at this point in the RECORD, the President be immediately notified of the Senate's action and, further, that the Senate then return to legislative session.

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

The nominations considered and confirmed en bloc are as follows:

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

David Finn, of New York, to be a Member of the National Council on the Humanities for a term expiring January 26, 2000.

Speight Jenkins, of Washington, to be a Member of the National Council on the Arts for a term expiring September 3, 2000.

Townsend D. Wolfe, III, of Arkansas, to be a Member of the National Council on the Arts for a term expiring September 3, 2000.

Patrick Davidson, of California, to be a Member of the National Council on the Arts for a term expiring September 3, 2000.

William P. Foster, of Florida, to be a Member of the National Council on the Arts for a term expiring September 3, 2000.

Wallace D. McRae, of Montana, to be a Member of the National Council on the Arts for a term expiring September 3, 1998.

NATIONAL COUNCIL ON DISABILITY

Marca Bristo, of Illinois, to be a Member of the National Council on Disability for a term expiring September 17, 1998.

Kate Pew Wolters, of Michigan, to be a Member of the National Council on Disability for a term expiring September 17, 1998.

IN THE FOREIGN SERVICE, PUBLIC HEALTH SERVICE

Foreign Service nominations beginning Suzanne K. Hale, and ending Robert J. Wicks, which nominations were received by the Senate and appeared in the Congressional Record of March 6, 1996.

Foreign Service nominations beginning Alfred Thomas Clark, and ending David Jonathan Wolff, which nominations were received by the Senate and appeared in the Congressional Record of March 18, 1996.

Public Health Service nominations beginning Richard J. Hodes, and ending Cheryl A. Wiseman, which nominations were received by the Senate and appeared in the Congressional Record of November 9, 1995.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

EXTENDING THE SERVICE OF CERTAIN MEMBERS OF THE FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION

Mr. DOLE. Mr. President, I ask unanimous consent that the Rules Committee be discharged from further consideration of S. 1634, relating to the Franklin Delano Roosevelt Memorial Commission and that the Senate then proceed to its immediate consideration.

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

The clerk will report.

The legislative clerk read as follows:

A bill (S.1634) to amend the resolution establishing the Franklin Delano Roosevelt Memorial Commission to extend the service of certain members.

Mr. DOLE. Mr. President, I ask unanimous consent the bill be considered read three times, passed, and the motion to reconsider be laid upon the table.

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

The bill was considered read three times and passed as follows:

S. 1634

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act entitled "An Act to establish a commission to formulate plans for a memorial to Franklin Delano Roosevelt", approved August 11, 1955 (69 Stat. 694) is amended by adding at the end thereof the following: "A Commissioner who ceases to be a Member of the Senate or the House of Representatives may, with the approval of the appointing authority, continue to serve as a commissioner for a period of up to one year after he or she ceases to be a Member of the Senate or the House of Representatives.".

ORDERS FOR FRIDAY, JUNE 7, 1996

Mr. DOLE. 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, June 7; further, that immediately following the prayer, the Journal of 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, the time for the two leaders be reserved for their use later in the day, and there then be a period for the transaction of morning business for a period of 2 hours, with the first hour under the control of Senator COVERDELL, the second hour under the control of Senator DASCHLE or his designee, with 15 minutes of the minority time under the control of Senator LEAHY.

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

PROGRAM

Mr. DOLE. For the information of all Senators, tomorrow the Senate will conduct morning business. I do not believe there will be rollcall votes. I cannot say that for certain. If we work out something on judges we may have a vote or two, but they will be minimal, if any. And we may be asked to turn to any executive or legislative items cleared for action.

Let me just indicate, I have been working, as I know the Democratic leader has, trying to figure out something on the budget, perhaps get a time agreement.

We have also been working on the so-called Kassebaum-Kennedy health care reform. My view was we were getting very, very close. I may be mistaken, but there have been constant contacts with the White House at the staff level. And there have been changes made in the MSA provision, which is the one provision that seems to be the sticking point, and many of the other issues with reference to mental health, the so-called MEWA's, and other provisions, have been resolved. So it is still hopeful that that can be accomplished between now and early next week. But, in any event, I think there are still conversations going on at this moment.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. DOLE. If there be no further business to come before the Senate, I now ask that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:47 p.m, adjourned until Friday, June 7, 1996, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate June 6, 1996:

THE JUDICIARY

ROBERT L. HINKLE, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF FLORIDA VICE WILLIAM H. STAFFORD, JR., RETIRED.

MARY ANN GOODEN TERRELL, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS, VICE RICHARD STEPHEN SALZMAN, TERM EXPIRED.

CONFIRMATIONS

Executive Nominations Confirmed by the Senate June 6, 1996:

DEPARTMENT OF EDUCATION

PATRICIA WENTWORTH MCNEIL, OF MASSACHUSETTS, TO BE ASSISTANT SECRETARY FOR VOCATIONAL AND ADULT EDUCATION, DEPARTMENT OF EDUCATION.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

DAVID FINN, OF NEW YORK, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2000.

SPEIGHT JENKINS, OF WASHINGTON, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2000.

TOWNSEND D. WOLFE, III, OF ARKANSAS, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2000.

PATRICK DAVIDSON, OF CALIFORNIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2000.

WILLIAM P. FOSTER, OF FLORIDA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2000.

WALLACE D. MCRAE, OF MONTANA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 1998.

NATIONAL COUNCIL ON DISABILITY

MARCA BRISTO, OF ILLINOIS, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 1998.

KATE PEW WOLTERS, OF MICHIGAN, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 1998.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

FOREIGN SERVICE

FOREIGN SERVICE NOMINATIONS BEGINNING SUZANNE K. HALE, AND ENDING ROBERT J. WICKS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 6, 1996.

FOREIGN SERVICE NOMINATIONS BEGINNING ALFRED THOMAS CLARK, AND ENDING DAVID JONATHAN WOLFF, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 18, 1996.

PUBLIC HEALTH SERVICE

PUBLIC HEALTH SERVICE NOMINATIONS BEGINNING RICHARD J HODES, AND ENDING CHERYL A WISEMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 9, 1995.

EXTENSIONS OF REMARKS

SUPPORTS NAMING NEW NURSING FACILITY IN HONOR OF THE LATE SENATOR JOHN HEINZ

HON. WILLIAM J. COYNE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. COYNE. Mr. Speaker, I rise today to pay tribute to the late Pennsylvania Senator John Heinz and urge my colleagues to support H.R. 3376, which will name the new nursing care facility at the Aspinwall VA Hospital in his honor. An advocate for the elderly and a defender of Pennsylvania's interests, John Heinz was an asset for the city of Pittsburgh and the State of Pennsylvania. He built a well-deserved reputation as one of the State's most popular public officials.

Henry John Heinz III was born in Pittsburgh, the only son of H. J. Heinz II and the greatgrandson of industrialist Henry J. Heinz, who founded H. J. Heinz Co. in 1869. The Heinz family is often credited with helping transform Pittsburgh.

John Heinz was educated at Phillips Exeter Academy, graduated from Yale University in 1960, and received an M.B.A. from the Harvard Business School in 1963. A scholar with natural business acumen, John Heinz graduated in the top 10 percent of his Harvard class. After business school, he enlisted in the U.S. Air Force and spent 1 year on active duty and 5 years in the Air Force Reserves.

After working for a number of years in the family business, John Heinz ran for the U.S. House of Representatives in 1971. Heinz served for nearly 20 years in the U.S. Congress, 5 in the House and 15 in the Senate, with interests and influence ranging over a wide field of complex subjects including trade, tax, health care, and pension policy.

Despite his privileged upbringing, John Heinz spent much of his time in Congress working on behalf of steelworkers, the elderly, and the disabled. His mostly blue-collar constituents approved of his candid, grassroots style despite his enormous wealth.

John Heinz worked in Congress to improve the lives of Americans. His interest in health care for the elderly found an outlet on the Aging Committee, which he helped establish in the 1970's. As ranking minority member of the Aging Committee, he focused national attention on abuses in nursing homes and fraud in the Medicare Program. He also spearheaded a successful effort to strengthen Federal regulation of health insurance for the elderly. Constantly working on behalf of his constituents, one important legislative accomplishment was crafting trade legislation to adopt a more assertive policy on imported steel and other items that had an unfair advantage when competing with the products of Pennsylvania. Always concerned about the strength of American families, one of John Heinz' last major initiatives in the Senate was an unsuccessful effort to require the Pentagon to ensure that no single parents or couples with children be deployed to the Persian Gulf.

The late Senator John Heinz III was a scholar, a patriot, and a dedicated public servant. He was a strong advocate for the citizens of Pittsburgh and the State of Pennsylvania. I urge my colleagues to join with me in supporting H.R. 3376 so that we may pay a fitting tribute to John Heinz by naming the new nursing care facility at the Aspinwall VA Hospital in his honor.

CELEBRATING 50 YEARS OF SCHOOL LUNCH

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. GOODLING. Mr. Speaker, yesterday the National School Lunch Program celebrated its 50th anniversary. This is 50 years of providing children with the nutrition they need to do well in school.

As a former educator, I could tell the difference between those children who ate lunch and those who did not. Those who did not were not as engaged in the educational process. They were hungry, they were tired and they just didn't focus.

Mr. Speaker, this is a program which many said we wanted to eliminate. But that was never our intention. If it was, I would not be up here today, commemorating its 50th anniversary.

This program has proven its value over and over again. The goal of House Republicans was to provide States and local school food service providers with the flexibility they needed to provide nutritious, healthy meals which students would eat. We weren't trying to eliminate it, we were trying to make it better so additional children would participate. Currently only 50 percent of low-income children participate in the program and 46 percent of middle- and upper-income children participate. There was certainly room for improvement.

Last week the President signed into law a bill which I authored and which I hope will provide school food service workers with some of the additional flexibility they need to encourage more children to participate in this program. "You can't teach a hungry child," and, considering only 50 percent of low-income children participate in the program, we have a long way to go before we insure these children are well-fed and able to receive the education they need to succeed in life.

Mr. Speaker, I compliment school food service workers throughout the United States on their commitment to feeding our Nation's children. Their dedication is outstanding.

I take this opportunity to wish the National School Lunch Program a happy 50th birthday and wish it many, many more years of success in providing nutrition to schoolchildren throughout the United States.

TRIBUTE TO ROBERT BULOW

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. CAMP. Mr. Speaker, it is with great pleasure that I rise today to honor an outstanding individual on his retirement from 27 years of outstanding service to the community of Morley, MI. Mr. Robert Bulow has served the students of Morley Stanwood High School for over 25 years as a teacher, athletic instructor, administrator, confidant, and friend to the many people whose lives he touched. In addition to his service to the people of Michigan, Bob served his country in the U.S. Marine Corps for 4 years, including a year of service in Vietnam.

During his career, he taught shop and drafting classes for 17½ years and spent the last 10 years teaching American Government and history. He was a class sponsor for 3 years. Bob served as president of the Morley Stanwood Education Association for 16 years and helped negotiate teacher contracts for 22 years.

Bob's accomplishments in high school coaching are quite extensive. He coached the golf team for 12 years and the tennis team for 11 years. He coached junior varsity girls basketball for 12 years and his 1987–88 team had a perfect record of 20 wins and no losses. He coached the boys ninth grade basketball team for 7 years, and the boys eighth grade and boys varsity basketball teams 1 year each. Bob also coached junior varsity softball for six seasons and varsity softball for eight seasons. His softball team won their district tournament in 1993. Combined, that means Bob was at the helm of a school sports team for 50 seasons. Bob is a member of the Michigan Sports Sages, an elite club of people who have been active in school sports their entire careers.

It is work such as Bob's that inspires us all to achieve the best we can, and to promote these qualities in others. Mr. Speaker, I know you will join my colleagues and I in honoring the work of Mr. Robert Bulow and the legacy of service and commitment he has left for us all.

RETIREMENT OF DR. JOHN N. ARRINGTON

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. FILNER. Mr. Speaker, I rise today to honor a great friend and community leader

from California's 50th Congressional District. Dr. John Arrington has dedicated his life to improving the educational and social well-being of children throughout the San Diego Unified School District. With his retirement on June 10, we will lose his presence on school campuses throughout San Diego, but not his continuing leadership in the community.

Those of us in the educational community are well aware of the commitment to educational excellence that John has shown throughout his distinguished career. He has also been an active participant in helping to improve living conditions in his community, notably as a leader and officer of the Southeast Kiwanis Club.

John began his educational training by earning his bachelor of science degree from Tuskegee University in 1963. He received his master's degree in school administration from San Diego State University in 1974, and his Ph.D. in school administration from U.S. International University in 1977. He also received training from the Howard University School of Law in 1967, and he earned a counseling credential from San Diego State University in 1972.

John has distinguished himself as a teacher, counselor, and administrator for nearly 30 years, serving as district administrator, vice-principal, and principal in the San Diego Unified School District.

Nationally recognized for his work, John has been honored by the Administrators Association, Omega Psi Phi Fraternity, Kiwanis International, the Association of California School Administrators, and the Parent Advisory Task Force.

As he retires from a sterling career in education that was marked by vision, creativity, and strong leadership, I joined his family and friends in congratulating him on nearly 30 years as an inspiration to us all.

MEMORIES OF A CONGRESSIONAL PAGE

HON. GERALD D. KLECZKA

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. KLECZKA. Mr. Speaker, Mr. Albert Anness of Waukesha, WI, served as a congressional page in the House of Representatives during the first session of the 81st Congress. His experience as a page was the beginning of a lifetime of political involvement and activism.

Recently, Mr. Anness wrote a particularly touching vignette about a unique and special moment during his service as a page. Below is his story, which I think we will all find very interesting.

CHANCE MEETING

(By Albert R. Anness, House Democratic Page, Spring 1949)

In the story I am about to tell, I was alone. The only footsteps were mine; no human voice was within earshot. Solitude was my only companion.

It was past mid-afternoon as I passed through the Rotunda of the Capitol and neared the House of Representatives. The statue of Will Rogers stood gazing down upon the House Chambers. The large doors by which President Truman had recently entered to deliver his State of the Union message were now closed. The House Chambers were quiet and dark.

I don't remember why I was in the Capitol Building that afternoon. The House stood in adjournment and besides being assigned to the Ways and Means Committee, I had no floor duties. I was probably running some long forgotten errand.

Turning left, I began walking down the corridor toward the Democratic cloakroom door. I was heading for the underground passage returning to the New House Office Building.

Walking down the corridor I recall the sunlight streaming thru, the large window was beginning to lose its brilliance as evening began its resolute march to darkness.

As I neared the cloakroom entrance, my solitude was broken by the arrival upon the scene of the only other participant in my story, Congressman Joseph W. Martin of Massachusetts. The Democratic cloakroom door opened and out he stepped. This was a little surprising, because, at the time, he was the Republican Minority Leader.

In a corridor usually bustling with activity, Congressman Martin and I were totally alone. He was a friendly man of medium height with jet black hair that belied his age in the mid-sixties. Congressman Martin was also the last Republican Speaker of the United States House of Representatives until Newt Gingrich, forty-six years later in 1995.

We barely had said hello, when he stumbled and began falling down the cloakroom stairs. If I had not been passing at that precise moment, he would have had a very nasty fall on the marble floor. As it happened, he fell harmlessly into my arms escaping injury. Congressman Martin thanked me and went on his way. This happened more than forty-six years ago, but it will forever remain indelibly in my memory.

RECOGNITION OF SEYI FAYANJU'S VICTORY IN THE NATIONAL GEOGRAPHY BEE

HON. WILLIAM J. MARTINI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. MARTINI. Mr. Speaker, I rise today to commend a very worldly young man. One of my constituents, Seyi Fayanju of Verona, recently won the National Geography Bee.

Since the age of 4, Seyi has been attracted to geography. His knowledge of our world spans the globe, from the new republics in the East to the obscure islands of the Pacific and the Atlantic. This remarkable youth has not only accumulated a broad wealth of geographical facts, but he continues to expand his awareness with a zeal that is truly admirable.

Seyi has been recognized by his teachers at the Henry B. Whitehorne Middle School as one of the most gifted and well-rounded pupils they have ever taught. His talent for geography comes naturally. He continually impresses his teachers and peers with his ability to rattle off the capitals of far off places and identify the most remote mountain ranges and bodies of water.

This intense level of geographical understanding enabled Seyi to succeed at the State level and then go on to represent New Jersey in the national competition. The questions for the geography bee were prepared by the National Geographic Society. Seyi received a rare and perfect score in the finals to become the winner of the national contest.

Mr. Speaker, the National Geographic Society began this competition back in 1989 in response to the public's frustration with the lack of geographical knowledge of our youth. Seyi Fayanju has answered the challenge of the public and we are proud of his achievements. I commend this exceptional student on his academic feat and hope that his accomplishment will spark the desire of other students, nation-wide, to take interest in the unique and wondrous places our great world has to offer.

CONGRATULATIONS MR. AND MRS. JOHN MALONE

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. PAYNE of New Jersey. Mr. Speaker, today I would like to honor a very special couple, Mr. and Mrs. John Malone, formerly of Elizabeth, NJ. On Sunday, June 23, 1996, John and Elizabeth Malone will celebrate their fiftieth wedding anniversary by renewing their wedding vows at St. Walburga Monastery in Elizabeth, NJ.

John Malone served the city of Elizabeth for 36 years as a firefighter before retiring from the force in 1985. Elizabeth Malone worked with the telephone company before retiring in 1986. This couple managed to raise four children in the process, who have since given them six grandchildren.

Mr. Speaker, it is my feeling that we can all look to this couple for inspiration. In a time when divorce rates are astoundingly high and society is suffering as a result of this, the Malones have shown us that it is possible for married partners to sustain their respective careers, raise a family and remain happily committed to each other. I wish them many more years of happiness.

AMERICAN GI FORUM RECOGNIZES NAT BENITEZ

HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. BARCIA. Mr. Speaker, throughout our Nation's history the men and women who have served in our Armed Forces have been responsible for providing and securing the blessings of liberty for all Americans. Admirably serving our Nation have been many Hispanic Americans who have come together as members of the American GI Forum to effectively represent the concerns and interests of Latino veterans and their families in many issues.

This weekend the American GI Forum of Michigan is holding its 35th Annual State Convention, which is being proudly hosted by the

Flint Frank O. Barrera Chapter. At the convention the members will be learning more about the experiences of one veteran whom I am proud to have as a constituent, Mr. Natividad "Nat" Benitez of Gagetown. Nat Benitez was awarded the Bronze Star for bravery under fire for holding his position against superior enemy forces on April 15, 1945.

His bravery was reported by the Cass City Chronicle on March 20, 1991, which recounted the event. With two flanking positions having been knocked out, leaving him alone to defend the line, Nat Benitez exhausted his supply of ammunition and hand grenades, crawled out of his foxhole under intense mortar, grenade and rifle fire, crawled through an exposed position to get more ammunition, and then returned to his original position to continue to hold the line. Even though he was the only soldier holding this position, the next day it was discovered that there were 23 dead members of the enemy force around his position.

Today, more than 50 years after his harrowing and heroic exploits, Mr. Benitez continues his profound respect for members of our military, understanding all too well the risks that they each take, especially when in actual combat. He knows how hard it is to lose a friend, who can be taken in a split second by enemy fire. He knows that training is not enjoyable, but it is essential to survival. He knows what it is to risk all for one's country, and how important it is that our veterans be treated fairly for all that they have done.

Mr. Speaker, I urge you and all of our colleagues to join me in congratulating Mr. Nat Benitez in his recognition by the American GI Forum of Michigan, and in wishing all of the members of the Forum a most successful convention.

HUDSON ELKS LODGE WORKS FOR FLAG AND COUNTRY

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. SOLOMON. Mr. Speaker, back on June 14, 1777, the Continental Congress of the United States adopted a resolution that gave us the stars and stripes that are our American flag. This June 14, 1996, the Hudson Elks Lodge will celebrate the 219th annual Flag Day to the day.

Mr. Speaker, let me tell you why it is so important that organizations like the Elks Lodge No. 787, serving Hudson, NY, take the time to recognize Flag Day and the American flag. It's because our flag is unique and so is Flag Day. To my knowledge, no other nation has a holiday like it. No other nation has a special day when its people gather, as those will gather with the members of the Hudson Elks Lodge, to honor the flag as a special symbol.

And that, Mr. Speaker, is what makes our flag and Flag Day unique, it represents a unique Nation—the strongest, freest, greatest Nation on Earth. No other flag is anchored so securely in the hearts of a people like Old Glory is in ours.

Let's stop for a moment and consider why that is. It's because of civic organizations and people like those in the Hudson Elks Lodge who continually remind us of the importance of our flag. It's because of their efforts to raise public awareness of the flag and all that it stands for that Old Glory commands the devotion, respect and reverence that it does.

That's why, Mr. Speaker, I am so proud to address the members of the Hudson Lodge as Brother Elk. The Elks are devoted to promoting pride, patriotism and volunteerism and do more than anyone when it comes to those goals. The Benevolent and Protective Order of Elks have helped to relight the fire of patriotism in every American citizen and through their voluntary acts on behalf of the community, they have helped to reach our young people in whose hands the future of America depends.

But Mr. Speaker, I owe my Brother Elks in the Hudson community and around the country another expression of my personal gratitude. That's because they stood beside me, and the overwhelming majority of Americans, who wanted to see Old Glory, our most visible and beloved symbol, protected by the Constitution, our most sacred and beloved document. I'm referring of course to the constitutional amendment to prevent the physical destruction of our flag that passed overwhelmingly right here in the House Chamber, only to be defeated by just two votes in the Senate. As long as lodges like those serving the city of Hudson continue to impress upon our fellow Americans the significance of our flag and what it means to America, I'm confident we can ultimately afford it this ultimate protection it so richly deserves.

Mr. Speaker, at this time, I ask that you and all Members of the House join me in tribute to the Hudson Elks Lodge for all they have done to spread appreciation for the American flag and our country throughout their community. For those efforts, they are all truly great Americans.

A TRIBUTE TO PAUL HEIDEMANN

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. CAMP. Mr. Speaker, it is with great pleasure that I rise today to honor an outstanding individual on his retirement from 30 years of outstanding service to the community of Morley, MI. Mr. Paul Heidemann has served the students of Morley Stanwood High School as a teacher, music instructor, administrator, confidant, and friend to the many people whose lives he touched.

During his career, he has taught elementary and secondary instrumental music and directed the junior high and high school bands. He has organized the Flag Corps and helped with public address equipment for shows and presentations. He has organized the band boosters. Each year he oversees graduation ceremonies. Paul has also been an unofficial computer consultant for the school, lending his expertise since the first Commodore 64 made its appearance in the classroom back in the mideighties.

Paul's volunteer help in ushering Morley Stanwood community schools into the computer age has been tremendous. He has done so much behind the scenes, always willing to help each staff member with computer problems, even visiting their homes to help with home personal computing.

His musicianship is outstanding. Paul was named best musician in the first Big Rapids Pioneer People's Choice Awards. He plays in the West Central concert band and Ferris chamber orchestra and is organist at the United Church in Big Rapids. He has served as secretary of the Michigan School Band and Orchestra Association for the past 4 years.

It is work such as Paul's that inspires us all to achieve the best we can, and to promote these qualities in others. Mr. Speaker, I know you will join my colleagues and I in honoring the work of Mr. Paul Heidemann and the legacy of service and commitment he has left for us all.

TRIBUTE TO NANCY INTERDONATO FOR SERVICE TO CITIZENS WITH DISABILITIES

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. GOODLING. Mr. Speaker, today I rise to honor Nancy Interdonato, executive director, of the ARC of York County, and wish her well as she pursues new career opportunities.

During the 6 years Nancy served at the ARC, she was an outspoken advocate for all individuals with disabilities. She fought tirelessly to ensure those with disabilities were integrated into the community, truly making the organization an "arc" between individuals with disabilities and the community. She served as a valuable resource in developing public policy and spearheaded numerous Federal, State, and local efforts aimed as ensuring quality of life and quality services. I was pleased to have the opportunity to work closely with her on several occasions.

Ms. Interdonato worked to address the multiple needs of individuals with mental disabilities and their families. Her numerous accomplishments include the planning and structuring of a group home and development of after-school recreation and summer camp programs. She was also instrumental in forming a coalition to meet the transportation needs of ARC clients.

Nancy's efforts went beyond serving those in the disabled community. She was also largely responsible for updating and improving the facilities and working conditions for employees of the ARC of York County.

Whether in her role as advocate or administer, I believe Nancy will be remembered most in York County for her ability to raise public awareness and promote positive public relations by reaching out to the entire community. She constantly attempted to educate the public and gain the support of those outside the disabilities community.

Mr. Speaker, as the Representative of the 19th Congressional District, I wish to thank Ms. Interdonato for her years of service and dedication to improving the lives of families in York. She will be truly missed.

TRIBUTE TO THE LAKE HURON METHODIST CAMP AND RETREAT CENTER

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. BONIOR. Mr. Speaker, this coming Sunday, June 9, 1996, the Lake Huron Methodist Camp and Retreat Center, in my home State of Michigan, is celebrating its 50 plus yeas anniversary and rededication ceremony. I have been fortunate to have been associated with this outstanding facility located in a gorgeous setting on the western shore of Lake Huron.

July 8, 1945, was opening day at the Lake Huron Methodist Camp. From the very beginning, the founders of the camp were dedicated to providing the youth of our society with a camping experience on the banks of Lake Huron. Often it was the very first time they had ever seen a lake. To see these youngsters dash off the bus and rush towards the lake, still is a rewarding experience for anyone who contributes to the work of the camp.

Originally, the land on which the camp is located was a part of the Levi Hillock farm. The Young Women's Hebrew Association purchased 15 acres in 1925 and developed an all girls' camp. For a number of years the Port Huron district camp met at Simpson Park Campgrounds, but in 1942 some of the camp leaders indicated a desire to have a permanent camp of their own. Today, the United methodist Church is the sole proprietor of the camp and retreat center. Among those who have used the camp are the Baptist Women of the thumb area, and a group associated with 4–H leadership training. The camp has a hosted a program I have sponsored for over 10 years, the Congressional Student leadership Summit, where High School students learn about the legislative process.

As the community prepares to celebrate the anniversary, I applaud the capable managers of the camp, Dick Cay and his wife, Kathryn. The Huron Camp is a valuable project that has demonstrated a strong commitment to young people and community groups. I urge my colleagues to join with me in congratulating the Lake Huron United Methodist Camp and Retreat Center. May the next 50 years bring continued fruitful service to the youth of Michigan.

TRIBUTE TO FROEBEL ASTOR "FRO" BRIGHAM

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. FILNER. Mr. Speaker, I rise today to honor a close friend and longtime fixture of the San Diego music community who died May 31—Froebel Astor Brigham, known simply as Fro.

Fron, whose musical career spanned more than half a century, will be greatly missed by more than three generations of music lovers in my hometown of San Diego. A patriarch of the area jazz scene since the 1940's, Fro dazzled everyone who listened with his smooth sounding trumpet, which featured a mouthpiece given to him by jazz legend Louis Armstrong.

Following his arrival in San Diego in 1945, Fro became a must-see on the local jazz circuit. He and his Preservation Jazz Band were soon playing before some of the highest political and civic officials in San Diego. In the last two decades of his illustrious career, Fro's performance schedule was as consistent as the high quality of his playing—Fridays and Saturdays at Pal Joey's in Allied Gardens, Wednesdays and Thursdays at Patrick's II downtown.

His talent, of course, earned him numerous honors. He won two San Diego Music Awards. He was honored in 1993 at the Catfish Club as the Grandaddy of San Diego jazz. He was recently honored at a special tribute at Pal Joey's. So moving was his trumpet playing that Lady Bird Johnson once flew him to her ranch in Texas to perform

Not surprisingly, Fro became as well known for his contributions to the community as for his music. He led a volunteer drive to collect donated bread and sweet rolls from supermarkets for distribution to the needy. He delivered food to the hungry one or more times every week. And he was a board member of the Corrective Bahaviors Institute, a center for at-risk children.

Fro served in the U.S. Navy from 1943 to 1945. He was a groundskeeper for the San Diego Parks and Recreation Department for 30 years until his retirement in 1979.

One thing he never retired from was his music, which was his most effective means of communication. Indeed, as an African-American, Fro was recognized as having broken ethnic music barriers that long existed in San Diego. His contributions to the art of music and to the San Diego community will not be forgotten.

STOP THE FRIVOLOUS USAGE OF THE SOCIAL SECURITY NUMBER

HON. GERALD D. KLECZKA

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. KLECZKA. Mr. Speaker, I am pleased to introduce today legislation to limit the frivolous usage of the Social Security number.

In March, I was contacted by a constituent of mine who went to apply for a credit card at a local wholesale club. The application required him to list his Social Security number. When he refused, the store threatened to deny his application.

In my judgment, this situation is unacceptable. The Social Security number was designed by our Government for one simple use: To follow workers throughout their employment history in order to ensure that they received the Social Security benefits due to them upon their retirement. Over the years, the Federal Government's usage of the Social Security number has expanded to other legitimate uses like taxpayer identification and welfare benefits distribution. Congress has provided for each of these expansions with specific language in statute.

Meanwhile, the use of the Social Security number in the private sector has run rampant. Citizens are now asked or required to give the number to get grocery store check cashing cards, to apply for credit cards, or even to make golf tee time reservations. It is time to limit these frivolous uses of what should be strictly a Government identifier—not a national ID number.

My legislation will restrict use of the Social Security number to bona fide Government, tax, and related purposes. It bans companies from buying or selling marketing lists that contain Social Security numbers and prohibits the private sector from requiring customers to divulge the number as a condition of doing business.

Exceptions are made for current Federal uses of the Social Security number, as well as State usage for drivers licenses, motor vehicle registration, welfare benefits, and tax purposes. In addition, my bill preserves the ability of companies to use the number for taxpayer identification. This is important for banks that must report interest income to the IRS, payroll companies withholding taxes, and a limited number of other groups.

The provisions of my bill will be enforced by the Office of Management and Budget, which currently polices Privacy Act violations, in consultation with the Commissioner of Social Security.

Mr. Speaker, I believe my legislation addresses a problem that has been ignored for too long. I look forward to working with Social Security Subcommittee Chairman BUNNING and the rest of my colleagues to enact this bill.

THE MONTCLAIR KIMBERLEY ACADEMY BLUE RIBBON AWARD

HON. WILLIAM J. MARTINI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. MARTINI. Mr. Speaker, it is with great pleasure I rise today to recognize the Montclair Kimberley Academy's recent achievement in receiving the U.S. Department of Education's Blue Ribbon Award.

The Blue Ribbon Award gains its prestige from the intense competition it generates. Nearly 500 public and private schools throughout the United States, Virgin Islands, and Puerto Rico were nominated for this honor. Montclair Kimberly Academy is 1 of 161 secondary schools and only 9 independent schools to receive this award.

The schools were judged by a panel of 100 recognized school educators and local leaders. These individuals evaluated the schools on the basis of several criterium dealing with the academic accomplishments and dedication of both the students and teachers.

The Montclair Kimberley Academy has been providing sound education to its students for over 100 years. Since its meager beginning as a one-room schoolhouse of only 35 students, the academy has been dedicated to a curriculum focusing on individual attention and the freedom to develop personal initiatives. Over the years, this center of learning and culture within my district has seen many considerable

changes. A strong school spirit and a loyal alumni had a great deal to do with building this school into such a proud institution. Today, the Montclair Kimberley Academy spans three campuses and educates over 1,000 students from kindergarten through grade twelve.

The true strengths of the Montclair Kimberley Academy are the special relationships between the faculty and students and the welcoming and productive learning environment it provides. Working together, the students and teachers of the academy affirm their commitment to the words on the school seal: knowledge, vision, and integrity. This Blue Ribbon Award is a tribute to the teachers for their hard work and dedication to personalized attention and to the students, whose curiosity and motivation is matched only by their achievements. It is my hope that the Montclair Kimberley Academy's long traditions of excellence in education will provide a shining example to other schools, both public and private, so that they too, might rise to new levels of academic excellence.

TRIBUTE TO EDWIN MICHAEL TRAYNER, M.D.

HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mrs. ROUKEMA. Mr. Speaker, I rise to congratulate Dr. Edwin Michael Trayner, on his completion of service as president of the Bergen County NJ Medical Society. Dr. Trayner is a dedicated and talented physician whose skill is well respected by colleagues and patients alike. He has served the medical society with distinction and I am pleased to extend our congratulations to him on this occasion.

Indeed, the medical community has been fortunate to have a person of his outstanding accomplishments to serve the public.

Dr. Trayner, who holds undergraduate and medical degrees from Columbia University, began his career as an intern at Roosevelt Hospital in New York in 1956. He did postgraduate work at Harvard Medical College in 1957 and 1958, then returned to New York for residencies at the Bronx Veterans Hospital and the Manhattan Eye and Ear Hospital. He held a teaching appointment at Manhattan Eye and Ear until 1993 and performed a fellowship in ultrasound of the eye there from 1968 to 1975.

Dr. Trayner, who is board certified in ophthalmology, has his home and private practice in ophthalmology in Tenafly. He is affiliated with Englewood Hospital, where he is a former chief of ophthalmology, Holy Name Hospital in Teaneck, and Manhattan Eye and Ear Hospital.

Dr. Trayner is a member of the American Board of Ophthalmology, the American College of Surgeons, the American Medical Association, the New York and New Jersey Academies of Medicine, the Medical Society of New Jersey, the Medical Society of Bergen County and the New Jersey Academy of Ophthalmology and Otolaryngology, of which he is a former president.

Dr. Trayner's service to the Bergen County Medical Society dates to 1963, the year he became a member. He served as a member of the executive board from 1990–94, as president-elect in 1995, and president in 1996. He has provided exemplary leadership that has helped establish the Bergen County Medical Society as one of the most respected groups of medical professions in the region.

During these recent years, when health care issues have risen on the congressional agenda, Dr. Trayner has been a reliable and valued resource to me and the New Jersey delegation. We greatly value the contributions to the debate of Dr. Trayner and the Bergen County Medical Society.

Our Nation enjoys the world's highest standards for modern health care, which is vitally important to every citizen. Dr. Trayner has exemplified the highest professional standards. We express our deepest gratitude to Dr. Trayner and physicians like him who see that the highest quality of care is maintained. Best wishes to Dr. Trayner as he continues his exemplary service to his patients and the Bergen County community, and to his wife, Rita, and their three children, Dr. Edwin M. Trayner Jr., Elizabeth L. Monz, and Andrew J. Trayner.

CORPORATE RESPONSIBILITY AT HOME AND ABROAD

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. GORDON. Mr. Speaker, today one of my constituents from Northern Telecom [Nortel] participated in a congressional panel discussion on corporate responsibility at home and abroad convened by my colleague from Illinois, Representative LANE EVANS. Megan Barry, who is Nortel's senior ethics advisor and is based in the company's Nashville facility, participated on this panel. I would like to commend Megan and Nortel for the fine standard they have set in pushing for ethics in business practices and I commend to you and all of my colleagues, her remarks:

CORPORATE RESPONSIBILITY AT HOME AND ABROAD

(By Megan Barry)

Good morning. My name is Megan Barry and I'm here today representing Northern Telecom, Nortel. Nortel is an $11 billion global corporation with 63,000 employees around the world. We build, design, and integrate digital networks for information, entertainment, education and business. In the U.S. we have over 22,000 employees at major facilities such as Raleigh, NC, Dallas, TX, Atlanta, GA, Santa Clara, CA, Nashville, TN, Sunrise, FL, McLean, VA. Nortel is very honored to be included in these discussions today.

All of the companies that are represented here today are being recognized for something "exceptional"—for example, Pfizer is here because they provide low income individuals access to prescriptions.

So why is Nortel here? I'm actually here today to talk about what some might consider to be the "unexceptional." I'm here to talk about the day-to-day ins and outs of just being an ethical company.

Unlike a lot of multinationals, we, at Nortel, have an established Business Ethics function. Our function is set up to deal with everyday ethical issues that confront our employees, our suppliers and our customers.

We do this in several ways, but the key piece that has made our function so successful has been the adoption and distribution of our International Code of Business Conduct. We call our Code, "Acting with Integrity."

Before 1995, Nortel had a Code of Conduct—but guess who wrote it? Lawyers. The old Code tended to be more rule-based and had a lot of "thou shalt not" phrases. We felt that it was very important to move towards a more value-based approach. We wanted to provide a "working document"—one that gave our employees help and guidance. So we did something pretty radical—we asked our employees what they wanted to see in a new Code. With the help of the International Business Ethics Institute, we conducted over 35 focus groups in the U.S., Canada, Caribbean and Latin America, Europe and Asia Pacific. We also invited all 63,000 of our employees to read the draft versions of our Code and give us input and ideas. The overall response was amazing. This gave our employees a voice in the process and a true sense of ownership of the completed Code.

This approach also helped us write a document using international language that crosses all of our locations. For example, we use Questions and Answers throughout the Code to make it more readable. One of our focus groups from Europe pointed out a true "North Americanism" for us.

In one question, we ask, "Do people really get dismissed for violating Nortel's ethical standards?" In one of our original drafts, we had asked, "Do people really get terminated for violating Nortel's ethical standards?" The Europeans were horrified. As one focus group member said, "When you say we terminate them—do you mean we kill them?"

Of course the answer is no, you don't get killed for violating Nortel's Code, but yes, you can be dismissed for violating our Code.

It took us a year and many drafts before we had the Code as you see it today. It is something all of us at Nortel are proud of. It addresses a wide range of important ethical issues. For instance, the Code makes it clear that Nortel does not and will not condone the use of enforced labor or child labor. It strictly forbids the reproduction, distribution or alteration of copyrighted materials without the permission of the copyright owner or authorized agent.

But does having a final Code mean its over? Of course not. As I said earlier, we want our Code to be a "working document." Nothing in our business stands still for long and our Code can't either. From the calls our office receives daily, there are already new and emerging issues that we need to address. For example, the Internet raises a whole host of ethical questions for all of us. And although we are learning along with everyone else, we were one of the first companies to actually put our Code on the Internet (http://www.nortel.com/english/ethics/). We want everyone—our shareholders, our customers, our employees, our suppliers and the communities where we are located—to know what we stand for.

At Nortel, we believe that as a multinational, we have a responsibility to act honestly and responsibly wherever we operate in the world. Putting together a Code that speaks to all our employees globally is helping us to create a Nortel culture where we are upholding high ethical standards and acting with integrity in all our operations.

THE 50TH ANNIVERSARY OF THE ASCENSION OF HIS MAJESTY KING BHUMIBOL ADULYADEJ TO THE THRONE OF THAILAND

HON. BOB CLEMENT

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. CLEMENT. Mr. Speaker, June 9 marks the 50th anniversary of the ascension of His Majesty King Bhumibol Adulyadej to the throne of Thailand. He is the longest reigning Monarch in his country's history. The King's work in social and agricultural development throughout Thailand is well known. The many innovative, pioneering projects he has created are evidence of His Majesty's unselfish willingness to see that all Thai people come into the age of modern technology .

The King has made major contributions to the stability, security, religion, culture, performing arts, and social welfare of his people. In Thailand he is known as King Rama the 9th of the Chakri Dynasty. In the United States he is known as the Thai Monarch who was born in Massachusetts, and is a loyal friend and ally to the United States.

Today I wish to send my sincere warm regards to his Majesty on his 50th anniversary. I wish him health, happiness, and peace.

FELIZ CINCUENTA ANIVERSARIO A LA LEGION POSTAL AMERICANA 500

HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. BARCIA. Mr. Speaker, many Americans fought to preserve democracy in World War II, including the many Mexican-Americans who bravely fought for their country. On June 29, the Hispanic Americans of American Legion Post 500 in Saginaw, MI, will be celebrating the post's 50th anniversary, having been chartered on April 20, 1946.

Many of the veterans of World War II formed a Latin American club for Veterans in November 1945, to provide an opportunity for these brave individuals to recount their experiences, to renew old ties, and to develop new alliances for the future. With many of these individuals having come to Michigan from other areas to take advantage of work opportunities, the club was an excellent way of maintaining their contacts with the Hispanic culture. In 1946, a temporary charter was granted to Latin American Legion Post 500, with Valintino Gallegos as the first post commander.

The members of the post honored their fallen colleagues by renaming the post after the first four Mexican Americans from Saginaw killed in the war: Pvt. Louis Martinez, killed in action in France, June 12, 1944; Pfc. Julian Garcia, killed in action in Guam, 1944; Pfc. Sifred Nerio, wounded in France, July 1944, and subsequently dying in a British hospital on August 1, 1944; and Pvt. John Reyes, a paratrooper killed in action in Italy, October 18, 1944. the approximately 1,000 veterans from World War II, Korea, Vietnam, and Desert Storm who have been members of the post since its inception have a proud heritage that is worthy of recognition.

There has been a greater awareness in recent years of many Americans who fought for their country in World War II and in other battles, and failed to receive adequate recognition for their service and sacrifice. Posts like American Legion Post 500—the only Hispanic American Legion Post in Michigan—were vital in promoting the special needs of Hispanic veterans, particularly at times when there may not have been as much recognition of their contributions and sensitivity to their needs as their should have been.

Mr. Speaker, these Mexican-Americans deserve our thanks for all that they have done over the years. I ask that you and our colleagues join me in offering them our thanks, and in wishing them the very best for the 50th anniversary of Martinez, Garcia, Nerio, Reyes American Legion Post 500. Les deseamos ontros 50 años con mucho exito y mucha salud.

THE SHAMELESSNESS SURROUNDING MEDICARE

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. SOLOMON. Mr. Speaker, there does come a time when partisanship must be put away and the well-being of those we are sent to represent must prevail. Such an instance is the ongoing Medicare debate. Partisanship has no place in this debate, because the health care of our seniors and of future generations is at stake.

On that note, I wanted to draw your attention to an editorial printed in one of my district's newspapers. In the editorial, some very disturbing figures and statistics are pointed out. These figures and what they mean are clear to everyone. When Medicare outlays are more than its revenue, the system needs to be changed.

The editorial points to a veto by President Clinton of last year's balanced budget. This budget would have saved $226.7 billion in the Medicare Program through 2002, which would have preserved the entire Medicare Program until at least 2010. Clinton was faulted in the editorial as "shamelessly play[ing] on the fears of senior citizens * * * to score political points against Republicans," and "Clinton needs to stop feeding the fears of seniors for political gain and make substantive changes to this entitlement program." In a matter that is so critical to our seniors, we should expect more of the President. This partisan bickering must stop now and sound solutions to the Medicare Program must be developed. I would urge the President to join with the Congress to begin to solve the problems of Medicare.

STOP PLAYING POLITICS AND FIX MEDICARE NOW

Those in charge of the federal Medicare program say the hospital fund will be nearly $29 billion in the red by 2001 if the system isn't changed.

Medicare trustees also reported yesterday that Social Security will go broke by 2029 if that program is not adjusted.

President Clinton insists that Republicans and Democrats are not that far apart on numbers that would extend the life of the Medicare system.

He says bankruptcy could be avoided.

We have heard that line before. The fact is, deep-seated political differences virtually assure that a solution to this pressing problem is not going to be reached before November's presidential election.

The statistics are sobering, if not downright frightening.

By 2002, the hospital fund will owe $86 billion more than it has, and by 2006, the red ink could grow to more than $400 billion, according to Congressional Budget Office estimates.

Clinton last year vetoed the balanced budget bill passed by Republicans, which was projected to save about $226.7 billion in the Medicare program through 2002.

Under the Republican plan, the program would move more senior citizens away from expensive fee-for-service plans into less expensive managed-care programs.

The plan would also set up medical savings accounts that would include a high-deductible catastrophic insurance system.

Congressional Democrats immediately accused Republicans of trying to unfairly gut the coverage that senior citizens now have under Medicare.

Clinton shamelessly played on the fears of senior citizens in this regard to score political points against Republicans in the bitter federal budget battle this year.

Medicare's hospital fund actually started spending more last year than it took in through the payroll tax, but it had a $134.3 billion surplus to dip into.

Social Security's financial problems are not as acute yet because the system still takes in more than it pays out.

While Social Security has been getting the most attention, it is the 30-year-old Medicare program that is clearly in the most trouble.

Medical costs for an ever-increasing aging population have escalated at an alarming rate. They will continue to do so.

The problem will be even greater in 2010 when the first of 76 million baby boomers turn 65.

Spending will continue to exceed revenues, eating up the surplus and running growing deficits by 2001 unless the system is changed.

This is a crisis that can no longer be mired in partisan bickering.

Clinton needs to stop feeding the fears of seniors for political gain and make substantive changes to this entitlement program.

Seniors are simply going to have to learn to put up with less doctor choice if the system is to survive.

Republicans, meanwhile, need to make sure that those who can pay for part of their benefits do so, instead of letting the rich off the hook.

The political risks in making any radical change are daunting. But the numbers say they must be taken.

TRIBUTE TO FRED JAEGER

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. CAMP. Mr. Speaker, it is with great pleasure that I rise today to honor an outstanding individual on his retirement from 28 years of outstanding service to the community of Morley, MI. Mr. Fred Jaeger has served the students for over 25 years as a teacher, athletic instructor, director, confidant, and friend to the many people whose lives he touched.

During his career, he taught both math and science in both the high school and junior high school. He was a class sponsor for 9 years. He directed class plays for 3 years, timed football games for 18 years, announced at basketball games for 8 years, and performed in 13 country music shows.

Fred has enjoyed quite a coaching career. He coached grade school boys basketball for 6 years, junior high school boys basketball 3 years, junior high school girls basketball 8 years, and assisted boys track 5 years.

Then Fred found his niche with the girls track team. In 18 years of coaching girls track, Fred's teams won seven league championships and four regional championships. Twice his girls finished third in the State in class C. In dual meet competition his teams won 118 meets, while losing only 31. He was twice named Coach of the Year by the Michigan Interscholastic Track Coaches Association. In 1990, he began the Cross Country Program at Morley Stanwood and in 6 years, his girls have won two league championships. He was named regional Cross Country Coach of the Year in 1994.

It is work such as Fred Jaeger's that inspires us all to achieve the best we can, and to promote these qualities in others. Mr. Speaker, I know you will join my colleagues and I in honoring the work of Mr. Jaeger and the legacy of service and commitment he has left for us all.

A TRIBUTE TO P. KIRK PANDELIDIS, M.D.

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. GOODLING. Mr. Speaker, I recently attended a celebration marking the retirement of Dr. P. Kirk Pandelidis. His life is one of those immigrant success stories that make America great. I would like to share his achievements with my colleagues.

P. Kirk Pandelidis, M.D. has been a dedicated member of the medical community of York County, PA for over 30 years. But his story begins in Athens, Greece where he was born and lived for 28 years. Dr. Pandelidis received his secondary and undergraduate education in Athens. In addition, in 1952, he received his doctorate in medicine at the University of Athens. He faithfully served in the Army of his native country from 1952 to 1955 in the capacity of lieutenant of the Medical Corps.

In 1955, after his military service, Dr. Pandelidis moved to the United States as an intern of the Touro Infirmary in New Orleans, LA. After two residencies in Massachusetts and Connecticut, he came to Philadelphia where he served as a resident at the Jefferson Medial College and Hospital. Here he became a licensed doctor in the Commonwealth of Pennsylvania. In 1962 Dr. Pandelidis moved to York County where he served as a psychiatrist with honor and distinction for over 30 years.

Dr. Pandelidis is a highly respected leader in his field. In his impressive career, he served as medical director of the York County Mental Health Center and chairman of the Department of Psychiatry at York Hospital. He also published numerous studies and served as president of the York County Medial Society and the Central Pennsylvania Psychiatric Society.

In addition to being a devoted husband and father, Dr. Pandelidis is highly regarded for his leadership and service to the community. He was president of the board of his Greek Orthodox church and was involved in the Chamber of Commerce, the Rotary Club, and the Historical Society of York.

I am proud to have the opportunity to honor Dr. Pandelidis' distinguished service in medicine and the community of York. For all he has done, I ask that you join me, Mr. Speaker, in recognizing my constituent Dr. P. Kirk Pandelidis.

HONORING PRESIDENT HUNTER RAWLINGS OF CORNELL UNIVERSITY

HON. MAURICE D. HINCHEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. HINCHEY. Mr. Speaker, I would like to take a minute to recognize the visit to Washington of the new president of Cornell University, Hunter Rawlings, and his wife, Elizabeth. President Rawlings succeeded Frank H.T. Rhodes in 1995 to become the 10th president of Cornell University, located in Ithaca, NY.

President Rawlings was formerly the president of the University of Iowa and held many positions at the University of Colorado at Boulder in addition to serving on many professional boards and associations. He is already a well-known figure to Cornell students, especially since he stands 6'7" tall, and brings an extraordinary record of accomplishments to Cornell.

On June 15, the president will attend a picnic in his honor hosted by the Cornell Club of Washington at the home of Mr. and Mrs. Austin Kiplinger. I am glad to see that President Rawlings is interested in meeting Washingtonians and look forward to continuing close links between the university, its president, our own Washington institutions, and the high-level research functions of the Federal Government. I wish him well in his tenure as Cornell's president.

FATHER HEINDL CELEBRATES 60 YEARS OF MINISTRY

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Ms. SLAUGHTER. Mr. Speaker, I rise today to honor Father Elmer William Joseph Heindl as he celebrates 60 years of ministry. Father Heindl is a remarkable man of faith who has devoted his entire life to the service of God and his parishioners.

Father Heindl began his career as a priest in 1936. Shortly after he responded to the calling from God, he dutifully responded to the calling of our country by serving as an army chaplain in World War II to comfort and care for our troops. He came home after 7 years of service as the most decorated chaplain to serve in World War II. His dedication to veterans is exemplified by his continued service as chaplain to several veterans groups both in the Rochester area and across the country.

Upon his return from World War II, Father Heindl served in a number of parishes in upstate New York until his retirement in 1980. Well into his retirement, Father Heindl remains active in the parish of Saint Charles Borromeo in Rochester, NY. He spends a great deal of time visiting with the children in Saint Charles Borromeo School. In 1994 Heindl House was dedicated on the Saint Charles property as the home for the Saint Charles preschool program and the site of the Saint Charles before school after school day care program.

Father Heindl is to be commended for his selfless dedication to all of his parishioners throughout his 60 years of ministry. The Rochester community is proud of him and honored that he chooses to spend his time working in the Saint Charles Borromeo Church. I believe Father Heindl and his lifetime commitment to the spiritual fulfillment of others warrants the recognition of all of my colleagues as well.

ISSUES FACING THE POSTAL SERVICE

HON. JOHN M. McHUGH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. McHUGH. Mr. Speaker, on Monday, May 20, 1996, a column in the Washington Post discussed many of the issues facing the Postal Service today.

This guest column was written by David Ginsburg, a member of the former Kappel Commission on postal organization; Murray Comarow, its executive director and later the senior assistant postmaster general; Robert L. Hardesty, a former chairman of the Postal Service Board of Governors; and David F. Harris, former secretary of the Postal Service Board of Governors as well as the Postal Rate Commission.

While, as Chairman of the Subcommittee on the Postal Service, I do not embrace their conclusions that yet another commission is the appropriate vehicle at this time to address postal reform, I believe their column is an excellent summary of the issues surrounding the

need for postal reform today. It will be helpful for anyone wishing to educate themselves on the challenges facing the Postal Service.

DELIVERY FOR THE POSTAL SERVICE

The U.S. Postal Service is in deep trouble. It is losing market share to competitors in five out of its six product lines: packages, international mail, correspondence/transactions, expedited mail and publications. The only market share growth has been in advertising mail. By the end of this century, the Postal Service estimates that a third of its customers will have stopped using the mail to pay their bills.

And the intensity of the technological assault increases daily. Faxes, e-mail and expanding use of 800 numbers are cutting into postal markets at a rising rate. Already, more Americans order merchandise through 800 numbers than through the Postal Service.

In 1994 electronic messages grew 122 percent. Add to that the growth of alternative delivery networks and the loss of catalogue business to competitors such as UPS and FedEx. These challenges will not go away; they will increase.

To make matters worse, the money the Postal Service has invested in modernization has had little impact on productivity. Twenty-eight years ago, 83 percent of the Postal Service's total budget went to wages and benefits. Today, after the expenditure of billions of dollars for automation, there has been a substantial increase in the number of employees. Labor costs are still 82 percent of the budget. It costs more to process a piece of mail today than in 1991.

To stay alive the Postal Service may have no choice but to cut back on service and close thousands of facilities. This in turn could lead to further losses, as dissatisfaction mounts. The American people may well be left with a postal service that has nearly a million employees and yet whose only significant function is to deliver advertising mail and greeting cars.

What's to be done?

Bear in mind that the U.S. Postal Service is an arm of the government. It has been called "quasi-government" and sometimes "quasi-private," but it is not "quasi" anything. It is a 100 percent federal government entity to which Congress has granted limited independence and certain powers, such as collective bargaining and the right to use the money it collects. And even while Congress gave the Postal Service its "independence" a quarter of a century ago and transformed it into a "businesslike," self-sustaining government corporation, it interposed a number of obstacles that would make it impossible even for a team of the best business executives in the country to run the Postal Service efficiently. Among these constraints:

THE POSTAL RATE COMMISSION (PRC)

Headed by five commissioners appointed by the president, it is the only government agency whose primary job it is to set rates on prices for another government entity. Thus pricing authority is divorced from management responsibility and also, substantially, from market considerations. Not only is the Postal Service not free to set prices for its services—without PRC approval it cannot even determine what services it will offer.

When a business determines that it needs to raise its prices, it is free to do so immediately—before it starts losing money. With the Postal Service, it takes about five to six months to prepare its rate case; the PRC then has 10 months in which to issue a recommended decision.

BINDING ARBITRATION AND LABOR RELATIONS

The U.S. General Accounting Office (GAO) calculates that the Postal Service has 860,625 employees. Of these, the Postal Service bargains over the wages and benefits of 760,899, represented by four unions. If there's an impasse, the law mandates binding arbitration. The consequence? Of the 32 cents you pay for a first-class stamp, 26 cents is paid to postal employees. The rest goes for post offices, vehicles, automated equipment, etc.

In arbitration, one person with no responsibility for the consequences decides how much should be paid to clerks, carriers and others, as well as their health benefits and their grievance rights. In effect, the arbitrator determines how much you pay for stamps.

Another labor issue turns on that phrase in the statute that speaks of compensation for postal employees "comparable to . . . compensation paid in the private sector." This was clearly intended to refer to compensation for similar work. Yet the postmaster general in 1971, pressed by mailers who feared an unlawful strike, agreed to interpret the phrase to mean comparable to wages in other highly unionized industries unrelated to the sorting and delivery of mail. That interpretation, plus concessions on COLAs, layoffs and part-timers, laid a foundation for subsequent arbitrators' awards resulting in today's average pay for clerks and carriers of more than $45,000 a year including fringe benefits. Most private-sector employees doing similar work make far less.

Grievance procedures are further barriers to efficiency. Any union employee dissatisfied with his wages, hours or other aspects of his job, may initiate a complex 14-step procedure. The GAO reported that in 1993, 51,827 such grievances were appealed beyond local management-union levels. By 1995 that number was up to 73,300.

LEGISLATIVE CONTROLS

The law requires a complex and lengthy procedure before the Postal Service can close a small, inefficient post office. William J. Henderson, the Postal Service's chief operating officer, estimates that 26,000 small post offices cost more than $4 for every dollar they take in, and asserts that other ways are available to provide better service. We certainly do not suggest that all these 26,000 post offices should be closed, but in clear cases, postal managers should be able to move decisively.

There is also congressional resistance when postal management undertakes money-making activities. This is especially true with respect to competitive activities and experimental rates. Postal Rate Commission approval, even for experimental rates, can take months. Most business mailers support the concept of a postal service with more freedom to set rates and introduce new products and services. Some believe it should be allowed to make a profit, to negotiate prices, to innovate and to reward customers who prepare the mail efficiently.

Congress has also disregarded its own mandate for an efficient, self-supporting postal service by using it as a "cash cow," milking it over the years for $8.3 billion for deficit reduction a disguised tax on postal customers.

Why can't these obstacles be removed by legislative action? Some could if there were a consensus among the mailers' groups and labor—and in Congress. But experience has shown, as Sen. Ted Stevens, chairman of the Postal Affairs Committee acknowledged, that these groups are too diverse to develop such a consensus.

And even if a partial legislative solution were possible, it would be only patchwork. It wouldn't speak to the future of the Postal Service and its ability to master change. Only a nonpartisan, blue-ribbon commission, free of administrative and other constraints, is capable of doing all that now needs to be done.

There is precedent for just such a commission. In 1967, in the wake of a massive mail stoppage in Chicago, President Lyndon B. Johnson appointed a Commission on Postal Organization (headed by Frederick R. Kappel, then board chairman of AT&T) to look at the post office. In June of 1968, the commission announced its finding that "the procedures for administering the ordinary executive departments of Government are inappropriate for the Post Office."

The Kappel Commission recommended that the Postal Service be turned into a self-supporting government corporation; that patronage control of all top jobs, all postmaster appointments and thousands of other positions, be eliminated; that postal rates be set independently of Congress; and that the postmaster general be named by a presidentially appointed board of governors, which would also become the Postal Service's policy-making arm.

The commission's proposal formed the basis of the Postal Reorganization Act of 1970. Despite flaws, that act saved the Postal Service from disaster—at least for a while.

Now the time has come for another commission. To be credible, it should be made up primarily of leaders of business, finance and labor with no special connection to postal matters. Among the basic questions it needs to consider:

Should universal service, whether or not at uniform prices, be required by law?

Should any part or all of the Postal Service be spun off to the private sector?

Should the postal monopoly on letters (and some advertising mail) be rescinded or modified?

What is to be done about binding arbitration, postal unions' right to strike, the comparable pay provision, work rules and grievance procedures?

How do we speed up and simplify the rate-making process?

Should private deliverers have access to residential mailboxes? (At present they do not.)

Should nonprofit organizations, ranging from local charities to the AARP, continue to pay less than other postal customers?

Should the Postal Service be permitted to bid against private companies for major contracts? (It was precluded from bidding for the governmentwide contract for expedited delivery that was awarded to FedEx.)

Is a part-time board of governors still an appropriate body to direct the Postal Service?

These and other matters the commission will deal with are controversial and do not lend themselves to quick legislative solutions or patchwork solutions. The sooner a first-rate nonpartisan commission gets to work on them the better. Time is running out on the U.S. Postal Service.

MISS WENDY GUEY

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. SHAW. Mr. Speaker, I rise today to recognize an extraordinary seventh grader who

has achieved an amazing goal. Miss Wendy Guey, of Palm Beach Gardens, has captured the eye of America and the championship title of the 69th Annual National Spelling Bee.

It is wonderful to see how pure determination is still alive in our society. Wendy has been striving toward winning the national spelling bee for many years; however, the time was not right. Instead of being discouraged, Wendy persevered to finally reach the championship level. The only obstacle between Wendy and her lifelong goal was the word "vivisepulture." No matter how difficult the words were, Wendy held tough and her hard work finally paid off on Thursday, May 30, 1996.

Mr. Speaker, I wish to say how proud I am of Wendy for this special accomplishment in her young life. Wendy is a gifted role model for youngsters as one who never gives up, and, in the end, is successful.

Wendy has been aided by many individuals along the way. I would like to thank Wendy's parents, Ching and Susan Guey for their constant love and support. Also, I commend the educators and staff at the School of the Arts for the encouragement they gave Wendy throughout this journey. Wendy Guey is an extraordinary gifted young lady, and her success is exemplified through her work ethic. Without her focus and determination, the title of 1996 Spelling Bee Champion might still be a dream for Wendy Guey.

TRIBUTE TO THE WALDWICK, NJ, PUBLIC LIBRARY

HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mrs. ROUKEMA. Mr. Speaker, I rise to congratulate the Waldwick, NJ, Public Library on its 40th anniversary.

The library has been a centerpiece of the Waldwick community for four decades, serving not only as a repository of books but as a meeting center and sponsor of a variety of civic and cultural activities. The anniversary is being marked with a week-long celebration including a picnic, baking contest, children's activities and a musical performance.

The celebration of the library's anniversary and, indeed, the history of how the library came to be are evidence of why Waldwick is one of Bergen County's premier communities. Waldwick is a community where residents take pride, neighbors help one another and citizens work together for the betterment of the borough. There are few better places to live and raise a family.

Following in the tradition of this long-held community spirit, the Men's Club of Waldwick opened the borough's first public library in a basement room of the Waldwick Grammar School in 1941. Showing ingenuity and resourcefulness, members of the club built shelves from lumber salvaged form the old Franklin Turnpike school and filled them with donated books.

A decade later, the men's club and the Waldwick Women's Club joined with the parent teachers association, veterans' groups and other residents in a community-wide effort to raise funds to build the current library. Fundraising activities included 200 volunteers canvassing the town to sell bricks, and three town residents who won $875 by appearing on a television quiz show. The $19,000 building, constructed in part from sandstone blocks salvaged from the old Bamper Hotel (perhaps "waste not, want not" should be the library motto), was dedicated June 24, 1956. Henry Spies was the first present of the board and Grace Sutherland the first librarian.

The first addition to the library, made possible by funds raised by the Women's Club and Lion's Club, was dedicated in 1965 and put into service as the children's room. Further additions were made in 1972 and 1980, providing space for the library's growing collection and a multi-purpose room used for storage, meetings and library programs. The Friends of the Library was organized in 1971 to finish the new wing.

Today the library is completely computerized and houses a collection of more than 40,000 books, videotapes and audio recordings, with an annual circulation of more than 85,000. The Friends sponsor a model railroad exhibit each year at Thanksgiving and other cultural activities.

Whether it be a tiny small-town library, or the all-encompassing Library of Congress, libraries are among the most important public facilities our communities offer. They are a center for continual learning for everyone from children just learning their verbs and nouns to retirees who finally have the time to read the volumes they didn't get to in earlier years. As Thomas Carlyle said, "The true university * * * is a collection of books." The citizens of Waldwick owe much to the founders and supporters of the Waldwick Public Library.

H.R. 3540, THE FOREIGN OPERATIONS APPROPRIATIONS BILL

HON. NEIL ABERCROMBIE

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. ABERCROMBIE. Mr. Speaker, last night, I voted against Mr. BURTON's amendment that reduced the development assistance available to the Government of India. Previously, I have supported amendments linking foreign aid to India's human rights record. In fact, I have consistently supported human rights in the Punjab and Kashimir states. However, this amendment provides no such connection. I am concerned about the human rights violations occurring in India. And, yes violations are still occurring, but the amendment is not the best way to address the current situation in India. This amendment would damage the progress in addressing human rights violations in India, its growing economy, and United States relations with India. I admire Mr. BURTON's intent, but I could not support the amendment.

SUNSHINE FOUNDATION CELEBRATES 20 YEARS OF SERVICE AND 21,000 DREAMS

HON. DAVE WELDON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. WELDON of Florida. Mr. Speaker, in 1976, Bill Sample had a dream. Today, that dream is marking its 20th anniversary and 21,000 special children have had their own dreams come true because of him.

Twenty years ago this November, Sample, then a Philadelphia police officer, was assigned to protective duty at a children's hospital. Among the patients were a large number of chronically and terminally ill children suffering from such afflictions as cancer, cystic fibrosis and kidney disease.

Sample came to know many of the children as well as their families who had been drained financially and emotionally. Sample reasoned that the couldn't do anything to make the children physically better, but, just maybe, he could make some of their dreams come true.

From this idea was born the Sunshine Foundation, the first such "dream makers" organization. Today, the expanding organization, made up almost entirely of volunteers, has its home base at the Sunshine Foundation's Dream Village in Loughman, Florida, minutes from Orlando. Sunshine Foundation has 29 chapters from coast to coast.

In 1990 the first Dream Village opened on a 21-acre site just minutes from Disney World. The Dream Village is a unique facility, specially designed for Sunshine's children. It includes a spacious community room (complete with game room, fireplace and other amenities), a fully handicapped-accessible playground and swimming pool, an orange grove and seven individually designed family cottages.

In all of the seven cottage, each of the children's bedrooms has been decorated with an animated "fantasy theme" which adds to the magic of the experience.

The Sunshine Foundation has brought a ray of sunshine to children afflicted with a variety of conditions including cancer, cystic fibrosis, leukemia, AIDS, muscular dystrophy, cerebral palsy and heart defects. The foundation recently decided to include children who have been physically and/or sexually abused.

When the Sunshine Foundation provides children with their dream to visit central Florida attractions, they are accompanied by their immediate family. The children and their families are housed at the Dream Village with all expenses paid for by the foundation.

Dreams are limited only by the children's imaginations. These have included meeting celebrities, special vacations, gifts of computers, as well as attending such events as the Super Bowl and World Series.

In order to accommodate larger numbers of less seriously ill children, the Sunshine Foundation established "Dreamlifts." To date, 47 Dreamlifts on 59 chartered planes have taken more than 8,000 children from special schools, hospitals and institutions all over the country to Disney World or Disneyland. Sunshine provides transportation, admission, meals and souvenirs.

In 1981, the Sunshine Foundation added one more ingredient to its "dream" program. Children with Hutchinson-Gilford Syndrome, better known as Progeria, and their families were flown to the United States from all over the world for a reunion. Progeria is an extremely rare affliction characterized by premature aging.

This assembly enables the children to interact with their peers and reduces their sense of isolation while allowing parents and siblings an opportunity to share experiences and mutual concerns. To date, Sunshine has sponsored 14 annual reunions and has another one scheduled for this month.

On its 20th anniversary, the Sunshine Foundation has a record to be proud of: answering the dreams and wishes of more than 21,000 chronically and terminally ill children from all 50 States and many foreign countries.

Mr. Sample's dream of helping terminally and chronically ill children to realize their dreams has become a reality through the good work of the Sunshine Foundation. I commend the Sunshine Foundation of 20 years of unselfish giving.

TRIBUTE TO MARY ANN ROBERTS

HON. MAC COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. COLLINS of Georgia. Mr. Speaker, I rise today to salute my constituent, Mary Ann Roberts of Jonesboro. Mary Ann, who is the owner and operator of Roberts Little Ones Day Care Center in Jonesboro, has been selected the 1996 Small Business Person of the Year for the State of Georgia by the U.S. Small Business Administration.

Her selection as the Georgia Small Business Person of the Year is well deserved. She is a testament to the can-do, entrepreneurial spirit of America where everyone has the opportunity to turn their dreams into reality.

In 1974, Mary Ann and her husband, Jack, borrowed $25,000 on their home to make a downpayment on a small day care center in Forest Park, GA. At that time, there were 57 children and 5 teachers. Over the years, Mary Ann and Jack expanded their business venture to where today the Roberts have 5 day care facilities with over 175 employees.

And her experience and expertise in owning and operating day care facilities have opened new business ventures for her. As a consultant, Mary Ann has helped 14 clients obtain over $10 million in SBA-backed loans to establish day care centers that employ over 525 full-time workers.

The success of Mary Ann Roberts Little Ones Day Care Centers stand as an outstanding example of what can be achieved through hard work, determination, dedication, and commitment.

I join with the people of the Third Congressional District and the State of Georgia in congratulating Mary Ann as she is honored as the 1996 Georgia Small Business Person of the Year in national ceremonies this week in Washington. I wish her every success in the years to come.

INTRODUCTION OF CAMPAIGN SPENDING LIMIT LEGISLATION

HON. EARL POMEROY

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. POMEROY. Mr. Speaker, I rise today to introduce legislation which would bring a much needed reform to our current campaign finance system. Spending on campaigns has spiraled out of control in recent years. It has become common for candidates running for Congress to spend millions of dollars to win an election. In the 1976 election cycle, $115.5 million was spent. In the 1990 election cycle, $445 million was spent—that's an increase of 360 percent. In 1994, the average House race cost more than $516,000. You will find few who don't believe that something must be done about this.

My bill offers a solution. It would limit spending to $600,000 per House race. This legislation will become effective once spending limits are deemed constitutional. This could happen once a constitutional amendment is passed or the Supreme Court reinterprets Buckley versus Valeo. In conjunction with this bill, I will cosponsor a House joint resolution to amend the Constitution to allow spending limits.

In some districts this new limit may not make much difference, but in others it will drastically limit the ability of wealthy individuals to "buy" their seat while putting an end to the money chase. This is a desperately needed step in overhauling our current campaign finance system and helping restore the faith of the American people in their elected officials.

Mr. Speaker, on several occasions I have joined my colleagues in their calls for comprehensive legislation to rework our present campaign financing system. I will continue to work hard to see that we adopt meaningful reform measures during this session. My bill is a step in that direction. I urge my colleagues to support my bill and by doing so send a strong message showing they support reform of the flawed system under which we currently operate.

H.R. —

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. LIMITATION ON EXPENDITURES IN HOUSE OF REPRESENTATIVES ELECTIONS.

Section 315 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a) is amended by adding at the end the following new subsection:

"(i) A candidate for the office of Representative in, or Delegate or Resident Commissioner to, the Congress may not make expenditures with respect to an election for such office, which, in the aggregate, exceed $300,000.".

SEC. 2. EFFECTIVE DATE.

The amendment made by section 1 shall apply with respect to elections occurring after 1996.

COMMENCEMENT ADDRESS BY SECRETARY OF DEFENSE PERRY

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. GILMAN. Mr. Speaker, last weekend I had the privilege of again attending the commencement exercises at the U.S. Military Academy at West Point, just outside of my own congressional district.

The commencement address this year, delivered by our Secretary of Defense, the Honorable William Perry, was an especially eloquent review of the grand traditions which have made our Military Academy the envy of the world.

Mr. Speaker, I would like to share the Secretary's cognizant and extremely relevant remarks with our colleagues by inserting them into the CONGRESSIONAL RECORD at this point:

COMMENCEMENT REMARKS BY SECRETARY OF DEFENSE WILLIAM PERRY, U.S. MILITARY ACADEMY, WEST POINT

In 1915, a young cadet known for his pranks and football prowess was graduated from West Point. He was ranked 61st in his class and was hoping for a respectable career as an Army officer, perhaps even reaching the lofty rank of colonel. This cadet never imagined that he would rise to the rank of General of the Army, lead the largest combined military force in history, become Supreme Allied Commander in Europe, and eventually become the President of the United States.

That West Point graduate was, of course, Dwight Eisenhower. He was one of America's greatest soldiers, but he was equally famous as a statesman and a leader. You cadets may have some difficulty relating to Eisenhower as a role model. It is not likely that any of you will become President, and I hope that none of you will have to lead our military in a world war. But as you enter the Army today, you can expect a military career more diverse and more challenging than Cadet Eisenhower could ever have imagined in 1915.

I will illustrate my point by describing the careers of a handful of cadets who were graduated from West Point during the Vietnam War, and who are now leaders in the US Army. They were graduated one generation ahead of you. They believe in and lived out the West Point motto: DUTY (all of them saw combat in Vietnam)—HONOR (all of them proved their bravery in Vietnam)—COUNTRY (all of them worked to rebuild the morale and capability of the Army after Vietnam). Their hard work and dedication was vindicated in the Army's stunning victory in Desert Storm, and today they are creating a new security structure for our Nation in the wake of the Cold War.

Like Eisenhower, they are building coalitions with nations all over the globe. Like Eisenhower, they serve as role models for other military leaders. And like Eisenhower, they are first of all, warriors and leaders. But they have been required to be more—they are also warrior-statesmen, warrior-technologists and warrior-managers. And so will you be.

Before you toss your hats in the air and depart, let me tell you about some of those cadets who tossed their hats in the air 30 years ago. You will be required to deal with many of the same challenges they dealt with, and you could find no better role models.

Whatever else is required of you in your Army career, you will first of all need to be

a warrior. And you could find no better role model than Barry McCaffrey. Barry became one of America's greatest warriors. He led forces into combat in Vietnam, where he was grievously wounded. In Desert Storm, General McCaffrey's 24th Infantry Division led the famous left hook that caught the Iraqi army by surprise, and led America to one of its most convincing battlefield victories ever. He then went to SOUTHCOM at a crucial time and seized the opportunities presented by the ascendancy of democracy in our hemisphere. General McCaffery's attributes as a warrior—guts, brains, and tenacity—are key to success on today's battlefield. Now he is putting those same skills to work as a civilian, leading America's war against drugs.

Besides being warriors, many of you will be called on to be statesmen in the same mold as Eisenhower, Marshall and MacArthur. You could find no better role model of a warrior-statesman than Wes Clark. Wes left West Point in 1966 a Rhodes Scholar. He became a great warrior—but he has also become a great statesman. General Clark was commanding an Army division when we brought him to the Pentagon to help bring an end to the tragedy in Bosnia. He was part of the diplomatic team that was driving into Sarajevo last August on the Mt. Igman road when an armored vehicle carrying five of his colleagues slid off the treacherous road and fell into a deep ravine. Wes left his vehicle, ran down the ravine and pulled two survivors from the APC before it exploded. He then pulled himself together and went on to Sarajevo to conduct what proved to be a critical negotiation with President Izetbegovic. It was the warrior skills that Wes brought to the diplomatic field that contributed to the cease fire between the warring parties, and finally to a peace agreement which was militarily enforceable. Because of the skills of this warrior-statesman, the killing in Bosnia has stopped and the threat of a wider war in Europe has been dramatically reduced. This past week, Wes Clark was nominated by President Clinton to take over the command of SOUTHCOM just relinquished by Barry McCaffrey.

During the Cold War, the U.S. had technological superiority, which allowed us to maintain deterrence with smaller forces than the Soviet Union. But during Desert Storm, we had technological dominance, which allowed us to achieve a stunning victory, quickly and with minimal casualties. Now that we have experienced dominance we like it. And we plan to keep it. Some of you will be warrior-technologists responsible for sustaining that dominance. You may even end up reporting to Paul Kern, West Point '67, who is currently my senior military assistant. Paul is what I mean when I talk about a warrior-technologist. He was an engineering instructor at West Point. And he was decorated for combat both in Vietnam and Desert Storm. US News and World Report called him the only "ace" of Desert Storm. His tanks destroyed more than a dozen Iraqi aircraft that were trying to take off from Jalibah Airfield to escape the lightning thrust of the 24th Division's advance. This month, General Kern will assume the role of warrior-technologist when he takes command of the 4th Infantry Division at Fort Hood. Under his leadership, the 4th ID will become the test-bed for the Army's Force XXI—the battlefield of the future. The technologies he will test promise to revolutionize how we fight on the ground and ensure that we remain the world's dominant land force well into the next century.

Today's Army, while smaller than in the recent past, is still a corporate giant, so some of you will have to be warrior-managers during your career. The regular Army, National Guard and Army Reserves represent a giant personnel and resource management challenge far greater than that faced by any of our major industrial corporations. Investing wisely in people, equipment and training, and balancing scarce resources requires decisions that will affect the capabilities of the Army for decades to come. When you leave here today, you will be officers in an Army guided by a warrior, Denny Reimer, West Point class of 1962, who is also a superb manager. In 1990 Denny was the Deputy Chief of Staff busily planning the post-Cold War drawdown of the Army, when suddenly Saddam Hussein invaded Kuwait. In the face of this drawdown, Denny managed to provide the necessary forces for Operation Desert Storm, while still maintaining the quality and readiness of the U.S. Army.

Because of the success of these efforts, the U.S. Army is rightly recognized as the world's best Army. In fact, armies all over the globe use the U.S. army as a model. So today, when you become an officer in the U.S. Army, whether you want to be or not, you will become a role model. A classic example of this is Dan Christman, Class of '65, another warrior, who returns to West Point this summer as the new Superintendent. Just as General Graves has been a role model for every cadet that passed through these gates the past five years, so too will General Christman. Dan Christman is used to being a role model because for four years he has served as a role model for soldiers of the new democracies of the old Soviet bloc. As Military Representative to NATO and on the Joint Staff, General Christman has been a key architect of our efforts to help show the militaries of these nations how to operate in a democracy. He helped to create NATO's Partnership for Peace program, in which old enemies that used to train to fight against each other in war, now train together in peace. On Monday, I will be at the L'viv training range in Ukraine, along with the Russian, Ukrainian and Polish defense ministers, participating in a Partnership peacekeeping exercise. A primary benefit of these exercises is that officers trained under the old Soviet system are exposed to American officers and NCOs, and see first hand how a first class military operates in a democracy.

These multinational training exercises are excellent training, because anytime you go into combat, you are likely to be part of a coalition operation, and you will have to build strong bonds with your foreign counterparts. George Joulwan, Class of '61, has become an expert at building strong bonds. It was General Joulwan as SACEUR, the Supreme Allied Commander of Europe, who put together IFOR—the multinational coalition that is helping bring peace in Bosnia. He had to forge an alliance of 16 NATO nations plus 18 others, including nations from the former Warsaw Pact, and even Russia. I can only imagine what General Eisenhower, the first SACEUR, would think if he saw a Russian general sitting with General Joulwan at NATO headquarters reviewing their operational plan for deployment in Bosnia. I traveled all over the world—Moscow, Geneva, Brussels, even Kansas—to negotiate the Russian participation in IFOR with my Russian counterpart, Pavel Grachev. But it would never have happened if George Joulwan and General Shevtsov had not been able to sit down and hammer out a practical military agreement, warrior to warrior. General Joulwan's ability to put together this historic coalition will not only give peace a chance to endure in Bosnia, it will cast a long shadow over the security in Europe for years to come.

I have talked today about the diverse tasks being performed every day by officers in the U.S. Army. But whatever you are called on to do, you will be expected to be a leader—a leader of the world's best soldiers. Leading the American force in Bosnia is General Bill Nash, West Point Class of 1968. As commander of the 1st Armored Division, General Nash will tell you that peacekeeping is a mission that every Army officer must be prepared for. For decades, the 1st Armored Division was trained and ready to fend off a Soviet assault through the Fulda Gap. But in the summer of '95, when a peacekeeping mission in Bosnia seemed imminent, General Nash started up the first large-scale peacekeeping training program in our Army's history. He set up a training range in Germany which simulated all of the hazards our troops would face in Bosnia: contending armies, paramilitary forces, bad roads, mines, black marketers, and even CNN reporters. Every unit slated to go to Bosnia was sent to train at that range. The results were stunning. When D-Day arrived, 20,000 troops, their weapons and supplies were moved into Bosnia. They were confronted with terrible winter weather, they faced the possibility of armed resistance and the reality of three million uncharted land mines. They made this move in record time and with no casualties, and they inspired respect everywhere they went.

Ten days after General Nash started moving into Bosnia, I went to Bosnia to visit our troops. General Shalikashvili, General Joulwan, General Nash and I all went from Croatia into Bosnia by walking across the pontoon bridge the Army's combat engineers had just built over the Sava River. Responsible for its construction was General Pat O'Neal, who's here today to see his son, Scott, graduate. Building that bridge turned out to be a problem of epic proportions. General O'Neal's team ended up having to build the longest pontoon bridge in history, because Bosnia was experiencing the worst winter and the worst flooding of the century. As we neared the middle of the bridge, we met some of the combat engineers who had built it. They were dirty, cold, and exhausted—but very proud. One of them, a sergeant first class, came forward and told us that his enlistment was up, and that he wanted to reenlist. So, we swore him in for another 4 years in the U.S. Army, right there in the middle of the Sava River bridge. After all he had been through—bitter cold, soaking rains, snow, flooding of biblical proportions, the danger of land mines—this NCO still wanted to reenlist. That is an example of "true grit." That is the sort of soldier you will soon lead.

Well, I have told you today about some of the Army's leaders who were cadets here just one generation ago. They are leaving you one hell of a legacy. I have also told you something about the talent and dedication of our NCO corps. You can be proud to lead them, and you should follow General Reimer's guidance about these great NCO's—that is, you should "give a damn." I think you can sense how proud I am of the leaders and the NCO's in our Army today. I hope you share my pride because you are about to become officers in the best damned Army in the world. And your country is counting on you to sustain its quality and morale.

All of you have challenging careers to look forward to. But, as you face the challenges of being a warrior, a statesman, a technological innovator, a manager, a coalition builder and a leader, you must never forget that you are more than an Army officer, more than the sum of your service. You are also private citizens, members of a community, a family, an extension of your friends and loved ones. Maintain perspective, strike a balance in your life, be considerate of others, reserve a share of your heart for those you care about and who care about you. They say a soldier fights on his stomach—but a soldier also fights with his heart. The hopes and prayers of your families, of all Americans, and of freedom-loving people everywhere march with you.

In the stairway outside my office at the Pentagon hangs a favorite painting of mine. In the painting a young serviceman is praying with his family just prior to his departure on a foreign deployment. Under the painting is the passage from Isaiah in which the Lord asks, "Whom shall I send? And who will go for us?" And Isaiah responds, "Here am I. Send me."

At this critical point in our history, your Nation has asked, "Whom shall I send? Who will go for us?" And today you have answered, "Here am I. Send me."

Your Nation is grateful. Your families are thankful. And I could not be prouder.

THE BURTON AMENDMENT TO H.R. 3540

HON. MICHAEL F. DOYLE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. DOYLE. Mr. Speaker, last night here on the House floor we witnessed an extraordinary sight. The pending business was the amendment of the gentleman from Indiana [Mr. BURTON], which would have singled out India for special criticism.

What was extraordinary was that there was literally a line of Members—on both sides of the aisle—waiting to speak against the amendment. Not only was the overwhelming majority opposed to the Burton amendment, but the depth of their feeling was so strong that they felt the need to speak out publicly.

I was one of those who came to the floor last night expecting to speak. However, in the interests of maintaining the schedule, I deferred until now.

Let's look at what is happening in India. We recently had free and fair elections, which has led to the peaceful transfer of power. We have seen steady progress by India in improving its human rights record. We have seen steady progress in the opening up of Indian markets to American products. Now that there is a new government in India, we should ask ourselves what sort of message should we send to them about recent events there.

How did the Burton amendment propose to respond to this progress? By singling out aid to India for special treatment and doing so in a way that would reverse the trend that has got us to where we are today. This is a nation with a population of over a billion people—a nation forced to deal with a multitude of ethnic groups and miles of disputed borders. Despite all these hurdles, India has maintained its democratic tradition, and has continued the difficult challenge of implementing broad economic reforms.

Mr. Speaker, I am pleased that the House has acted so decisively in expressing support for the continued evolution of Indian society.

A SERIOUS CASE OF DISCRIMINATION AGAINST ETHNIC ALBANIANS

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. LANTOS. Mr. Speaker, I rise today to call the attention of my colleagues to the serious case of ethnic discrimination and violation of human rights involving the effort to establish the University of Tetova in the Former Yugoslav Republic of Macedonia.

Almost 2 years ago Professor Dr. Fadil Sulejmani filed formal documents with government officials in order to establish the University of Tetova in the city of Tetova in western Macedonia. Albanian intellectuals sought permission to establish the University because ethnic Albanians in the Former Yugoslav Republic of Macedonia face severe limitations in their efforts to receive a higher education. Ethnic Albanians comprise as much as 40 percent of the population of the country. The 1991 Yugoslav census reported that ethnic Albanians made up 20 percent of the population of the Republic of Macedonia, but Albanians and other specialists, including the United States Helsinki Commission, suggest that the proportion is considerably higher.

Only two universities exist currently in the Former Yugoslav Republic of Macedonia—the Universities of Skopje and Bitola—and only 2 percent of Albanian young people are admitted to study at these two institutions. Furthermore, Mr. Speaker, in the past Albanian young people had the opportunity to study at universities elsewhere in the former Yugoslavia—Prishtina, Zagreb, Ljubljana, and other universities. With the collapse of the former Yugoslavia, these opportunities are no longer available to ethnic Albanians from Macedonia. Clearly, finding additional opportunities for higher education for ethnic Albanian students is vitally important, and the establishment of the University of Tetova was intended to fill this important gap.

What was the response when Professor Sulejmani attempted to establish a university for ethnic Albanians? The government of the former Yugoslav Republic of Macedonia failed to respond to the filing of formal documents for the establishment of the university. Government officials refused to discuss the issue with Professor Sulejmani—despite repeated requests for dialogue. Because the government refused to consider the establishment of a university or even to discuss the matter with Albanian academic leaders, the university opened on December 14, 1994. The government responded by sending several hundred police officers, bulldozing one university building, jailing the faculty for 24 hours, and conducting a campaign of harassment and intimidation against the students.

Mr. Speaker, just a few months later in February 1995, a delegation of Americans, including former Congressman Joseph DioGuardi of New York and Ms. Shirley Cloyes, visited the University of Tetova. They were joined by Mihajlo Mihajlov, a prominent anti-Communist dissident in the former Yugoslavia and now living in the United States. Just hours after the American delegation departed from Tetova, Albanian police authorities arrived at the buildings where the university was seeking to function. In the violence which they provoked, one individual was killed and twenty-eight others were wounded. Some twenty-five leading professors and students were arrested and imprisoned. Those who were imprisoned in this unnecessary show of force were subsequently released, but their travel documents were seized by police, and authorities refused permission to the Albanian academic leaders to travel and the professors and students remain subject to intimidation.

Mr. Speaker, the action of the government in these cases is a cause of serious concern to me. The ethnic Albanian population of the Former Yugoslav Republic of Macedonia needs to have access to higher education, and Albanian academicians have sought to follow proper procedures in creating educational opportunities through establishing the University of Tetova. The government is using force and intimidation in an effort to repress the ethnic Albanian population of that country.

Mr. Speaker, I can speak with some authority about the intransigence of the government officials on this issue. Three months ago, I invited Dr. Sulejmani, the Rector, and Professor Melaim Fejziu, the Vice Rector, of the University of Tetova to meet the Members of Congress to discuss this issue in Washington. Since the passports of both of these individuals were confiscated by government authorities, I also wrote to Macedonian President Kiro Gligorov requesting that the travel documents of these two Albanian academicians be returned to them so they could travel to the United States for meetings with me and other Members of Congress.

Mr. Speaker, 3 weeks after my invitation was received, I had a response from Dr. Sulejmani and Professor Fejziu expressing their interest in meeting with me and my colleagues in the Congress here in Washington. They expressed regret, however, that their passports had not been returned and said that they have been given no information about when they might be returned.

I have not even had the courtesy of a response from the President of the Former Yugoslav Republic of Macedonia. I know he has been recovering from an accident, but his staff presumably still functions, the Foreign Ministry presumably is still in operation. I am appalled and outraged that the government has failed to respond to my request and has even failed to give me the courtesy of a reply.

Mr. Speaker, the United States is firmly and unequivocally committed to human rights, to the full exercise of civil rights by all peoples, and we are equally committed to opposing discrimination on the basis of ethnic, religious, racial or other grounds. I sincerely urge the government of the Former Yugoslav Republic of Macedonia to moderate its policies and permit the University of Tetova to go forward. I commend the outstanding effort by Dr. Sulejmani

and his colleagues, and I invite my colleagues to join in applauding this endeavor.

CONGRATULATIONS TO LT. GEN. ARTHUR E. WILLIAMS

HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. FAZIO of California, Mr. Speaker. I rise today to pay tribute to Lt. Gen. Arthur E. Williams.

Since August 1992, Lieutenant General Williams has served his country as chief of engineers and commander of the U.S. Army Corps of Engineers. His distinguished career in the U.S. Army spans a period of 34 years, including service as corps commander at the Sacramento District. I regret to see Lieutenant General Williams leaving his role at the Army Corps of Engineers, however, I congratulate him on a well-earned retirement.

I am fortunate to know Lieutenant General Williams both as a leader of the corps and as a friend. Among his many accomplishments with the corps, Lieutenant General Williams has made noteworthy contributions to the critical mission of flood control. His tireless efforts have served to protect thousands of Americans from life threatening natural disasters.

Lieutenant General Williams will long be remembered for his leadership, dedication, cooperation, and knowledge. He has truly been a superb commander. I wish him well in all future endeavors. I also wish his successor the best of luck—they will have a tough act to follow.

REMEMBERING OUR VETERANS

HON. BILL EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. EMERSON. Mr. Speaker, I am delighted today to take the floor of this great body in commemoration of the 50th anniversary of VFW Post 5896 in Farmington, MO. Few things give me greater pleasure than to offer my thanks and appreciation to those who have placed their lives on the line for this Nation, and I am very proud of my constituents who have served so bravely.

Every veteran is a source of strength and pride for our country. The courageous men and women who fought our Nation's battles secured the principles upon which this great Nation was built. Millions of people around the world enjoy the blessings of freedom, peace, and representative government because of our veterans who were willing to risk their lives for them.

Mr. Speaker, VFW Post 5896 has, for the last 50 years, been an organization that inspires and strengthens the people of southeastern Missouri. The members of that organization have not only been great warriors, they have been great citizens. They have shown us that not only are the principles of democracy and freedom worth fighting for, they are worth living out. Each and every day—in our local communities, churches, families—these veterans are the pillars and foundation of our society. America is deeply indebted to them—not only for the wars that they have fought, but for the lives that they have lived. They continue to teach us, each and every day, what it means to be an American.

Mr. Speaker, it is with much pride and a grateful heart that I say "Happy 50th Birthday" to VFW Post 5896. They are surely Missouri's—and America's—finest.

HONORING CARRINGTON WILLIAMS

HON. THOMAS M. DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. DAVIS. Mr. Speaker, it gives me great pleasure to rise today and pay tribute to Mr. Carrington Williams, who is and continues to be an outstanding member of the northern Virginia community. A founding member of the Washington Airports Task Force, Mr. Williams is retiring from this group after serving for many successful years as chairman of the board, a position he has held since 1982. He is also a former member of the Metropolitan Washington Airports Authority's board of directors and served as chairman of its Planning Committee from 1987 to 1994. Mr. Williams' strong leadership has helped shape the National Capital region's development, especially through improved air transportation and increased access to world markets.

Mr. Williams received his undergraduate degree from Johns Hopkins University and earned his law degree at the University of Virginia. He is a former partner and current Of Counsel at the law firm of McGuire, Woods, Battle & Boothe, where he specializes as a tax attorney. During his career, Mr. Williams has held numerous public offices, particularly in the field of transportation. He is currently a member of the Environmental and Transportation Committee of the Greater Washington Board of Trade and is general counsel for the International Trade Association of Northern Virginia. Mr. Williams has also served Fairfax County as a five-term member of the Virginia House of Delegates and as a trustee of the George Mason University Foundation. presently, he is a fellow of the American College of Tax Counsel and a trustee of the Virginia Conference on Federal Taxation.

I have had the pleasure of knowing Mr. Williams for over two decades, and am proud of the integrity and expertise he has displayed in his professional career and his public service. Throughout his life, he has received many well-deserved awards and honors for his service and contributions to northern Virginia. In 1991, he was the recipient of the George Mason medal, which was awarded by the board of visitors at George Mason University. Mr. Williams was also the Fairfax County Chamber of Commerce's 1994 turkey roast honoree for his service and commitment to northern Virginia.

Mr. Speaker, I know my colleagues will join me in applauding Mr. Williams' significant and enduring role in shaping both our local community and the Commonwealth of Virginia over the past 30 years.

CAPT. JOHN MICHAEL CRYE TO RETIRE FROM COAST GUARD

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. COBLE. Mr. Speaker, I would like to take this opportunity to recognize an outstanding individual, Capt. John Michael Crye, who is due to retire later this year. Captain Crye has served our country for more than 20 years, most recently as Deputy Chief, Coast Guard Congressional and Governmental Affairs. He also served as Coast Guard Legislative Counsel in the Coast Guard Congressional and Governmental Affairs Office. It is a privilege for me to recognize his many outstanding achievements and commend him for his superb service to this legislative body and our great Nation as a whole.

A native of Knoxville, TN, Captain Crye received his commission from the U.S. Coast Guard Academy in New London, CT. He was commissioned as an ensign in May 1972, first assigned as a deck watch officer aboard the Cutter *Morgenthau.*

Following this tour, Captain Crye was assigned to the Greater Antilles Section in San Juan, PR, as an operations center and search and rescue coordinator. He participated in several heroic search and rescue cases and law enforcement seizures.

Completing a successful tour at Greater Antilles Section, PR, Captain Crye returned to his alma mater, the U.S. Coast Guard Academy, as the non-appropriated funds activities officer. His outstanding performance at the Coast Guard Academy led to his selection to the University of Miami School of Law.

Upon completing law school, Captain Crye was assigned to numerous legal staff positions throughout the Coast Guard. His most notable legal staff assignment was to the Coast Guard Maintenance and Logistics Command Atlantic, where he defended and prosecuted some of the most detailed and controversial Coast Guard Courts-Martial Cases in Coast Guard history.

Due to his continued outstanding performance, Captain Crye was handpicked for an assignment to the Coast Guard Congressional and Governmental Affairs Office. During his tour as legislative counsel, Captain Crye worked very closely with congressional staffs in drafting important maritime and safety legislation such as the Oil Pollution Act of 1990 and the passenger vessel *Safety Act.* As a result of his efforts, he was nominated for the "Justice Tom C. Clark Outstanding Lawyer Award."

Captain Crye was later promoted to his current position as Deputy Chief of the Coast Guard Congressional and Governmental Affairs Office. In this position, Captain Crye has provided the members of the House Transportation and Infrastructure Committee, our personal staffs as well as many of you standing here today, with superior support regarding Coast Guard plans and programs. His valuable contributions have enabled Congress and

the Department of Transportation to work closely together to ensure the Coast Guard remains "Semper paratus"—always ready.

Mr. Speaker, Captain Crye, his wife, Sheila, and their two children, Marilena and John, have made many sacrifices throughout his career. Captain Crye will be retired on August 1, 1996, and I call upon my colleagues from both sides of the aisle to join me in wishing him much success, as well as fair winds and following seas.

LEAH McCANDLESS MEMORIAL

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. RICHARDSON, Mr. Speaker, it is with deep sadness that I share with my colleagues the news of the recent passing of a highly respected and admired woman in the Southwest. Mrs. Leah McCandless of Hobart, OK, died on May 22, 1996, less than 1 month shy of her 96th birthday.

For a better part of this century, political candidates who wanted to represent Hobart, OK, in the Federal, State, and local legislative bodies stopped by the McCandless home in hopes of seeking her blessing. Over pie and coffee, candidate after candidate would give their best arguments as to why they would be best for Hobart and Oklahoma.

Mrs. McCandless won may battles in her long life. She was probably most proud of the five sons she raised who all became successful in their chosen careers. She was married for more than 60 years to Cecil McCandless who operated a successful clothing store in Hobart. In addition to her political activity, she was a member of her Presbyterian Church for 70 years and became the first woman elder of her church.

At a memorial service for her at her church, Mrs. McCandless left the following words for those in attendance—words that are worth repeating here:

I'd like the memory of me to be a happy one,
I'd like to leave an after glow of smiles when life is done,
I'd like to leave an echo whispering softly down the ways,
Of happy times and laughing times and bright and sunny days.
I'd like the tears of those who grieve, to dry before the sun of
Happy memories that I leave When my life is done.

The local newspaper in Mrs. McCandless' hometown said it best when the Hobart Democrat-Chief's Joe Hancock editorialized, "Leah McCandless Was A Legend in Our Time!" I want to share Mr. Hancock's comments as well as an obituary printed in the local paper. After reflecting on Mrs. McCandless wonderful life which spanned nearly the entire 20th century, I ask my colleagues to join me in paying special tribute to this woman and join me as we express our condolences to her caring family and many friends.

[From the Hobart Democrat-Chief, May 30, 1996]

LEAH McCANDLESS WAS A LEGEND IN OUR TIME!

Leah McCandless was a true lady. She was an inspiration and she was an institution. She left memories with those of us who knew her we'll not forget.

She was an amazing person. She studied events and was prepared to discuss them. Among her friends were many of our state's and nation's leaders. Many of them anxiously awaited her advice and opinions.

She loved the OU Sooners and the Dallas Cowboys. She was a rabid fan!

But none of that approached what I consider her greatest accomplishment. She melded a great family of five sons and a husband during rough depression times.

All five boys received higher educations after graduating from Hobart High School. All of them stayed close to their mother.

Her family was supported by a small family clothing business. As far as I know she never actually worked in the store but did make lunch to bring to town to her husband, Cecil. He ran the Man's Store alone during the early years.

The Presbyterian church was an integral part of the McCandless family life.

The great lady died last week but she lives on in the lives of her surviving family members and those of us who knew her.

LEAH McCANDLESS

Mrs. Leah McCandless, 95, a resident of Hobart for 70 years, died on Wednesday, May 22, 1996 in Elkview General Hospital after a serious illness for several months. She was born in Wichita, Kansas, at the turn of the century, June 17, 1900. She witnessed the many technological and scientific inventions (the automobile, airplane, television, radio, etc.) that we take for granted today.

Her father, W.S. Yeager, organized several banks in Oklahoma, including Verden and Cement where she lived as a child. The family settled in Mangum in 1910 where she met and married her husband, Cecil R. McCandless, in 1918.

They moved to Hobart in 1925 where Mr. McCandless opened the Army store which later became the Man's Shop. He was very active in the Hobart business and civic community until his death in 1982.

The McCandlesses had five sons, the oldest of whom, Bill, died in 1982. His widow, Betty of Oklahoma City, is a frequent Hobart visitor. The other four are Jack, a retired Gates Corporation executive, Denver, Colorado, and wife, Kay; Earl, musician and retired Army officer, Solana Beach, California; John, attorney, Oklahoma City, and wife, Anne; Bob, Lawyer-lobbyist, Washington, D.C.

Each of the sons was educated in the Hobart public school system and each graduated from Hobart High School.

In addition Mrs. McCandless had nine grandchildren, eight great-grandchildren and one great-great-granddaughter.

Mrs. McCandless had always been very active in the civic, social and spiritual life of the Hobart community. She was a founding member of the Mothers' Club, a long time member of the Yamparika Club and the McDowell Club of Allied Arts.

She was member of the Presbyterian Church for 70 years, active in Circle #3, the Wednesday morning prayer group and was the first woman Elder of that church.

She supported and received much pleasure from the Shortgrass Playhouse and the Kiowa County Museum. Mrs. McCandless maintained an avid interest in political affairs (national, state and local) all her life and thoroughly enjoyed reading and discussing public policy issues.

Leah McCandless leaves a host of friends in Kiowa county, throughout the state of Oklahoma and the United States. On her 80th birthday, Governor George Nigh, proclaimed that day "Leah McCandless Day" in Oklahoma. On her 95th birthday this past June, she received congratulatory letters from President Bill Clinton, Vice-President Al Gore, O.U. President David Boren, former Speaker of the U.S. House of Representatives Jim Wright, presidential candidate U.S. Senator Bob Dole, former U.S. Senator Fred Harris and nationally syndicated columnist Robert Novak, among many others. A tribute was read to her on the floor of the U.S. House of Representatives and entered into the United States Congressional Record.

In lieu of flowers, contributions in her memory may be made to the Leah McCandless Memorial Fund at the Hobart Presbyterian Church.

Services were at 2:30 p.m. Tuesday, May 28, 1996 at the First Presbyterian Church, Hobart, Oklahoma. Officiating were Rev. Jerry Hilton, pastor First Presbyterian Church, Midland, Texas and Rev. Ginger Allen, pastor First Presbyterian Church, Hobart, Oklahoma.

Burial was in Hobart Rose Cemetery under direction of Hackney Funeral Home, Hoabart.

Active casketbearers were Delmar Richard, Jack Calmes, Milton Krieger, Bruce Myers, Paul Hindes, John Montgomery, Marshall Harris and Dr. Ralph Phelan.

Honorary casketbearers were Norris Dame, James Brown, Everett Brazil, Walter Pfenning, Joe Hancock, Dr. Michael Krieger and Ralph Patchin.

HIGHLANDS, TX, OPENS ITS FIRST SHERIFF'S STATION

HON. KEN BENTSEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. BENTSON. Mr. Speaker, I rise to congratulate the community of Highlands, TX, in my district, which on June 15 will celebrate the opening of its first sheriff's station. I am confident that this station, the result of a Federal-local partnership will help prevent crime and ensure that more criminals are apprehended and brought to justice. This is an example of community policing at its best.

This Highlands Sheriff's Station would not have been possible without the hard work and commitment of the Harris County Sheriff's Department, the sheriff's citizens advisory committee, the Highlands Rotary Club, and the U.S. Department of Justice through the community oriented policing services [COPS] program. The COPS program is providing the funding for the deputy who will be stationed in Highlands.

I want to personally recognize and thank Sheriff Tommy Thomas for all he has done to make this Highlands station a reality. He has demonstrated strong leadership in protecting not only the more populated areas of Harris County, but smaller, more remote communities such as Highlands as well. And I appreciate the close working relationship our offices have had in securing the Federal grant for additional sheriff's deputies.

I also want to recognize the efforts of the sheriff's citizens advisory committee and the Highlands Rotary Club. Concerned citizens

groups are vital partners with law enforcement officers in fighting crime, and this station would not have been possible without their efforts.

Mr. Speaker, I applaud the people of Highlands and the Harris County Sheriff's Department for their dedication and congratulate them for joining in this partnership that will benefit us all. This storefront station represents the beginning, not the end, of a partnership between the sheriff's department, the people of Highlands, and the Federal Government to ensure that residents and businesses enjoy the service and protection they deserve.

MAINTAIN STRONG PROTECTION MEASURES FOR PATIENTS

HON. PETER G. TORKILDSEN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. TORKILDSEN. Mr. Speaker, as our country's health care system continues to evolve, it is essential to maintain strong protection measures for patients. As a cosponsor of the Newborns' and Mothers' Health Protection Act, the Patient Right to Know Act, and the Senior Citizens' Access to Health Care Act, I recognize the need to protect new mothers, senior citizens, and all patients from restrictions that undermine a physician's ability to provide quality care to their patients.

To emphasize this point, I ask that this letter to the Honorable MICHAEL BILIRAKIS, chairman of the Health and Environmental Subcommittee, from Massachusetts State Representative Brian Cresta be submitted for the RECORD.

THE COMMONWEALTH OF MASSACHUSETTS,
HOUSE OF REPRESENTATIVES,
Boston, MA, May 28, 1996.

Hon. MICHAEL BILIRAKIS,
Chair, Health and Environment Subcommittee, Washington, DC.

DEAR CHAIRMAN BILIRAKIS: It has come to my attention that the Coalition for Health Care Choice and Accountability has decided to act upon the proposal for national standards for accountable managed care. This is certainly an important step toward ensuring that all U.S. citizens are allowed the freedom to choose a health care provider when enrolled in a managed care plan.

As a member of the Massachusetts House of Representatives and an active member of the Committee on Human Services and Elderly Affairs, I have received much input from my constituency regarding issues such as this. Therefore, I am no stranger to the problems that many people are facing while accessing the best care within the restrictions of their health plan.

To ensure that residents of the Commonwealth are able to receive fair and adequate health services, the Massachusetts Legislature has passed landmark legislation to allow for the coverage of emergency room services, protect hospital stays for mothers who have given birth, and allow consumers the right to full information about the health plan, to name a few.

Although I am certain that we will continue to work to provide residents of Massachusetts with cost-effective care, I am also aware of the importance of the presence of federal laws to umbrella any laws passed at the state level. It is important not only for Massachusetts alone but the entire country to ensure that U.S. citizens who are managed care enrollees are provided the opportunity to receive the highest quality of care.

This measure is a win-win situation for the industry, which will have a consistent platform across the country rather than different regulations from state to state and for the consumer, by ensuring that high quality care is provided to all managed care enrollees. For this reason, I support this effort and appreciate your continuous work for better national consumer protection legislation.

Please do not hesitate to contact my office if you have any questions regarding the present situation in Massachusetts or if I may be of further assistance to ensure that this measure is passed.

Sincerely,

BRIAN M. CRESTA,
State Representative, 22nd Middlesex District.

TRIBUTE TO TOP POLICE CHIEF

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Ms. WOOLSEY. Mr. Speaker, I rise today to pay tribute to Police Chief Salvatore Rosano of Santa Rosa, CA, who retires this month after 22 years of impeccable public service, and as a hero to our community. I would like to share with my colleagues Chief Rosano's enumerable accomplishments over his 38 years of public service which have made him one of California's most highly praised guardians of safety.

Chief Rosano started his career in public safety at the age of 19. He was appointed police chief to the city of South San Francisco in 1970—the youngest police chief in the State of California, and served as president of the San Mateo County Law Enforcement Chiefs' Association. In 1974 he was selected as chief for the city of Santa Rosa where he proudly served 22 years. Throughout his career, Chief Rosano's natural leadership skills made him a major player in California law enforcement, and he served on many State law enforcement boards, commissions, and public safety organizations.

Chief Rosano's statewide and countywide service is renowned and endless. Chief among his local accomplishments are his implementation of a neighborhood oriented policing program to better address our community policing needs. His leadership also helped set in motion a gang enforcement program, developed a unique environmental crimes unit, and organized one of the few bomb and explosive devise units in northern California.

With any good leader comes a road of hard knocks from those opposed to change. It's no surprise that Chief Rosano is no stranger to criticism for his outspoken support of gun controls and for initiating the city of Santa Rosa's gun exchange program. With almost 700 weapons exchanged, this event was the most successful gun exchange program in California. Recently, the Sonoma County Peace and Justice Center announced their plans to host the city's second gun exchange program in honor of the retiring chief. This program is a model for public-private partnerships between local businesses, the community, and law enforcement.

Chief Rosano's longstanding career of achievement earned him the California Peace Officers Association's Law Enforcement Professional of the Year, the most prestigious award in the law enforcement profession. Chief Rosano is also the longest-serving chief in the State of California, and the city of Santa Rosa is extremely grateful for the top service and protection he has provided the community.

I urge my colleagues to join me in congratulating Chief Rosano for his exemplary service over the past 38 years. As a nation, we are in debt to the efforts and dedication of individuals, who, like Chief Rosano, place the safety and well-being of others above their own safety. I salute Chief Rosano, and wish he and his family much success with their future plans.

17TH ANNUAL PORTUGAL DAY FESTIVAL

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. MENENDEZ. Mr. Speaker, I rise today to pay tribute to New Jersey's Luso-Americans, who are in the midst of celebrating 2 weeks of festivities honoring their heritage and history. The 2-week celebration in Newark's "Ironbound" is one of the largest Portuguese celebrations in the world. This extraordinary event will culminate with the Grande Parade to be held on June 9, 1996.

Over 1.5 million Luso-Americans have settled throughout the United States, with an estimated 200,000 Luso-Americans in the Garden State alone. In New Jersey, the largest concentration of Luso-Americans live in the "Ironbound" section of Newark. Through the years, they have turned an old neighborhood into a thriving and prosperous commercial and residential center. Their hard work and perseverance can be seen on the streets of Newark, especially Ferry Street, the heart of "Ironbound." Ferry Street is lined with many restaurants offering the delicate cuisine of Portugal. Luso-Americans have turned Ferry Street into a Portuguese city in miniature.

The annual Portugal Day festival is a time for Americans of different nationalities to savor and enjoy the rich traditions of Portugal. Visitors from all over the country come to take part in the festivities, some of which are broadcast throughout the globe via satellite through Portugal's national TV, RTPI.

Seventeen years ago, Bernardino Coutinho founded the festival and has strived every year to make it a wonderful event. The Bernardino Coutinho Foundation was established on May 22, 1992, to assume responsibility for organizing this 2-week festival. The festival is a part of the foundation's commitment to enhancing the cultural and social development of the community.

I ask that my colleagues join me in honoring Luso-Americans throughout New Jersey as they celebrate their rich heritage. It is an honor to be representing such a remarkable group of people.

KEN HEREDIA HONORED FOR OUTSTANDING SERVICE TO SAN JOSE FIREFIGHTERS LOCAL 230

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Ms. LOFGREN. Mr. Speaker, I rise today to recognize the noteworthy achievements of Ken Heredia of the San Jose Fire Department. Mr. Heredia has been the president of the San Jose Fire Fighters Union, Local 230, for the past 8 years. In addition, he has served 15 years on the fire department's union executive board.

During the years Mr. Heredia has served the San Jose firefighters, he has demonstrated an unselfish and much valued commitment to organized labor and the fire service. On June 8, 1996, a special barbecue will be held by the San Jose Firefighters Local 230 in honor of Mr. Heredia and his years of dedicated service to our community.

Mr. Heredia, a native of his community, was recently promoted to battalion chief of the San Jose Fire Department. Although he will be sorely missed as a leader of local 230, I would like to extend my congratulations and best wishes to Mr. Heredia as he takes on his new role in the department. I invite my colleagues to join me in recognizing this dedicated public servant.

A TRIBUTE TO AMERICAN LEGION AUXILIARY UNIT 284

HON. NORMAN SISISKY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. SISISKY. Mr. Speaker, I rise today to pay tribute to an American Legion auxiliary unit located in Colonial Heights, VA. Unit 284 administrates many volunteer programs in my district, with special emphasis on veterans, children, and the community. Members also volunteer time to junior activities, Americanism, and educational programs.

By selflessly giving their time and energy to such worthy causes, the members of unit 284 have set an example from which we can all learn. Recently, in order to help prevent crime in their area, unit 284 joined with local civic organizations, and fire and police departments, to celebrate National Night Out. With the rise of crime in many areas, it is important for everyone to join together in order to ensure the safety of their communities. Unit 284 recognizes the significance of this effort, and through their work with National Night Out, they helped educate both children and adults on crime.

It is an honor to have such a giving organization as the American Legion Auxiliary Unit 284 in my district. Their work, as well as other American Legion auxiliary units throughout the country, have touched many lives. Mr. Speaker, on the occasion of the national organization's 75th anniversary, it is with great pride that I recognize American Legion Auxiliary Unit 284 for their outstanding service to the constituents in my district.

INTRODUCTION OF BREAST IMPLANT RESOLUTION

HON. BARBARA F. VUCANOVICH

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mrs. VUCANOVICH. Mr. Speaker, what are the facts on silicone breast implants? Are they safe? Do they lead to immune disorders in women? There are no clear answers to these questions, but conflicting information has been provided to American women—making it difficult for women to make important health decisions.

In 1992, the FDA Commissioner imposed significant restrictions on access to silicone breast implants, based on concerns that there may be a connection between immune disorders and women who have silicone breast implants. Recent scientific studies conducted by the Mayo Clinic and Harvard Medical School suggest that there is no evidence of a connection between silicone implants and autoimmune disease or classic autoimmune symptoms. Many women, however, have questioned the validity of these studies. The FDA has not issued a definitive statement on the relationship between silicone gel breast implants.

This indecisive action has caused many problems for women in the United States. Some women neglect to obtain proper breast care due to the fear and uncertainty surrounding the issue. For women with breast implants, adequate information on breast care is not readily available since the National Cancer Institute and other health agencies are waiting to develop information, pending FDA's action. This also means that very few postmastectomy breast cancer patients have access to silicone breast implants, since they must participate in clinical trials to obtain these devices. As a breast cancer survivor, I recognize the importance of breast health and the fear and confusion in determining the best treatment for the patient. Information about breast implants could help alleviate that fear.

Unfortunately, this also has a broader impact on the public by adversely affecting the supply of raw materials used in other lifesaving products such as pacemakers, heart valves, hip and knee joints, and artificial blood vessels.

Today, I am introducing a resolution which expresses the sense of the House that the FDA should take immediate steps to resolve the fears and concerns of women with breast cancer by issuing a definitive relationship, or lack thereof, between silicone gel breast implants and connective tissue disease, classic autoimmune symptoms and other serious diseases. This resolution also calls on the FDA and the National Cancer Institute to develop recommendations for breast care practices for women with breast implants. This resolution has the support of the National Breast Cancer Coalition. It is time for the FDA to give women the information they need to make wise decisions about their health and their lives. I urge my colleagues to join me in this effort.

A GOOD NEIGHBOR ON CAPITOL HILL FOR 175 YEARS; ST. PETER'S PARISH

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. STARK. Mr. Speaker, I rise today to honor St. Peter's Parish, founded on Capitol Hill in 1821.

On June 29, 1996, St. Peter's will officially celebrate its 175th anniversary with a homecoming celebration, giving testament to the spirit and faith of the Hill community.

As the local parish, St. Peter's has weathered the changes in Congress and seen this neighborhood grow from a cozy residential area to the bustling cluster of Federal buildings we have today. Its existence is one of the few marks of continuity left to our past.

As a longtime resident of the Capitol Hill area, I salute St. Peter's as a historical symbol and an excellent neighbor. I hope that the next 175 years will be equally good to the parish.

TRIBUTE TO BRIGHTON, MI, ROTARY CLUB

HON. DICK CHRYSLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. CHRYSLER. Mr. Speaker, it gives me great pleasure to rise today and pay tribute to an outstanding organization in the city of Brighton, MI. On June 18, 1996, the Brighton Rotary Club will celebrate its 60th anniversary of becoming a chartered member of Rotary International, the largest service group in the world. The club currently counts numerous business and professional leaders of Livingston County among its numbers. I am truly proud to be counted among these dedicated servicemen and women.

The Brighton Rotary Club has been living out its motto of "Service Above Self" since its creation in 1936. Brighton Rotarians participate in numerous hands-on activities—including Christmas in April, Shots for Tots, Ringing the Bell for the Salvation Army, and additional one-on-one activities. The club also supports numerous groups and agencies with financial support. These groups include Lacasa, Women's Resource Center, Brighton Boy Scout Troop 350, Catholic Social Services, the Brighton Senior Center, the Hartland Senior Center, and several students attending Michigan colleges and universities. Major fundraisers include the Brighton Rotary Auction, The Great Duck Race, and the Holiday Concert.

The club is particularly supportive of programs for youth which stress development of leadership skills and community service. The club has initiated the Interact Club in Brighton High School, currently 75 members, sends students to Girls State and Boys State, and is sending 10 students to the Rotary Youth Leadership Awards [RYLA] conference in Ontario, Canada. International efforts include eye glasses projects in Mexico and the Caribbean,

a sanitary facilities project in India, and ongoing support of the Polio Plus project to internationally eradicate polio and other childhood diseases by the year 2000.

The Brighton Rotary Club has repeatedly gone above and beyond the call of duty in helping people and organizations within Livingston County. I ask the other members of the U.S. Congress to join me in recognizing its 60 years of outstanding service and wishing it many more years of continued success.

A TRIBUTE TO STUDENTS OF HALF HOLLOW HILLS HIGH SCHOOL EAST

HON. RICK LAZIO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. LAZIO of New York. Mr. Speaker, today, I wish to recognize the award-winning students of Ms. Gloria Sesso's class at Half Hollow Hills High School East in Dix Hills, NY. From April 27 to April 29, 1996, these outstanding Long Island students competed against teams from every State in the Nation in the "We the People * * * The Citizen and the Constitution" Program. The team earned the distinction of representing New York at the national finals in our Nation's Capital after winning competitions at local and State levels.

The dedicated team of students was awarded an honorable mention as one of the competition's top 10 finalists. The members of the Half Hollow Hills team are: Taryn Brill, Sidney Change, Pei-Sze Cheng, Lauren Chernick, Jodi Citrin, Adiya Dixon, Judy Fong, Micole Hamburger, Hamilton Hayashi, Lora Hock, Jenny Jaung, Michael Kesden, Brian Kinney, Jaime Kleinman, Duane Koh, Juna Kollmeier, Jessica Lepler, Ayodeji Marquis, Douglas McVey, Howard Newman, Benjamin Oren, Mark Palmeri, Craig Rosenbaum, Amy Rosenberg, Sherry Sandler, Melissa Scharoun, David Scheine, Kristine Schmidt, Brett Sherman, Marcie Silver, Matthew Teicher, Lauren Wagner, Jaret Weber, Matthew Wurst, Carin Zelkowitz. The students were coached and greatly assisted by their teacher, Ms. Sesso, as well as Stephen Schechter, the State coordinator, and Steve Waldman, the district coordinator. The great success of this team is a tribute to all of the time and effort they put into learning about the Constitution.

The "We the People * * * The Citizen and the Constitution" Program is designed to provide students with a greater understanding of the Constitution and the rights and responsibilities of American citizens. For the past 9 years, the program has helped educate 22 million students at all levels.

During this year's competition, students participated in simulated congressional hearings where they were asked questions to demonstrate their knowledge of the history, values, and application of the Constitution. Their oral presentations were evaluated by a panel of judges that included Government leaders, lawyers, and constitutional experts.

I am very proud of the success this Dix Hills team has achieved, and wish them great success and personal satisfaction in the future.

RETIREMENT OF COL. JOHN C. MEYER, JR.

HON. CHET EDWARDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. EDWARDS. Mr. Speaker, I rise today to congratulate Col. John C. Meyer, Jr., on his retirement from the U.S. Air Force after 24 years of service to our country.

Colonel Meyer is currently the chief of the Weapons and Nuclear Deterrence Requirements Division, Directorate of Operational Requirements, Headquarters U.S. Air Force, Washington, DC. As chief, he has overseen the requirements development for all of the Air Force's air-delivered munitions and for the maintenance and modernization of the Nation's ICBM force.

Colonel Meyer has served our country with distinction. His decorations include the Legion of Merit, Meritorious Service Medal with five devices, the Air Medal, the Aerial Achievement Medal with one device, the Air Force Commendation Medal with one device, and the Combat Readiness Medal with four devices.

Mr. Speaker, on June 7, 1996, Colonel Meyer will retire from the U.S. Air Force. On behalf of this body of legislators, I would like to congratulate Col. John C. Meyer, Jr., on his retirement and thank him for his selfless service to his country.

A TRIBUTE TO DR. ARTHUR MAYER ON HIS RETIREMENT

HON. CALVIN M. DOOLEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. DOOLEY of California. Mr. Speaker, I rise before my colleagues today to recognize a dedicated educator form my district, Dr. Arthur Mayer, on the occasion of his retirement.

During my lifelong residence in Hanford, I have known few people more dedicated to the improvement of our schools than Dr. Mayer. Arriving in Hanford in 1979, he served as superintendent of Hanford Elementary School District until 1986. These were years of growth, and Dr. Mayer's leadership played an important role in improving the quality of Hanford Elementary schools.

But it was at Hanford Joint Union High School District that Dr. Mayer has made perhaps his greatest impact. Starting as superintendent in 1986, he embarked on initiatives to improve school facilities, establish new management systems, restructure the curriculum, and set up an academy system that improved the interaction among the staff and the students.

Because of these efforts, Hanford High School has been at the forefront of the restructuring efforts at the State and national levels, and has received several State and national recognitions.

These efforts have paid off at the level that counts the most: student achievement. When Dr. Mayer started at the high school district, student test scores were in the lowest 25th percentile among State schools. Now, after 10 years of Dr. Mayer's leadership, the student scores are in the top 30th percentile. Knowing Dr. Mayer, I am sure this accomplishment is the one that he is the most proud of.

I understand that although Dr. Mayer is retiring, he intends to remain involved in education continuing to teach college education courses. I, for one, certainly hope he does so—tomorrow's educators have a lot to learn from this distinguished superintendent.

I ask my colleagues to join me in honoring a dedicated educator, who has always put the concerns of the children first, by congratulating Dr. Arthur Mayer on his retirement.

POSTURING ON ABORTION

HON. MARTIN T. MEEHAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. MEEHAN. Mr. Speaker, I rise to ask for unanimous consent to insert Father Robert F. Drinan's opinion editorial "Posturing on Abortion," the New York Times, June 4, 1996 into the RECORD. Father Drinan, a Jesuit priest, is also a professor at the Georgetown University Law Center and a former Representative from Massachusetts.

I applaud Father Drinan for standing up in support of a goal that both Democrats and Republicans should agree to—limiting the number of abortions in the United States. Father Drinan rightly argues that Congress and the President should move away from partisan grandstanding on abortion issues and work together to protect women's reproductive health.

As a Catholic, I would like to thank Father Drinan for publicly opposing the so-called partial birth abortion ban. It was incredibly difficult for me to vote against this bill. Yet as Father Drinan noted, Congress should be focusing on reducing the number of abortions, not posturing on issues that do not allow doctors to safeguard women's health or protect those unfortunate victims of incest and rape.

POSTURING ON ABORTION

(By Robert F. Drinan)

WASHINGTON.—The indignant voices of the pro-life movement and the Republication Party will likely reach new decibels in the campaign to urge Congress to override President Clinton's veto of the bill banning so-called partial-birth abortions. But Congress should sustain the veto. The bill does not provide an exception for women whose health is at risk, and it would be virtually unenforceable.

I write this as a Jesuit priest who agrees with Vatican II, which said abortion is virtually infanticide, and as a lawyer who wants the Clinton Administration to do more to carry out its pledge to make abortions rare in this country.

The bill the President vetoed would not reduce the number of abortions, but would allow Federal power to intrude into the practice of medicine in an unprecedented way. It would also detract from the urgent need to decrease abortions, especially among unwed teen-agers.

The Partial-Birth Abortion Ban Act passed the House by 286 to 129, and 290 votes are required to override the veto. It cleared the Senate by 54 to 44; though it seems unlikely that 13 of the 44 votes would change, all bets are off in an election year.

More than 95 percent of all abortions take place before 15 weeks. Only about one-half of 1 percent take place at or after 20 weeks. If a woman has carried a child for five months, it is extremely unlikely that she will want an abortion.

The three procedures available for later abortions are complicated and can be dangerous. The vetoed bill would have criminalized only one—a technique called dilation and extraction—that medical experts say is the safest of the three. The bill calls this procedure a "partial birth," a term that experts reject as a misnomer. Indeed, the American College of Obstetricians and Gynecologists supported the veto.

President Clinton said he would sign a bill regulating late-term abortions if it provided an exception for women whose health might be at risk if they did not have the procedure. As the bill stands, the abortion would be allowed only if a woman might die without it. Mr. Clinton is serious. as Governor of Arkansas, he signed a bill prohibiting late abortions except for minors impregnated by rape or incest or when the woman's life or health is endangered.

In any case, a conviction would be difficult to obtain if the bill became law. Legal experts say that doctors could argue that the language was too vague for a measure that imposed criminal sanctions. And juries might be reluctant to convict a doctor who aborted a fetus that was likely to be stillborn or in cases where the woman's health or ability to have children was in jeopardy.

The bill would also sanction intrusive enforcement by requiring Federal officials to keep informed about doctors who performed late-term abortions. The F.B.I. would be authorized to tell nurses and health aides that they had a duty to tell officials about illegal late abortions.

If Congress were serious about getting a law on the books limiting late abortions, it would include the woman's health as justification for the late-term procedure. But it seems more intent on using Mr. Clinton's veto as a political weapon. This will poison the campaign and inhibit a larger discussion about real strategies to reduce abortions.

U.S. ARMY CECOM RECEIVES 1996 QUALITY IMPROVEMENT PROTOTYPE AWARD

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. PALLONE. Mr. Speaker, I rise to congratulate the U.S. Army Communications-Electronics Command [CECOM], Logistics and Readiness Center in receiving the 1996 Quality Improvement Prototype [QIP] Award for the President's Quality Award [PQA] Program. This is truly a great accomplishment and reflection of the dedicated and professional staff employed at the CECOM Logistics and Readiness Center, at Fort Monmouth, NJ. It is, moreover, a deserved recognition of the center's quality accomplishments and team-work in the fields of communications and electronics.

Mr. Speaker, the work done by the people at CECOM's Logistics and Readiness Center is not an easy undertaking, and the significance of winning the QIP cannot be underscored enough. Despite the demands placed on the shoulders of those tasked with maintaining the U.S. Army's communications and electronics equipment, the Logistics and Readiness Center, year-in-and-year-out, runs a well-planned system that spans all levels of the organization—the true hallmark of a first-class, quality-managed operation. The panel of judges responsible for designating the recipient, which is comprised of representatives from both the Federal government and the private sector, conducted a rigorous selection process. And as the quality and number of the other organizations vying for this prestigious award indicates, the competition was keen. In short—as is evidenced by the list of previous recipients of the QIP—to win this award is to be designated as among the best America has to offer.

In closing, I once again commend the people of the CECOM Logistics and Readiness Center for their efforts. By winning the 1996 Quality Improvement Prototype Award, the center has undeniably established itself as a model of excellence for all to follow. I congratulate the hardworking people of the CECOM Logistics and Readiness Center for a job well done.

A TRIBUTE TO THE BROOKHAVEN FIREFIGHTER'S MUSEUM

HON. MICHAEL P. FORBES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. FORBES. Mr. Speaker, I rise today to pay tribute to the Brookhaven Volunteer Firefighters Museum and to the founders of this wondrous historical preserve, dedicated to the heroic tradition of volunteer firefighting in the Town of Brookhaven, Long Island. These devoted men and women turned their collective dream into a poignant legacy of the history of volunteerism in Brookhaven's 38 fire departments.

Officially dedicated on Saturday, May 25, 1996, the Brookhaven Volunteer Firefighters Museum is a wonderfully fitting tribute to the generations of heroic volunteers who, time and again, answered the call for help and selflessly put themselves in harms way to protect their neighbors and communities. Within the walls of this 100-year-old former fire house is an impressive storehouse of memorabilia and apparatus, historical photos and old newspapers clippings from the earliest days of organized firefighting. Included in the museum's collection are eight antique firetrucks, an original 1890 Hook and Ladder cart from the Bellport Fire Department and a century-old portable fire extinguisher donated by the Brookhaven Town Highway Department. There is also an amazing array of original fire shields, nozzles, hoses, and alarm bells.

But more than just a dusty collection of antiquated equipment, this museum shelters within its walls the memories of heroic deeds, of lives saved and property safeguarded by ordinary men and women who fulfilled an unspoken obligation to their community and country.

The firefighters' commitment was never more evident than it was in August 1995, when thousands of volunteers fought the two most destructive wildfires to strike Suffolk County this century. These heroic volunteers put their lives on the line while battling brush fires that consumed nearly 4,000 acres of Pine Barrens in Rocky Point and Westhampton. Miraculously, not a single human life was lost in the fire and the total property damage was kept to a minimum.

Though the heritage it preserves is grand, the genesis for the Brookhaven Firefighters Museum is more modest. The idea was born more than 5 years ago when a group of longtime friends and volunteer firemen decided they needed to preserve the history of local firefighting for their own children and grandchildren.

The museum's board of trustees and founder raised all of the funds, solicited the artifacts, secured the building and located the property where the museum stands. The Brookhaven Firefighters Museum's trustees are: president, Joseph Sommers; vice president, Lee Bunten; treasurer, David Waldron, Jeff Davis, Susan Savochka, Gene Gerrard, Robert Collins, Robert Poucel, Ed Corrigan, Robert Wilson, Richie Adams, Ronnie Magagna, Artie Read, John Austen, John Blaum, Sr., and Robert McConville.

Appropriately, the museum building was originally built in 1889 to serve as the Center Moriches Fire House. The former fire house was being used as a warehouse by the Center Moriches Paper Co. when the company donated the building for the museum. With the help of a State grant, the museum's board of trustees had the former fire house moved the 15 miles from Center Moriches, on Long Island's South Shore, to its current location at Fireman's Park in Ridge.

As you enter Fireman's Park to visit the museum, you will notice a line of 38 monuments along the roadside, one each from every fire department in the town of Brookhaven. That section of road is known as Fireman's Way, the path each visitor will pass through on their way to any of the fire drill competitions held at Fireman's Park. Those monuments are reminders of the sacrifice and commitment that volunteer firefighters have made for their communities in Brookhaven Town.

For the thousands of volunteer firefighters who have saved lives and property throughout the history of Brookhaven Town, and Long Island, the Volunteer Firefighters Museum preserves their magnificent legacy of sacrifice for their children and grandchildren. May this wonderful museum serve as a reminder of their heroic efforts for many years to come.

ORDER OF CONSIDERATION OF AMENDMENTS AND POSTPONING VOTES ON AMENDMENTS DURING CONSIDERATION OF H.R. 3322, OMNIBUS CIVILIAN SCIENCE AUTHORIZATION ACT OF 1996

HON. ROBERT S. WALKER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. WALKER. Mr. Speaker, during floor debate on May 29, 1996, on H.R. 3322, the Omnibus Civilian Science Authorization Act of 1996, it was mentioned by one of my colleagues that the Science Committee has only produced one committee report for all of 1995. I would like to correct the record with the following list of 14 committee reports filed so far during the 104th Congress; 12 of which were filed in 1995.

Date	Title	Publication No.
Feb. 15, 1995	Job Creation and Wage Enhancement Act of 1995 (H.R. 9).	H. Rept. 104–33, Pt. 2.
Mar. 30, 1995	Hydrogen Future Act of 1995 (H.R. 655).	H. Rept. 104–95.
July 11, 1995 ..	National Sea Grant College Program (H.R. 1175).	H. Rept. 104–123, Pt. 2.
July 21, 1995 ..	Environmental Research, Development and Demonstration Authorization Act of 1995 (H.R. 1814).	H. Rept. 104–199.
July 28, 1995 ..	International Space Station Authorization Act of 1995 (H.R. 1601).	H. Rept. 104–210.
Aug. 4, 1995 ...	National Science Foundation Authorization Act of 1995 (H.R. 1852).	H. Rept. 104–231.
Aug. 4, 1995 ...	American Technology Advancement Act of 1995 (H.R. 1870).	H. Rept. 104–232.
Aug. 4, 1995 ...	National Aeronautics and Space Administration Authorization Act, Fiscal Year 1996 (H.R. 2043).	H. Rept. 104–233.
Aug. 4, 1995 ...	Fire Administration Authorization Act of 1995 (H.R. 1851).	H. Rept. 104–235.
Aug. 4, 1995 ...	Department of Energy Civilian Research and Development Act of 1995 (H.R. 1816).	H. Rept. 104–236, Pt. 1.
Aug. 4, 1995 ...	National Oceanic and Atmospheric Administration Authorization Act of 1995 (H.R. 1815).	H. Rept. 104–237, Pt. 1.
Dec. 7, 1995 ...	National Technology Transfer and Advancement Act of 1995 (H.R. 2196).	H. Rept. 104–390.
May 1, 1996 ...	Omnibus Civilian Science Authorization Act of 1996 (H.R. 3322).	H. Rept. 104–550, Pt. 1.
May 23, 1996	Antarctic Environmental Protection Act of 1996 (H.R. 3060).	H. Rept. 104–593, Pt. 1.

A TRIBUTE TO SOPHIE GERSON

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. NADLER. Mr. Speaker, I rise today to recognize the lifelong accomplishments of Sophie Gerson, who has served the schools and the children of New York City for many years. Her dedication to the education of the young people of Community School District 2, which she has served for over 30 years, is evidenced by her history as a parent, a teacher and a school board member and president. She was a junior high school health and physical education teacher for 36 years, the last 25 at JHS 17 in the Clinton community. Her children both attended school in District 2, and as board member there, she was introduced or supported programs that have proved extremely beneficial to the children for whom she has been responsible. Ms. Gerson has been an active and outspoken advocate for the children in her community, and for that she should be commended. Ms. Gerson's accomplishments that are numerous and impressive, and her hard work has provided the students of New York's School District 2 with a nurturing environment in which they have flourished. Sophie Gerson's years of leadership and caring in her community deserve our utmost respect and appreciation.

A TRIBUTE TO REVEREND HENRY CADE

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mr. PAYNE. Mr. Speaker, I would like to bring to the attention of my colleagues a special anniversary. Tomorrow, the Central Presbyterian Church of Newark, NJ will be celebrating the 30th anniversary of its pastor, the Reverend Henry Cade. Although Rev. Cade first came to Central Presbyterian Church in 1965, this recognition had to be postponed because of a devastating fire that heavily damaged the church in 1995. But like anything worth doing, the time is not important as long as the thought is true.

Over the years Newark's Central Presbyterian Church has recognized the need for the church to become more than a site for worship. The Central Presbyterian Church has opened its doors to programs and services that truly help the community and its residents. The church sponsors programs like SHARE, a food program; preschool-head start programs, senior citizen programs; young adult ministries, homeless ministries, as well as others.

It takes a certain kind of leadership to make things happen. For the Central Presbyterian Church that leadership has come from Reverend Henry Cade for 30 years. Rev. Cade is a native of Selma, AL. He accepted the call as minister of the Central Presbyterian Church in 1965, having served as pastor of the First United Presbyterian Church of Athens, TN for 5 years. Rev. Cade has been educated at the Knoxville College, the Pittsburgh Theological Seminary, graduate study in urban issues at Rutgers University and the Jewish Theological Seminary in New York. His formal educational experiences have been enriched with travel experiences he gained while traveling to Jordan, Israel, Egypt, and Greece.

Rev. Cade understands the importance and benefits of serving the larger community. He has served the Police Accountability Program under the auspices of the Metropolitan Ecumenical Ministry, the NAACP, the United Community Corporation, Essex County PUSH, Essex County Jail as chaplain, the New Well Drug Rehabilitation Center, the Martin Luther King, Jr. Community Center, the Synod of the Northeast, the South Park Calvary Administrative Commission, and the Newark Presbytery in many capacities.

Presently he is the moderator of the Session of Roseville Presbyterian Church, a member of the Personal Committee and the Permanent Judicial Commission of Newark Presbytery, a member of the Newark and Essex Committee of Black Churchmen, and the chairman of the Newark and Vicinity Chapter of Black Presbyterians United.

Mr. Speaker, I am sure my colleagues will want to join me as I extend my congratulations and best wishes to Rev. Henry Cade, his family, and his congregation.

TRIBUTE TO THE BROOKLYN HOSPITAL CENTER

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

Mrs. MALONEY. Mr. Speaker, I rise to pay tribute to the Brooklyn Hospital Center's 1996 Founders Ball and the awardees being honored. The Brooklyn Hospital Center has provided a tremendous service to the residents of Brooklyn and the awardees are deserving of special recognition for their commitment and dedication to the residents of Brooklyn.

The Brooklyn Hospital Center has provided outstanding care for the residents of Brooklyn for 150 years. It is committed to maintaining its position as a leader in health care delivery and medical education. One of its more recent contributions has been to take a lead in the development of the Brooklyn Health Network, a borough-wide coalition of local health care and related service providers. The Hospital Center has also distinguished among this coalition as having the largest complement of primary care physicians of any hospital in Brooklyn. This enables them to work with medical staff and physician groups to develop structures which both allow incentives and create physician support. In this way, the Brooklyn Hospital Center can continue to provide excellent care to the residents of Brooklyn.

The Walter E. Reed Medal will be awarded to two physicians at the 1996 Founders Ball by the Brooklyn Hospital Center in recognition of clinical excellence and commitment to the community and the Hospital Center. I am proud to announce that one medal will be awarded to Paul Finkelstein, M.D., Chairman Emeritus of the Department of Urology and Hospital Center trustee. Dr. Finkelstein is a native of Brooklyn and has been a physician for 45 years. He was a practicing physician with the Brooklyn Hospital Center from 1956 until 3 years ago, but I am pleased to report that he remains actively involved in the Hospital Center as a member of the Board of Trustees.

I am also proud to announce that Eugenie Fribourg, M.D., is the second recipient of the Walter E. Reed Medal. Dr. Fribourg, also a native of Brooklyn was a family practitioner on the Hospital Center staff for 45 years. While she no longer practices medicine, I am happy to say she continues to be actively involved in several national medical associations.

Mr. Speaker, I am proud to rise today to pay tribute to both Dr. Finkelstein and Dr. Fribourg for their dedication and commitment in providing medical care to the residents of Brooklyn. They exemplify the goals of the Hospital Center itself. I ask my colleagues to join me in this tribute to the awardees and the Brooklyn Hospital Center for many, many years of outstanding service. Thank you.