

by the mayors, supported by the county commissioners, supported by people all across America—Republicans and Democrats—and supported by the President of the United States.

It is pretty obvious we are not going to be able to move it quickly in the Senate because people are using the rules to frustrate efforts. That is the way it works. I do not fault that. I think we may have done that in the past a time or two.

This is something where there is broad bipartisan support. We would like to complete it this week. If we can get cloture, we may be able to complete it this week.

So I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators in accordance with the provisions of rule XXII of the Standing Rules of the Senate do hereby move to bring to a close debate on S. 1, the unfunded mandates bill:

Bob Dole, Dirk Kempthorne, Don Nickles, Connie Mack, Trent Lott, Thad Cochran, Alfonse D'Amato, Al Simpson, Strom Thurmond, Pete Domenici, Ted Stevens, Bill Cohen, Christopher S. Bond, Frank Murkowski, Jesse Helms, Spencer Abraham, Bob Smith, Larry E. Craig, Mike DeWine, and Bill Frist.

Mr. BYRD. Mr. President, will the leader yield?

Mr. DOLE. I will be happy to yield.

Mr. BYRD. May I say to my friend, I was not aware until just now, in listening to the distinguished leader's comments, that there was any necessity for a cloture motion to be entered. I did not realize that there was a filibuster occurring.

Mr. DOLE. I began to realize it, if I may say to my friend. I can just see maybe the beginning of one.

Mr. BYRD. I thought progress was being made on the bill. It seems to me that the Senate was working its will.

Mr. DOLE. If the Senator will yield, I might say to my good friend from West Virginia, I have indicated to the Democratic leader that if we can reach some agreement—I do not disagree with the Senator from West Virginia totally. I will withdraw the motion if we can agree on limited amendments so we at least have some finite number of amendments, hopefully germane amendments. But not having that, and looking at the fact that my colleagues on the other side would like to have a retreat on Friday of this week, I would like to be accommodating, but I do not know how we can accommodate that request unless we make some progress on what is a bill that enjoys strong bipartisan support.

Mr. BYRD. Is there a list of amendments? I have not seen any list. I heard there might be a list of amendments, so I suggested that I have three. I may not call up any of them. So I thought we were making progress.

Mr. DOLE. It may be progress, depending on how it is defined. I have not checked Webster's lately. But it would be slow progress if it is progress. But it is my hope we can put a list together, with staff working on each side, and submit a copy of that to the Democratic leader and also the Senator from West Virginia, and others who have an interest, and see if we can reach some agreement on a list of amendments. If it is going to be 40, 50, or 60, probably half are nongermane. I hope in the interest of expediency, we will have support for the vote of cloture, which would eliminate all the nongermane amendments.

Mr. BYRD. Mr. President, this kind of underlines everything I was saying earlier today and last Friday and Thursday. What is all this big hurry? Here we are, this is the 17th of January, and why can we not be legislators and take time to understand what is in a bill? I was seeking to have the committees provide committee reports, and it was mainly for that reason that I took the floor and complained that the minority in both committees had been denied that opportunity to have reports in which they could file views, individual views and minority views. Now that has been accomplished.

I say, therefore, that the distinguished leader has done, what he has every right to do—he is the leader and he has introduced a cloture motion. But it seems to me that the Senate is now beginning to work its will, now that it has had access to the committee reports, and I do not know what all the rush is. What is there that is coming behind this measure?

Mr. DOLE. I think the Senator from West Virginia may have some inkling. There may be—I would not suggest that, but I know, knowing the Senator from West Virginia is a master of the game, and I say that in a complimentary way—he knows that a balanced budget amendment may be somewhere on the horizon. And I assume that the further away the better for the Senator from West Virginia. And one way to keep it at a distance is not to rush through anything else that may be on the Senate floor.

I am not suggesting that might motivate the Senator from West Virginia, but it is something that has occurred to me a few times, and I had the same problem on this side of the aisle.

Mr. BYRD. But it is my understanding that the balanced budget amendment has not yet been reported out of the Judiciary Committee.

Mr. DOLE. But we hope it may be by the time we complete action on this bill. We will be coming in later tomorrow morning to accommodate the Judiciary Committee. And we may adjourn in the afternoon to accommodate the Judiciary Committee.

Mr. BYRD. Well, as I said earlier, I may vote for this unfunded mandates bill. I probably will. I do not know yet. I still want to study it some, and may offer an amendment or so. But I am a

little bit surprised that the leader is implying that a filibuster has been going on.

Mr. DOLE. I say to my friend, I do not think there is a filibuster in the real sense. We have not had a real filibuster, as the Senator said the other day, around here for years. I think I would know a real one if one occurred.

It seemed to me, with the broad support we have for this unfunded mandates bill, it is not only filed because of what the leader may consider delay, but also to avoid a lot of nongermane amendments. We went through that turkey shoot last week and the week before.

So it seems to me that one way to talk about unfunded mandates and germane amendments to unfunded mandates is to get cloture and 30 or 40 of those amendments will disappear. We can have the debate the Senator from West Virginia wants. If necessary, I would be willing to see—we can extend the 30 hours by consent. I am not trying to shut anything off, but I would like to eliminate some of these nongermane amendments.

Mr. BYRD. Mr. President, if the majority leader will yield, of course the majority leader knows as well as I do that there is no rule on germaneness in the Senate except with respect, in a small way, to appropriations bills. But this cloture motion just underlines what I said earlier, that there is an effort to ram this bill through, an effort to steamroll it through.

It seems to me that a good legislator would seek to know what is in a bill. I am just trying to play the part of what I think a good legislator ought to do. A good legislator ought to try to understand what is in a bill. And we have been deprived, to a degree, of knowing earlier what was in this bill; having the benefit of a committee report as an explanation of what is in the bill. We were deprived of that, not through my fault, not through anybody's fault on this side of the aisle, but actually against the wishes of certain Senators on this side of the aisle who are on those committees.

A good legislator, it seems to me, would want to know what is in a bill. He would want access to a committee report. I have been in legislative bodies now going on my 49th year and I have found it beneficial to have committee reports. I think the American people want their legislators to know what is in a bill. We owe that to the American people.

So the distinguished majority leader has the right to offer a cloture motion. He is the leader. If he thinks that there is a slowdown here and if he thinks that necessity requires that we have a cloture vote on this bill and then limit it to nongermane amendments, that is his right. Senators from time to time offer cloture motions when there is no filibuster. Their sole objective is to create a situation in which there will not be nongermane amendments.

Our friend Russell Long used to do that from time to time when he was managing a Finance Committee bill on the floor. He would offer a cloture motion, not for the purpose of shutting off debate so much but more so for the purpose of ruling out nongermane amendments. So the distinguished Republican leader has a point there and that may be his goal.

But let me just say, lest the RECORD be left to appear that there is a filibuster going on here, we have been making progress. We will continue to make progress. But it just underscores my concerns that the idea here is to ram things through. Do not take the time to study the bill. Do not take the time to understand what is in the bill. Just get the bill passed.

How poor are they that have not patience!  
What wound did ever heal but by degrees?

Mr. President, I will yield the floor. I hope we will have an opportunity before the cloture vote to offer other amendments and I hope the leader will not put us on any other measure until we finish this one, so we will really have 2 days in which to discuss the bill and offer amendments.

I thank the leader for yielding. I yield the floor.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader.

#### MORNING BUSINESS

Mr. DOLE. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business, with Senators permitted to speak therein for not to exceed 5 minutes each.

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

#### THOUGHTS AND PRAYERS ARE WITH THE PEOPLE OF JAPAN

Mr. DOLE. Mr. President, the thoughts and prayers of all Americans are with the people of Japan today, as they begin the recovery process from this morning's earthquake.

Ironically, this tragedy hit Japan exactly 1 year after the Northridge earthquake that devastated the Los Angeles area.

And as the people of Japan who were affected by this morning's earthquake begin to rebuild their cities and their lives, they can take great inspiration in the courage and cooperation exhibited over the past year in southern California.

Mayor Richard Riordan wrote in today's Los Angeles Times that "It has been said that much can be determined about the character of an individual tested by difficult times. The same is true for our city and the emergency response provided by every level of government."

In the days, weeks, and months following the Northridge quake the people of southern California, humanitarian

organizations like the American Red Cross, and local, State, and Federal governments—under the superb leadership of Pete Wilson—passed every test with flying colors.

Again, Mr. President, I know all Members of the Senate join with me in mourning the loss of life in Japan, and in admiring the courage and resourcefulness exhibited over the past year by the people of southern California.

#### THE 1-YEAR ANNIVERSARY OF THE NORTHRIDGE EARTHQUAKE

Mr. DOLE. Mr. President, a year ago yesterday, an earthquake measuring 6.8 on the Richter scale wreaked havoc on the southern California counties of Los Angeles, Orange, and Ventura. The Northridge temblor brought about the collapse of apartment buildings, hospitals, and schools, and destroyed major portions of that area's transportation infrastructure.

Within hours of the earthquake, our former Senate colleague Gov. Pete Wilson proclaimed a state of emergency in those counties, and set in motion the implementation of what is now widely viewed as an extraordinary recovery from the earthquake's crippling impact on the movement of people and goods in one of the most populous areas of the country.

In addition to executing the necessary recovery measures to protect public safety and ensure for the food and housing of earthquake victims, Governor Wilson signed a series of innovative Executive orders that cut through the redtape of State bureaucracy and either streamlined or eliminated statutes and regulations governing everything from highway contracts to mobile schools.

As a result, California's recovery from the Northridge earthquake has proceeded at a record pace. Among the most impressive of the recovery efforts was the opening of the world's busiest freeway, the Santa Monica Freeway, in less than 3 months, and 74 days ahead of schedule, after it was destroyed by the quake. Governor Wilson heralded this accomplishment by proclaiming it the most stirring symbol yet of California's endurance. I would add that it is also a symbol of what can happen when government gets out of the way and is willing to break old molds and explore new and innovative approaches to challenges.

There is no doubt as to the resiliency of spirit of the people of California. Over the course of the past 4 years, they have endured more than their fair share as a result of natural disasters, but they continue to emerge victorious time and time again from the ashes of destruction wrought by earthquakes, fires, droughts, and floods. I might add that Governor Wilson is already taking similar steps in the face of the current California floods, using emergency authorities to speed rebuilding in flood areas. Moreover, he has asked the

President to suspend operation of the Endangered Species Act for the purposes of repairing and replacing flood damaged facilities.

It is with respect for this indomitable California spirit, and with admiration for a State and its Governor who together forged a better, smarter avenue to disaster recovery, that I mark the first year anniversary of the Northridge earthquake. I ask unanimous consent that the materials detailing the Northridge disaster and recovery efforts, which have been prepared by Governor Wilson's staff, be reprinted in the RECORD immediately after my remarks.

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

#### THE WILSON ADMINISTRATION'S RESPONSE TO THE NORTHRIDGE EARTHQUAKE

On January 17, 1994, at 4:31 a.m. (PST) southern California experienced a major earthquake (6.8 Richter) in the Northridge area of Los Angeles.

Within hours of the earthquake, Governor Pete Wilson issued a Proclamation directing all agencies of state government to utilize available resources in responding to the emergency.

Jim van Loben Sels, Director of the California Department of Transportation (Caltrans), delegated authority and accountability to the Director of Caltrans, District Seven for all restoration and repair work estimated to cost less than \$4 million.

Seven Caltrans Director's Orders were approved and subsequent force account contracts were let to remove damaged structures, construct detours and install shoring to insure the safety of existing, standing structures.

Within minutes of the tremblor, Caltrans staff began inspecting the freeway system throughout Los Angeles and Ventura counties. More than 1,000 structures were checked—that day alone.

Tuesday, January 18, Director van Loben Sels called together representatives of the Los Angeles County Metropolitan Transportation Authority (LACMTA), Los Angeles Department of Transportation (LADOT), the Federal Highway Administration (FHWA), and Caltrans to discuss emergency response strategies and to identify earthquake-related damage to local transportation facilities.

January 19, Governor Wilson appointed Dean R. Dunphy, Secretary of the Business, Transportation and Housing Agency, as Chairman of the Emergency Transportation Task Force. This group included the California Highway Patrol, Caltrans, Los Angeles County Metropolitan Transportation Authority (LACMTA), Metrolink, Los Angeles Department of Transportation (LADOT), the Federal Highway Administration (FHWA), and eventually numerous other local transportation agencies. The group originally met daily and became a control point of information about damage, detours, cost estimates, and other emergency transportation control measures.

On January 23, Governor Wilson issued a further Proclamation which suspended the operation of all statutes, rules and regulations which apply to Caltrans contracts that would hinder or delay the restoration of facilities and services as a result of the Northridge earthquake.

The Governor's emergency proclamation modified contracting procedures and enabled