

Mr. LEVIN. Mr. President, let me say to my friend from West Virginia that he is the legislative craftsman par excellence, as far as I am concerned. And he has been a role model in this regard, reminding all Members of the importance of taking the time to craft laws which will work in the real world.

There are times we have the best of intents and we have the worst of unintended consequences. We have to take the time to work through bills such as this. That is a different bill from last year in very significant ways. He has been a role model, indeed, in this area for me and to the extent that I got involved with nuts and bolts, as he has pointed out.

I am grateful for his comment. It is in large measure because there have been a lot of people who have set a standard in this area, that I think is very important for me to follow. I am thankful for the comments.

Mr. BYRD. Will the Senator yield?

Mr. President, I think it is important to the extent that it ought it to be given public recognition. The kind of public recognition that is given to a rollcall vote. We have had rollcall votes on matters of lesser importance, at least in my view. I am just looking at it from one man's vantage point. I think we ought to have a rollcall vote on it. This is an important amendment. At some point in time we ought to do that.

I have not made the request, but I will make the request at the appropriate time.

The PRESIDING OFFICER. The request made by the Senator from Michigan is pending.

Mr. LEVIN. Mr. President, if the majority leader would just withhold, I have a pending unanimous-consent request that they have not yet ruled on, that the committee amendment be set aside in order that my amendment, as modified by the Senator from Ohio, be in order. That was a pending unanimous-consent request, and I am wondering if the majority leader might withhold to see if there is any objection to that.

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

Mr. LEVIN. Mr. President, I thank the Chair and I thank the majority leader.

The PRESIDING OFFICER. Is there further debate on the amendment?

Mr. DOLE. The Senator from West Virginia has the floor. I want to make an inquiry.

If the yeas and nays are ordered, I wonder if we might have that vote occur at about 8:30. I think a lot of people left with the understanding there might be debate but no vote. I will check with the Democratic leader. I do not have any quarrel with the rollcall. Maybe we can have a couple more amendments by that time, too.

Mr. BYRD. Mr. President, I certainly have no problem with that.

May I say to the distinguished leader I felt that this is a very important amendment. We will have this bill, it is

very important to a lot of people in this country. The word "age" and other words, that I understand the Senator from Michigan and the Senator from Ohio are interested in. It gives the public recognition to an amendment just that important. A rollcall vote is more noticed in conference with the House, as well, than a voice vote. It also shows that this bill is being improved by our taking a little time. By our taking a little time, studying the bill, debating, probing. So we are making some improvements.

Would the distinguished majority leader like to lock in the vote at this point?

Mr. President, while we are on this amendment, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. GLENN. Mr. President, 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. ROBB. 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. ROBB. Mr. President, I ask unanimous consent, although it is not necessary, that we turn to a period of morning business for about 7 minutes.

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

Mr. ROBB. Mr. President, thank you. The Senator yields to the Senator from Ohio.

AMENDMENT NO. 170, AS MODIFIED

Mr. GLENN. If the Senator would yield for a moment. When we sent the Levin amendment to the desk, it did not have the changed language that I suggested. He was changing his own amendment. The copy that was sent to the desk was not the proper copy. We would like to modify that amendment, and since the yeas and nays have been ordered that would normally not be in order.

I would ask unanimous consent that Senator LEVIN be permitted to modify his amendment.

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

The amendment will be so modified.

The amendment (No. 170), as modified, is as follows:

On page 12, strike lines 17 through 19 and insert "that prohibit discrimination on the basis of race, color, religion, sex, national origin, age, handicap or disability;"

Mr. GLENN. I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

CORPORATION FOR PUBLIC BROADCASTING

Mr. ROBB. Mr. President, there is a serious debate going on over whether the Federal Government should con-

tinue to play a role, the small part it currently plays, in supporting the Corporation for Public Broadcasting.

On Tuesday, in a speech before the National Press Club, Ervin Duggan, president of the PBS, outlined reasons why support from the Government is important, and I ask unanimous consent to have Mr. Duggan's speech printed in the RECORD at the end of my remarks.

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

(See exhibit 1.)

Mr. ROBB. Mr. President, today I would like to reiterate my support for public broadcasting because of the important educational role it plays in our society. We invest very little and we get a lot in return.

Public broadcasting does not rely solely, or even mostly, on Government support. Only 14 percent of its budget comes from Congress, approximately \$1.09 per person. The rest of its funding comes from 5 million Americans and hundreds of corporations who understand the importance of quality commercial-free educational broadcasting.

Public broadcasting is no longer just MacNeil/Lehrer, "All Things Considered," "Sesame Street," and the Civil War series. I have been particularly impressed with the way public broadcasting is using new technology for education. Hundreds of thousands of Americans, who otherwise would not have the opportunity, can earn their high school or college degree through courses shown on public television. At 60 colleges—and that number is growing—students can earn a 2-year degree through PBS telecourses.

Millions of teachers use television's best programs, like Ken Burns' remarkable Civil War series, in the classroom. Many of these programs are now available to educators on laser disk for interactive learning.

Many public broadcasting stations are currently on the Internet, along with PBS, NPR, and the Corporation for Public Broadcasting.

In times of budget deficits, we all understand that we have to make the most of our limited resources, but we must also understand that one of the targets of our resources is education and that education, as we know it today, encompasses more than just a classroom. It is libraries, movies, television, radio, computers, museums, and the many other outlets of information available.

In today's society, where quality educational programming is so rare, public broadcasting fills a unique and important niche, and it asks us to invest so little—one-fiftieth of 1 percent of our budget.

Most of us in Washington have the opportunity to enjoy local public television programming through WETA, one of the top five public broadcasting stations in the country. But public television also reaches out to the far corners of our country—and in my own

State, to Richmond, Charlottesville, Roanoke, Norfolk, and Marion. Public broadcasting brings its viewers and listeners programs they might not otherwise have the chance to experience. For example, the majority of viewers who watch opera on public television do not have a college degree and make less than \$40,000 a year.

Mr. President, I believe our very small contribution to public broadcasting is one of the best investments this Government makes. As Mr. Duggan so aptly points out, public television could operate for 10 years on what Fox paid for one program of NFL football. I hope the Congress will continue its commitment to public broadcasting.

Mr. President, I thank you, and I thank the majority leader and the floor managers for allowing me to use these few minutes while they are concluding their effort to resolve this particular question.

Mr. President, I yield the floor.

EXHIBIT 1

THE LIVING TREE OF PUBLIC BROADCASTING

(Remarks of Ervin S. Duggan)

INVESTING WELL

The little town where I grew up—Manning, South Carolina—was small enough that we could walk to church on Sunday. My Sunday School teacher was a Southern matriarch named Virginia Richards Sauls, one of nine daughters of a South Carolina governor. Miss Virginia, as we called her, never tired of telling us the great stories of the Bible. Her favorite was the Parable of the Talents.

In that parable, a rich man leaving on a journey entrusts his property—measured in what were called talents—to his three servants for safekeeping. He returns to find that two servants have invested their talents well—so well, in fact, that their worth has doubled. The other, foolishly, has buried his talent in the ground. The master scolds and punishes the foolish, hoarding servant, but says to the wise and fruitful ones: "Well done, thou good and faithful servants; you have been faithful over a little; I will set over you much."

That story, of course, is about the generous, productive use of gifts; about sharing, building and creating. I mention it because I am convinced that the people of public broadcasting—the local volunteers, trustees, producers, professionals and supporters who make up this enterprise—are good and faithful servants who are living out a modern reenactment of the Parable of the Talents. They do not eat tax dollars; they plant them and grow others. They are faithful over a little; they turn it into much.

I'm concerned, however, that everything those good and faithful servants have built over two generations is suddenly, seriously at risk.

For the next few minutes I'd like to talk about four things:

I want to talk first about a genuine crisis that faces the nation we love. I call it the triple crisis.

Second, I want to describe the remarkable local and national partnership that constitutes public broadcasting—a treasure not unlike our national parks, or The Smithsonian Institution. I want to sketch its true nature, because too many people seem not to understand it.

Third, I'd like to say a few words about the dangers of loose talk, of careless rhetoric, about "privatizing" public broadcasting. If privatizing turns out to be only a euphemism for defunding public broadcasting in a way

that would commercialize it; if privatizing, in the end, leads to breaking it into pieces to be sold for salvage, much could be lost, never to be regained.

Fourth and finally, I want to suggest that there are better, more creative possibilities for this great national asset, this living tree called public broadcasting: possibilities for more hopeful and constructive than merely zeroing it out, or hacking the tree down to a stump.

THE TRIPLE CRISIS

Consider, first, the triple crisis that we face.

First there is the crisis of education: Can we send all our children to school ready to learn? Once they're there, can we give them an education good enough to help them become productive, responsible citizens and workers in a competitive global economy?

We face, second, a crisis in our popular culture—a steadily coarsening, ever-more-tawdry, popular culture, driven by marketplace imperatives to be increasingly violent and exploitative. Today's electronic culture of gangsta rap and kick-boxing superheroes not only makes it harder to be a parent; except for a few honorable exceptions, our media coldly abandon parents who yearn to give their children decent values to live by. Telling those parents simply to turn off the set if they don't like the violence and tawdriness that they see is like telling people to wear gas masks if they don't like pollution.

We face, third, a crisis of citizenship. Can we still speak with civility to one another? Can we approach our mutual problems in an atmosphere of shared purpose? We citizens in the center wonder—and we wince as our elected leaders vilify one another in an atmosphere of gridlock. We wince to hear commercial talk shows disintegrate into shouting matches and peep shows for the lurid and bizarre. Can we create what Father Richard Neuhaus calls a civil public square?

THE POPULIST BROADCASTING SERVICE?

That triple crisis points me to my second topic: I know of one institution that can constructively address every aspect of that triple crisis. It is an imperfect institution, yet one with many virtues. Its entire mission is education, culture and citizenship. It is called public broadcasting.

We could substitute, for that word "public" in public broadcasting, the more elaborate words of Abraham Lincoln: "of the people, for the people, by the people." For public broadcasting stations are not owned or controlled by monolithic bureaucracies a thousand miles away. They're owned by local boards, by universities, by school systems, by nonprofit civic organizations.

What could be more populist, more Jeffersonian? I can almost see Thomas Jefferson in his study, watching Bill Buckley's "Firing Line" debates. Jefferson, a child of the Enlightenment, would have loved the enlightening mission of public broadcasting. Jefferson the small-d democrat would have loved its universal reach. Jefferson the inventor would have wanted to meet the pioneers who brought the world closed captioning for the deaf and an audio channel for the blind. It is not far-fetched to say that public broadcasting is Mr. Jefferson's other memorial: a temple of minds and voices; a temple not built of stone.

That word "public" means something else: free and universally available to all. To enjoy its riches, no one has to pay thousands of dollars for a computer and software and a modem. If you do have a modem, however, we have a great new service called PBS ON-LINE. And you'll find many public stations on the Internet, along with PBS, NPR, and the Corporation for Public Broadcasting. To enjoy the riches of public broadcasting,

moreover, you don't have to plug in a cable, or rent a converter, or pay hundreds of dollars a year in subscriber fees or pay-per-view charges.

That word "public" in public broadcasting refers to something else, as well: a mission that cannot be replaced by commercial operators any more than your public library can be duplicated by Crown Books, a public school replaced by a New England prep school, or a national seashore duplicated by a commercial theme park.

Our unique mission is service to teachers, students and schools. This year, hundreds of thousands of Americans will earn their high school or college degrees through courses screened by local public television stations. Millions of teachers will use classroom versions of our most famous programs; my ninth-grade son, right now, is learning about the Civil War from his teacher—and from a laserdisc version of Ken Burns's masterpiece. As I speak to you, teachers across the nation are learning the new Goals 2000 math standards through a service called PBS MATHLINE. At 60 colleges—60 and growing—students can earn a two-year degree totally through PBS telecourses, without going to campus.

That is a side of public television many viewers, and many members of Congress, don't know enough about. That mission, however, sets us apart from every other broadcast and cable service in America. For us, you see, education isn't an afterthought, or window dressing or a sideline. It is in our institutional genes. It is central to our purpose.

Then there's our funding, public in the broadest sense of that word. Public television, for example, has between five and six million contributing members—five million householders who give generously to something they could get for free.

Locally and nationally, hundreds of public-spirited corporations underwrite programs—Mobil, General Motors, Archer Daniels Midland and AT&T. They can buy commercials elsewhere. Here, they care about another mission.

Generous and visionary foundations like Olin, MacArthur, the Pew Charitable Trusts, and Bradley also give.

And then, joining all these stakeholders in our enterprise, there's Congress. How much does Congress contribute each year to public broadcasting? Roughly 14 percent of the budget for this public-private enterprise. Fourteen percent. To put the question another way, how much of the Federal budget does the Corporation for Public Broadcasting account for? One fiftieth of one percent; two hundredths of the Federal budget. In decimal form, point zero two.

That's \$1.09 per person, 80 cents of it for television. If you bought just about any newspaper in the country last Sunday, you paid more for that paper than you pay for public broadcasting for an entire year. Think of it: Sesame Street, MacNeil/Lehrer, NOVA, All Things Considered, Morning Edition—all this, all year, for less than the cost of a cup of coffee in Chicago. All of public television's buildings, facilities, stations, programs, all year—everything—for a dollar a year. We could operate PBS for ten years for what Fox paid for just one program: NFL Football.

Suppose we paid for interstate highways through such a public-private partnership, with Congress appropriating only 14 percent of the total. Suppose we used this model to pay for battleships or Capitol Hill offices and staffs? Government leaders of both parties, who rightly care about frugality and efficiency, about stretching every dollar, would, I'm sure, hold parades in the streets to celebrate such feats.

Well, public broadcasting IS funded through such a frugal, efficient partnership. Those who are taking aim at it, in my judgment, should instead be saying, like the master in that biblical parable, "Well, done, thou good and faithful servants. Enter into the reward laid up for thee."

CUT DOWN THE LIVING TREE, OR SAVE IT?

Some of our leaders, however, are speaking in a different way. They have targeted public broadcasting for a quick, sidelong choke that could mean its eventual extinction. They intend, they say, to "privatize" public broadcasting by stripping it of federal funding. The professional political term, inside the Beltway, is "zeroing-out."

So let me turn now to my third topic—privatizing, which at this point in the debate cannot be distinguished from another word: commercializing.

The opponents of public television deny that their opposition is ideological; they deny they want to censor or silence voices they don't like. After much complaint about that issue, they now say they have other, more innocuous reasons. Let us take them at their word.

They argue that the federal government has "no mandate" to keep funding public broadcasting; that noncommercial educational broadcasting is "not essential" to the nation. Surely, then, they plan to zero out, as well, The Smithsonian Institution? The National Gallery? The Kennedy Center? Federal support for the Internet? For these, too, are public institutions of education and culture, like public broadcasting. And these too, are not essential; not necessary to life. They are simply among the things that make life worth living, for rich and poor alike. Why single out public broadcasting? I wonder why.

Another complaint is that public broadcasting is elitist, a "sandbox for the rich." All the factual evidence, all the research, all the data suggest the opposite: that the people who love public broadcasting are the very same people who make up America. The majority of viewers who watch opera on public television, for example, don't have a college degree, and their household incomes are less than forty thousand dollars a year.

What about the contention that public broadcasting is too expensive? the numbers you have heard poke big holes in that argument—especially when you add, to the numbers, the matching efforts that expand and multiply the federal contribution. To defend this enterprise for that reason—suddenly, unilaterally, and without consulting the millions of other stakeholders who produce far more of its support—would be pound-foolish, not economical. To people outside the Beltway, to thousands of local board members and volunteers, such talk doesn't sound like reform. It sounds like assisted suicide—a mask pressed down upon a patient who wants no such assistance, and whose family isn't allowed into the room.

Told how frugal we are, some of these detractors about-face, awkwardly, to yet another explanation: It's such a tiny amount, they say, it could easily be made up from "other sources"—from toy sales, for example, tied to our programming. The numbers don't add up, but who's counting?

We need to be clear on one important point: In our economy, there is no such thing as nonprofit venture capital. That relatively small amount of federal funding—that 14 percent of public broadcasting's budget—is our seed money, our risk capital. If "privatize" means to "zero out" (and we're told it does); and if no clear plan exist for replacing that seed capital (and none has emerged), then to "privatize," means, perforce, to commercialize. Take away public broadcasting's seed funding, starve it financially of its only ven-

ture capital, however small—and you force it headlong into the alien world of ad agencies and costs-per-thousand and merchandising, rather than the world of teachers and historians and community volunteers.

Surely those who speak of a quick, unilateral "privatizing" don't intend that to be the final destination. Or do they?

Finally, we hear that cable can do everything public television can do. Why not let a cable network, or several cable networks, program PBS—as a sort of re-run channel? Leave aside for the moment the implication here; the whiff of trickle-down TV. Ask some other questions: Is this in the public interest, or a commercial parody of the public interest? Would America like to lose what would be lost? Would America's existing commercial networks like such an outcome? What would such a scheme do public television's historic role as found and wellspring of innovative program ideas?

What, exactly, is the vision of those who would "privatize" public broadcasting? Is it a vision that preserves the original dream, or does it torch and destroy that dream? They don't say. Is it a vision worthy of those public-spirited Republicans and Democrats of the Carnegie Commission, who created a new model called public broadcasting 25 years ago? They don't say. Is it a vision for a new and better future? Or is it, in fact, a death warrant disguised as a new charter?

WHAT THE PEOPLE SAY

Perhaps our leaders on Capitol Hill need to listen to what the people say. A national poll conducted by opinion Research Corporation was released today. It suggests that most Americans—84 percent—want that small but vital federal stake in the partnership maintained or increased. Support for federal funding totals 80 percent among Republicans; 86 percent among independents; 90 percent among Democrats.

What do these numbers tell us? They suggest that the parents and teachers and grandparents of this nation—the people who live in homes with cable, and in the 32 million homes that don't subscribe—may want a better plan. They seem to want something more than vengeful zeroes, or "privatization" schemes that threaten to commercialize or kill.

Fortunately, the people of public broadcasting, and the people who cherish public broadcasting all over the nation, have lots of good ideas. All over the country, local stations are becoming educational teleplexes. They're planting the flag of education on new technologies. They're turning the existing infrastructure of public broadcasting into a free educational launching pad into cyberspace.

People within the world of public television have good ideas, as well, about renewing and refreshing public television: ideas, for example, about insulating its governance and financing from the political vagaries of each appropriations season. The original Carnegie Commission, made up largely of Republican business leaders, called for a national endowment, raised from a few pennies on the sale of each TV set and radio. That's one idea. A reserve of spectrum auction money is another. Tax credits and "education technology grants" are another.

The local leaders of public broadcasting are forward-looking. They are highly capable of planning the future of their enterprise. Before changes are hatched that might be ill-considered, we need some decent ground rules. Let me suggest three:

First, all of the stakeholders who support this local enterprise ought to be invited to the table. Otherwise, any outcome is likely to be imposed, not democratic.

Second, the process should be orderly, not precipitous; careful, not headlong. Public

broadcasting has taken 40 years to achieve its present excellence. Why all this haste to dispatch it in 100 days, by a quick, sidelong fiscal choking?

Third, we need to be candid about the real motives underlying proposals for change. What are we to think about would-be surgeons who seem to despise their patient?

DO THEY HEAR US?

It was Edmund Burke who pointed out that the true conservatism lops off dead branches, in order to preserve the living tree. Public broadcasting, however imperfect it may be, is part of the living tree: the tree of education, culture and citizenship. To chop up that tree and sell it off as cordwood would be violent and extreme, not conservative.

The volunteers, professionals and board members of America's public broadcasting stations are eager to tell their leaders about the worth and potential of that living tree. They see a historian and educator as the House Speaker and they say, "History: that's what we're about." They hear Speaker Gingrich discuss our need to nurture and care for our young and say, "Education: that's what we're about." They hear Speaker Gingrich's speeches about futurism and technology and the Third Wave—about laptops for the poor—and they say, in so many words, "Technology for humane ends: that's what we're about. Is he listening? Does he know we're here?"

Those same leaders look at the biography of Senator Pressler and see a son of Harvard; a Rhodes Scholar, a Senator whose constituents, many of them, live in rural places or are too poor to afford a monthly bill for cable, great as cable is. They say, "We have a great deal to say to him. Will he listen?"

The people of public broadcasting—thousands of them, who have created jobs and educational services and community outreach projects out of their local stations, are ready to join in a discussion about its renewal and its future. But they will also fight the reflex to destroy what they have built. Today they know that millions of Americans agree with them.

Mr. ROBB. Mr. President, 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. PELL. 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. PELL. I ask unanimous consent that I be allowed to proceed for a few minutes as in morning business.

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

THE CLOTURE VOTE

Mr. PELL. Mr. President, I refer to my position on the vote we took earlier today on the cloture motion to curtail debate on the unfunded mandates bill. On that vote I declared a live pair but indicated I would have voted for cloture.

I was not comfortable with that vote, particularly because it placed me at cross purposes with the leadership on this side of the aisle in their campaign to assure fair treatment of the minority.

But I took the position I did in the context of the long-standing practice I

have followed since I first came to the Senate in 1961. And that practice is simply to support termination of debate except in extraordinary circumstances and to allow a majority of the Senate to work its will.

Over the 34 years that I have served in the Senate, I have cast 327 votes in favor of cloture, and some 55 of those were cast when our party was in the minority.

But in the same period I have always reserved the right to support continued debate—or at least not voting for cloture—when there were clear and extraordinary circumstances which called for extended deliberations.

Indeed, there have been some 32 occasions in which I either paired or, as in two cases, voted against cloture, or was absent. In the future, I expect to continue my longstanding practice of voting for cloture.

Mr. President, I ask unanimous consent that I may print in the RECORD a listing of issues on which I have voted for cloture from the 87th Congress through the 103d Congress.

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

PELL CLOTURE VOTES

87TH CONGRESS

Amend rule 22.
Literacy tests (2).
Communication satellite.

88TH CONGRESS

Amend rule 22.
Civil rights.

89TH CONGRESS

Voting rights.
Right-to-work (3).
Civil rights (2).
D.C. home rule.

90TH CONGRESS

Amend rule 22.
Open housing (4).
Fortas nomination.

91ST CONGRESS

Amend Rule 22 (2).
Electoral college (2).
Supersonic transport funds (2).

92D CONGRESS

Amend rule 22 (4)
Military draft.
Lockheed loan.
Rehnquist nomination.
EEOC (3).
U.S. Soviet Arms Pact.
Consumer Agency (2).

93D CONGRESS

Voter registration (3).
Campaign financing reform (4).
Rhodesian chrome (3).
Legal services (3).
Genocide treaty (2).
Government pay raise.
Public debt ceiling (3).
Consumer Protection Act (4).
Export-Import Bank (4).
Trade reform.
Supplemental appropriations (school desegregation).
Social Services.
Upholstery import regulations/Taxes and tariff.

94TH CONGRESS

Regional railroad reorganization.
Cloture reform (2).
Tax reduction (2).

Consumer Protection Agency.
Personal Senate committee staff.
New Hampshire Senate contest (6).
Voting Rights Act (2).
Oil price ceiling.
Labor-HEW/busing (2).
Common-site parking (2).
Railroad reorganization.
New York aid.
Rice production.
Antitrust bill (2).
Civil rights attorney's fees.

95TH CONGRESS

Vietnam draft evader pardon.
Campaign financing (3).
Natural gas deregulations.
Labor law reforms (6).
Tax reduction.
Energy tax conference report.

96TH CONGRESS

Windfall profits tax (4).
Nomination of William A. Lubbers to general counsel, NLRB (2).
Rights of institutionalized persons (4).
Draft registration.
Nomination of Don Zimmerman to be a member of NLRB (2).
Alaska lands.
Vessel tonnage/surface mining.
Fair Housing amendments (2).
Nomination of Stephen Breyer to be U.S. Circuit Court Judge.

97TH CONGRESS

Dept. of Justice authorization/busing (2).
Broadcasting of Senate Chamber proceedings.
Criminal Code Reform Act of 1982.
Urgent Supplemental Appropriations, 1982.
Voting Rights Act extensions.
Temporary debt limit increase/abortion.
Temporary debt limit increase/school prayer (4).
Antitrust contributions (2).
Surface Transportation Assistance Act (5).

98TH CONGRESS

Emergency jobs appropriations.
Emergency jobs appropriations, amendment on interest and dividend tax withholding (3).
Natural Gas Policy Act Amendments.
Capital Punishment.
Hydroelectric Power Plants.
Budget Act Waiver, agriculture appropriations (2).
Nomination of J. Harvie Wilkinson, III, to be a circuit judge.
Financial Services Competitive Equity Act (2).
Broadcasting of Senate Proceedings (2).
Continuing Appropriations, Civil Rights Act of 1984.

99TH CONGRESS

South African Anti-Apartheid (4).
Line Item Veto (3).
Public Debt Limit/Balanced Budget.
Conrail Sale (2).
Sydney A. Fitzwater to be District Judge.
Metropolitan Washington Airports Transfer (2).
Hobbs Act Amendment.
National Defense Authorization Act, FY 1987.
Military Construction Appropriations, 1987 (Contra Aid).
William Rehnquist to be Chief Justice.
Product Liability Reform Act.
Anti-Drug Abuse Act of 1986.
Immigration Reform and Control Act.

100TH CONGRESS

Contra Aid Moratorium (3).
Stewart B. McKinney Homeless Assistance Act.
DOD Authorization FY '88 & '89 (3).
Senatorial Election Campaign Act (5).
Omnibus Trade and Competitiveness Act of 1987 (3).

Melissa Wells to be Ambassador to Mozambique.
Senatorial Election Campaign Act (3).
DOD Authorization FY '88 & '89 (2).
C. William Verity to be Secretary of Commerce.
War Powers Act Compliance.
Energy and Water Development Appropriations.
Polygraph protection.
Intelligence oversight.
High-Risk Occupational Disease Notification/Prevention Act (4).
Constitutional Amendment on Campaign Contributions (2).
Extension of the Immigration and Nationality Act.
Death Penalty for Drug Related Killings.
Great Smokey Mountains Wilderness Act (2).
Plant Closing Notification Act (2).
Textile, Apparel, and Footwear Trade Act.
Minimum Wage Restoration Act of 1988 (2).
Parental and Medical Leave Act (2).

101ST CONGRESS

National Defense Authorization Act FY 1990-91.
DOT Appropriations.
Eastern Airlines Labor Dispute (2).
Nicaragua Election Assistance.
Ethics in Government Act.
Armenian Genocide Day of Remembrance (2).
Hatch Act Reform.
AIDS Emergency Relief.
Chemical Weapons.
Federal Death Penalty Act of 1989 (2).
Air Travel Rights For Blind.
Civil Rights Act of 1990.
National Defense Authorization Act FY 1991.
Motor Vehicle Fuel Efficiency Act (2).
Family Planning Amendments, 1989.
National Voter Registration.
Foreign Operations Appropriations, 1991.

102D CONGRESS

Retail Price Maintenance (2).
Violent Crime Control Act of 1991 (5).
National Voter Registration Act (4).
Veterans and H.U.D. Appropriations, 1992.
Foreign Assistance Authorization (3).
Unemployment Compensation.
National Defense Authorization Act FY 1992-93.
Department of Interior Appropriation, 1992.
Federal Facility Compliance Act of 1992.
Civil Rights Act of 1992.
National Energy Security Act.
Deposit Insurance Reform Act.
Hostages in Iran Investigation.
Crime Control Act of 1991.
National Literacy and Strengthening Education for American Families Act.
National Cooperative Research Act Extension of 1991.
Lumbee Tribe Recognition Act.
Corporation for Public Broadcasting Reauthorization.
Appropriations Category Reform Act.
NIH Reauthorization Act, 1992.
Workplace Fairness Act (2).
Comprehensive National Energy Policy Act (2).
Product Liability Fairness Act (2).
National Literacy and Strengthening Education for American Families Act (2).
Labor-HHS Appropriation, 1993.
START Treaty.
Comprehensive National Energy Policy Act.
Tax Act.

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National Voter Registration Act (4).

Supplemental Appropriations, 1993 (4).
 Campaign Finance Reform Act (6).
 Natl. and Community Service.
 Walter Dellinger—Atty. General.
 Interior Conference Report (3).
 State Department; 5 Nominees.
 Brady Handgun (2).
 Janet Napolitano to be US Attorney.
 National Competitiveness Act.
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 Derek Shearer.
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 Striker Replacement (2).
 Crime Bill Conference.
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 Ricki Tigert.
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 Lobbying Disclosure (2).
 California Desert Protection.

MEXICAN FINANCIAL CRISIS

Mr. PELL. Mr. President, over the last 3 weeks a steep decline in the value of the Mexican peso has precipitated a financial crisis with worldwide implications. The peso's loss has not only shaken investor confidence on the Mexican stock market, but triggered a short-term debt crisis that is affecting currencies and markets throughout the hemisphere. Without a swift and sure response to this crisis, Mexico could face serious economic decline and political instability.

President Clinton was quick to recognize the long-term danger this poses for all of us. A Mexican crisis would hit the United States economy hard by reducing Mexico's ability to import United States goods and services. It could increase illegal immigration and destabilize the Mexican Government. Finally, it could spread to other emerging market economies and further reduce U.S. exports.

In light of these potential consequences, the administration moved expeditiously to propose a package of loan guarantees to address the problem. The Departments of Treasury and State have been working closely with the bipartisan leadership of the House and the Senate to craft a loan guarantee package that will bring an end to the crisis without costing money to the American taxpayer. I hope that soon we will be able to move forward on legislation to help resolve the Mexican crisis while addressing the legitimate concerns that many have raised.

I am concerned that the loan guarantee program be structured so it will not become a cost to our taxpayers.

In addition it is important there be full disclosure to Americans of those investors, United States, Mexican, and others, who will benefit by our United States action to guarantee up to \$40 billion of Mexican Government bonds used to satisfy Mexican Government obligations to those investors.

Mr. President, yesterday at the Department of Treasury, President Clinton spoke about the broader implications of the Mexican situation and about the package being put together to respond to it. I believe his remarks were very helpful and instructive, and I

ask unanimous consent that they be printed in the RECORD:

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

REMARKS BY THE PRESIDENT, JANUARY 18, 1995

The PRESIDENT. Thank you very much, Secretary Rubin and Ambassador Kantor.

Ladies and gentlemen, we wanted to be here today to make the clearest public case we can for the proposal, which has been developed by the administration and the bipartisan leadership in Congress, for dealing with the present situation.

We have worked hard with an extraordinary group of people who have joined forces because all of us realize how important this proposal is—not only to the people of Mexico but also to the United States and to our workers. We are acting to support the Mexican economy and to protect and promote the interests of the American people.

As Ambassador Kantor said, and as all of you know very well, we live in an increasingly global economy in which people, products, ideas and money travel across national borders with lightning speed. We've worked hard to help our workers take advantage of that economy by getting our own economic house in order, by expanding opportunities for education and training, and by expanding the frontiers of trade, by doing what we could to make sure there was more free and fair trade for Americans. And we know, and all of you know, that those efforts are creating high wage jobs for our people that would otherwise not be there.

Our goal, our vision must be to create a global economy of democracies with free market not government-run economies; democracies that practice free and fair trade, that give themselves a chance to develop and become more prosperous, while giving our own people the opportunity they deserve to reap the benefits of high-quality, high-productivity American labor, in terms of more jobs and higher incomes.

We have pursued this goal with vision and with discipline, through NAFTA, through the Summit of the Americas, through a number of other international endeavors, like GATT and the Asian Pacific Economic Cooperation Group. But we have pursued it especially here in our own hemisphere, where we are blessed to see every nation but one governed in a democratic fashion, and a genuine commitment to free market economics and to more open trade.

We have to know that the future on this path is plainly the right one, but as with any path, it cannot be free of difficulties. We have to make decisions based on a determined devotion to the idea of what we are pursuing over the long run. We know that given the volatility of the economic situation in the globe now, there can be developments that for the moment are beyond the control of any of our trading partners, themselves developing nations, which could threaten this vision and threaten the interests of the American people.

Mexico's present financial difficulty is a very good case in point. Of course, it's a danger to Mexico, but as has already been said, it is plainly also a danger to the economic future of the United States.

NAFTA helped us to dramatically increase our exports of goods and services. It helped us to create more than 100,000 jobs here at home through increased exports to Mexico. But over the long run, it means even more. It means even more opportunities with Mexico, it means the integration of the rest of Latin America and the Caribbean into an enormous basket of opportunities for us in the future. And we cannot—we cannot let

this momentary difficulty cause us to go backward now.

That's why, together with the congressional leadership, I am working so hard to urge Congress to pass an important and necessary package to back private sector loans to Mexico with a United States government guarantee. Let me say, I am very gratified by the leadership shown in the Congress on both sides of the aisle.

By helping to put Mexico back on track, this package will support American exports, secure our jobs, help us to better protect our borders, and to safeguard democracy and economic stability in our hemisphere—because America and American workers are more secure when we support a strong and growing market for our exports; because America and American workers are more secure when we help the Mexican people to see the prospect of decent jobs and a secure future at home through a commitment to free-market economics, political democracy and growing over the long term; and because we're more secure when more and more other countries also enjoy the benefits of democracy and economic opportunity; and, perhaps most important, over the long run, because we are more secure if we help Mexico to remain a strong and stable model for economic development around our hemisphere and throughout the world.

If we fail to act, the crisis of confidence in Mexico's economy could spread to other emerging countries in Latin America and in Asia—the kinds of markets that buy our goods and services today and that will buy far more of them in the future.

Developing these markets is plainly in the interests of the American people. We must act to make sure that we maintain the kind of opportunities now being seized by the Secretary of Commerce and the delegation of American business leaders who have had such a successful trip to India.

If you take Mexico, just consider the extraordinary progress made in recent years. Mexico erased a budget deficit that once equalled 15 percent of its Gross Domestic Product. It slashed inflation from 145 percent a year to single digits. It sold off inefficient state enterprises, dramatically reduced its foreign debt, opened virtually every market to global competition. This is proof that the Mexican government and the Mexican people are willing to make decisions that are good for the long run, even if it entails some short-term sacrifice for them, they know where their future, prosperity and opportunity lie.

Now Mexico, of course, will have to demonstrate even greater discipline to work itself out of the current crisis. Let me say, though, it's important that we understand what's happened. And the Secretary of Treasury and I and a lot of others spent a lot of time trying to make sure we understood exactly what had happened before we recommended a course of action.

It is clear that this crisis came about because Mexico relied too heavily upon short-term foreign loans to pay for the huge upsurge in its imports from the United States and from other countries. A large amount of those debts come due at a time when because of the nature of the debts, it caused a serious cash flow problem from Mexico, much like a family that expects to pay for a new home with the proceeds from the sale of its old house only to have the sale fall through.

Now, together with the leadership of both houses, our administration has forged a plan that makes available United States government guarantees to secure private sector loans to Mexico. The leadership in Congress from both sides of the aisle and the Chairman of the Federal Reserve Board developed

this plan with us. It is something we did together because we knew it was important, important enough to the strategic interest of the United States to do it in lockstep and to urge everyone without regard to party or region of the country or short-term interests to take the long view what is good for America and our working people.

We all agree that something had to be done. Now, these guarantees, it's important to note, are not foreign aid. They are not a gift. They are not a bailout. They are not United States government loans. They will not affect our current budget situation. Rather they are the equivalent of cosigning a note, a note that Mexico can use to borrow money on its own account. And because the guarantees are clearly not entirely risk-free to the United States, Mexico will make an advanced payment to us, like an insurance premium. No guarantees will be issued until we are satisfied that Mexico can provide the assured means of repayment. As soon as the situation in Mexico is fully stabilized, we expect Mexico to start borrowing once again from the private markets without United States government guarantees.

The U.S. has extended loans and loan guarantees many, many times before to many different countries. In fact, we've had a loan mechanism in place with Mexico since 1941. And Mexico has always made good on its obligations.

Now, there will be tough conditions here to make sure that any private money loaned to Mexico on the basis of our guarantees is well and wisely used. Our aim in imposing the conditions, I want to make clear, is not to micromanage Mexico's economy or to infringe in any way on Mexico's sovereignty, but simply to act responsibly and effectively so that we can help to get Mexico's economic house back in order.

I know some say we should not get involved. They say America has enough trouble at home to worry about what's going on somewhere else. There are others who may want to get involved in too much detail to go beyond what the present situation demands or what is appropriate. But we must see this for what it is. This is not simply a financial problem for Mexico; this is an American challenge.

Mexico is our third largest trading partner already. The livelihoods of thousands and thousands of our workers depend upon continued strong export growth to Mexico. That's why we must reach out and not retreat.

With the bipartisan leadership of Congress, I am asking the new Congress to cast a vote, therefore, for the loan guarantee program as a vote for America's workers and America's future. It is vital to our interests; it is vital to our ability to shape the kind of world that I think we all know we have to have.

No path to the future—let me say again—in a time when many decisions are beyond the immediate control of any national government, much less that of a developing nation, no path to the future can be free of difficulty. Not every stone in a long road can be seen from the first step. But if we are on the right path, then we must do this. Our interests demand it, our values support it, and it is good for our future.

Let me say again that the coalition of forces supporting this measure is significant—it may be historic. The new Republican leaders in Congress, the leadership of the Democratic Party in Congress, the Chairman of the Federal Reserve Board—why are they doing this? And I might say, I was immediately impressed by how quickly every person I called about this said, clearly, we have to act. They instinctively knew the stakes.

Now, in the public debate, questions should be properly asked and properly answered. But let us not forget what the issue is, let us not read too little into this moment, or try to load it up with too many conditions, unrelated to the moment. The time is now to act. It is in our interest. It is imperative to our future. I hope all of you will do what you can to take that message to the Congress and to the American people.

Thank you very much. (Applause).

Mr. PELL. I thank the Chair. I yield the floor.

The PRESIDING OFFICER. Who seeks recognition?

Mr. LEVIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 171 TO AMENDMENT NO. 31

Mr. WELLSTONE. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that Senator DODD be listed as a cosponsor to the amendment.

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

Mr. LOTT. Mr. President, will the distinguished Senator yield?

Mr. WELLSTONE. I am pleased to yield.

Mr. LOTT. Just to clarify a couple of points that we discussed, if the leadership should come in and need some time for discussion, I am certain the Senator's intention is to yield for that. Is that correct?

Mr. WELLSTONE. Mr. President, the Senator from Mississippi, the majority whip, is correct.

Mr. LOTT. Is the Senator going to seek a time agreement on this amendment?

Mr. WELLSTONE. Mr. President, I will be pleased to seek a time agreement. If we are going to plan for it around 8:30, 30 minutes would be fine, equally divided. I ask, if the other side does not need 15 minutes, I might need a little bit more than 15 minutes. Is that all right?

Mr. LOTT. I think it would be appropriate to ask unanimous consent that the time limit on this amendment be limited to 30 minutes equally divided, Mr. President.

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

Mr. LOTT. If the Senator will yield for one more moment, I will ask unanimous consent, if it meets with the approval of the Democratic side. I ask unanimous consent that a rollcall vote occur at 8:30.

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

Mr. LOTT. I thank the Senator.

Mr. WELLSTONE. Mr. President, I ask for regular order.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Minnesota [Mr. WELLSTONE], for himself and Mr. DODD, proposes an amendment numbered 171 to amendment No. 31.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the end of the language proposed to be inserted, add the following:

SEC. . CHILDRENS' IMPACT STATEMENT.

Consideration of any bill or joint resolution of a public character reported by any committee of the Senate or of the House of Representatives that is accompanied by a committee report that does not contain a detailed analysis of the probable impact of the bill or resolution on children, including whether such bill or joint resolution will increase the number of children who are hungry or homeless, shall not be in order.

Mr. WELLSTONE. Mr. President, thank you.

Mr. President, this amendment is a children's impact statement that Senator DODD and I proposed. This amendment says, and I quote for my colleagues:

Consideration of any bill or joint resolution of a public character reported by any committee of the Senate or of the House of Representatives that is accompanied by a committee report that does not contain a detailed analysis of the probable impact of the bill or resolution on children, including whether such bill or joint resolution will increase the number of children who are hungry or homeless, shall not be in order.

Mr. President, this essentially says—and it is very consistent with this overall piece of legislation—that if a committee with legislation reports out a separate report, as we often do, then that report should include an impact statement of the impact of that piece of legislation will have on children, and if it does not, then that piece of legislation will not be in order on the floor.

Mr. President, that is the same point of order that is the methodology of this piece of legislation.

Mr. President, I want to be clear with my colleagues that this is very different from the amendment that I proposed last week. The amendment I proposed last week said that if we were going to be moving forward on an agenda that I believe is going to be very mean spirited, it is important that we go on record with an assurance to people that we will not be passing any piece of legislation, any cut, any amendment, which could lead to an increase in homelessness or an increase in hunger among children. That amendment was voted down. I will bring that amendment back to the

floor for a separate vote. I will continue to do so because I think this is something on which all of us, Democrats and Republicans, should go on record.

Mr. President, this particular amendment, this children's impact statement, is a little bit different. What I am essentially saying is that if we are going to be talking about the impact of legislation on State governments, the impact of legislation on local governments, the impact of legislation on large corporations, or for that matter small businesses, then we ought to be willing to look carefully at the impact of legislation on our children.

By the way, I say to my colleagues, this is a very moderate proposal. I am just simply trying to require that when committees have a report, that included in that report there be a children's impact statement. We will all look carefully at the impact of what we are doing with our legislation on children.

In context, Mr. President, The Children's Defense Fund just came out with a study. Unfortunately, this closely parallels some fairly rigorous analysis that is being done right now about where we are heading by the year 2002, if in fact we move forward with a balanced budget amendment. But part of the balanced budget amendment equation is that we increase Pentagon spending, we engage in this continuing war for more and more tax cuts, and in addition we leave other major spending categories out or we put them in parentheses. The question becomes, then, what do you need to do to cut \$1.2 trillion or \$1.3 trillion? The assumption is, we may very well, with what is left in the budget, be talking about a 30-percent cut in programs that help children and families.

If that is the case the Children's Defense Fund estimates that in the United States, just looking at fiscal year 2002, we would be talking about overall 1,992,550 babies, preschoolers, and pregnant women losing infant formula and other WIC nutrition supplements.

Mr. President, this is an estimate of how many children would be affected in fiscal year 2002. This is very well the direction we could be going in. By the way, Mr. President, I think one of the reasons some of leadership that has been pushing so hard on a balanced budget amendment is unwilling to talk about where the cuts will be before they get a vote on this amendment is because the arithmetic is so compelling. And in many, many ways, by the way, we are going very much against the mandates from people in this country. I thought we were trying to act on that mandate, because one of the things people have said to us is to be truthful, be straightforward, and be honest with us, do not try and finesse us.

I think one of the reasons—and I am only taking one part of this agenda—a good part of the leadership—Mr. ARMEY is just one—that is unwilling to talk

specifically about where the cuts are going to take place before people vote up or down on this proposal is because of where the cuts will take place. While I cannot be certain, given what has been taken off the table, given what Senators do not seem to be willing to look at by way of cuts, then we can only look at that part of the budget which is on the table. And when we look at that part of the budget which is on the table, unfortunately, we are talking about cuts in programs that are extremely important for the most vulnerable citizens in this country, and I am talking specifically about children, Mr. President.

So, Mr. President, within that context, let me simply move forward and talk a little bit about some of these projections, because they are frightening. I want people in the country to know about them, and I want my colleagues to understand the context of this amendment.

The context of this amendment, again, is that by 2002, on present course, we could very well see 1,992,550 babies, preschoolers, and pregnant women who would lose infant formula and other WIC nutrition supplements. Women, Infants, and Children is what WIC stands for. By the way, as a former teacher, I argue that the most important education program in the United States of America is to make sure that every woman expecting child has a diet rich in vitamins, minerals, and protein. Otherwise, that child, at birth, will not have the same chance. These are the kind of cuts: 4,258,450 children would lose food stamps; 7,564,550 children would lose free or subsidized school lunch program lunches. Mr. President, it is not very easy for children to do well in school if they are hungry. It is a stark reality that all too many children go to school hungry. Mr. President, 6,604,450 children would lose Medicaid health coverage; 231,100 blind and disabled children would lose supplemental security income, SSI; 209,050 or more children would lose the Federal child care subsidies that enable parents to work or get education and training; 222,150 children would lose Head Start early childhood services.

Mr. President, how interesting it is—I am not going to go through all the figures—that all of us in public service want to have our photos taken next to children, and the only thing I am trying to do with this amendment is to simply say that before we go too far, why do we not at least—consistent with the overall framework of this legislation—as long as we are talking about impact statements, why do we not at least say that committees, when they have their accompanying report—and quite often that is the case—have as a part of that report a child impact statement so that we at least know what we are doing. This is, from my point of view, a very moderate proposal.

Mr. KEMPTHORNE. If the Senator will yield, Mr. President. In order that

other Members of the Senate can have some sense as to what may take place tonight, we do have one vote that has been ordered, which will occur at 8:30.

I ask unanimous consent that we designate that that will be the Levin amendment, at 8:30.

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

Mr. KEMPTHORNE. Further, Mr. President, it will be my intention to move to table the current amendment that is being debated, and at that point I will be asking for the yeas and nays so that all Senators will know that after the first vote occurring at 8:30, in all likelihood there will be a second vote to immediately follow.

Mr. LEVIN. Reserving the right to object. I understand the Wellstone amendment is a second-degree amendment to my amendment. So it would have to be—

If the Senator from Idaho would withhold.

Mr. WELLSTONE. Will the Senator yield for a moment?

Mr. LEVIN. Yes.

Mr. WELLSTONE. I was about to ask unanimous consent that my amendment be considered as a second-degree amendment to the Gorton amendment. I do make that request.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LEVIN. Mr. President, reserving the right to object, and I will not. As I understand the unanimous-consent request—or the statement of the manager, it is that there would be a rollcall vote on the Levin amendment at 8:30, and immediately following that, a rollcall vote on the Wellstone amendment—excuse me, to vote on a motion to table that the Senator from Idaho intends to make on the Wellstone amendment.

Mr. KEMPTHORNE. That is correct. I will be requesting the yeas and nays.

Mr. LEVIN. I thank my friend from Minnesota.

Mr. KEMPTHORNE. Mr. President, again, I thank the Senator from Minnesota for the courtesy of letting me interrupt.

Mr. WELLSTONE. I thank the Senator from Idaho, and I appreciate the work he is doing on the floor.

Mr. President, I have to say to my colleague, whom I really respect, that I am disappointed and a little bit dismayed at what would be, I gather, a motion to table this amendment. Mr. President, I have a State-by-State projection of what could very well be the impact of the balanced budget amendment on children in the United States. This report was written by the Children's Defense Fund. I intend to distribute a copy to all of my colleagues, so they can see these projections for themselves.

Mr. President, one more time, first let me start with some pretty amazing figures. I just do not quite think we are

grasping this here in the Chamber, right here in this legislative body.

"One Day in the Life of American Children," was the Children's Defense Fund yearbook of 1994. I never heard anybody refute these statistics, by the way. I would like to persuade the Senator from Idaho to have a different motion. "One Day in the Life of American Children": 3 children die from child abuse in the United States of America; 9 children are murdered; 13 children die from guns; 27 children in the classroom die from poverty; 30 children are wounded by guns; 63 babies die before they are 1 month old; 101 babies die before their first birthday; 145 babies are born at very low birthweight; 102 children are arrested for drug offenses; 207 children are arrested for crimes of violence; 340 children are arrested for drinking or drunken driving. I could go on and on and on.

Mr. President, again, here are some figures that I have used: Every 5 seconds a child drops out of school in the country; every 30 seconds a child is born into poverty; 1 out of 5 children in the country today is poor, going on 1 out of 4; 1 out of every 2 children of color are poor; every 30 seconds a child is born into poverty; every 2 minutes a baby is born severely underweight. I combine these with these figures.

Now we are talking about a Contract With America, where, by the way, there is not one word or one sentence in this Contract With America that calls on any large financial institution, any large corporation, to make any sacrifice whatsoever. My fear—and I have to tell you by this motion to table that I fear my fear is being confirmed—is that what we are going to do is have deficit reduction. We can have deficit reduction without riding roughshod over children. All that I am asking my colleagues to do, on both sides of the aisle, is given these projections, 1,992,550 babies, preschoolers, and pregnant women would lose infant formula and other WIC nutrition supplements, in the year 2002, given where we are heading—I could be wrong—I hope I am wrong—but I could be right.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. WELLSTONE. I ask unanimous consent that I may have 5 more minutes.

Mr. KEMPTHORNE. I have no objection. In fact, Mr. President, I yield 5 minutes of my time to the Senator from Minnesota.

Mr. WELLSTONE. I thank the Senator from Idaho.

The PRESIDING OFFICER. The Senator is recognized for an additional 5 minutes.

Mr. WELLSTONE. Mr. President, all I am asking of my colleagues is, given the direction we could very well be going, before we pass legislation, pass amendments, make cuts that are going to hurt children in America, those citizens that are most vulnerable, that could very well take the poorest of citizens in our country and put them in a

worse position, if we are considering legislation that says we should consider the impact of what we do on businesses, on State governments, on county governments, is it too much for me to ask my colleagues that we pass an amendment that committees with their accompanying report have in that report a children's impact statement; that is to say, what is the impact of this legislation on children in this country? And, if not, then there could be a point of order lodged.

I do not know how many of my colleagues right now are watching C-SPAN, but let me just be blunt. Sometimes we do not know—I say this to my good friend from Idaho—sometimes we do not know what we do not want to know. Let me repeat that. Sometimes we do not know what we do not want to know.

And I think this may be an example. The only thing this amendment asks us to do is to make sure that in our legislative work we have a children's impact statement. It could very well be that, as a result of where we are heading with this contract, where we are heading with this balanced budget amendment, we are not going to make any cuts in oil or coal subsidies or military contracts but we are going to make cuts in programs that provide basic nutritional assistance to children in this country. Is it too much for me to ask of my colleagues that they agree that we do impact statements in reports that accompany committee legislation?

What is anyone afraid of? Why would anyone vote against this? What is unreasonable about this?

Mr. President, I say to my colleagues, I think we should have 100 votes for this. This is a moderate proposal.

The only reason that I can see why Senators would vote against this is because, in fact, the Children's Defense Fund's projections about what we are going to do in 2002 are correct.

Mr. President, I would like to finish on this note. I am a U.S. Senator from Minnesota. The floor is where we bring amendments. The floor is where we do our work. I am not trying to put people in a politically embarrassing position on votes. Senators can vote any way they want to.

But I want to say to my colleagues, I am going to fight hard on these issues and I am going to come back with this amendment, I am going to come back with another amendment on this bill—I am hoping I can get support for this amendment—because I want people in the United States of America to know the direction we are going in.

There is too much goodness in this country to support these kinds of cuts. There is too much goodness in this country to end up hurting children.

And now I have an amendment to just ask my colleagues to go on record to do an impact statement on legislation that comes out of committee with an accompanying report. I heard there

is going to be a motion to table. I want people in the country to see that. I want people in the country to understand that I am going to come back over and over again. And I do not care whether any of this is ever used in any 10-second, 15-second or 30-second ads. As a matter of fact, I am told that conventional wisdom these days is that it is "not a winner" to be so active on children's issues.

But I do not believe that. I think people care about goodness. I think people care about fairness. I think people care about opportunity. And I do not think the citizens in this country, the citizens in Minnesota, think it is unreasonable that we do a children's impact statement on the legislation that we are dealing with and on the budget cuts that we are dealing with.

Again, sometimes we do not know what we do not want to know. At least should we not be willing to include the children's impact statement? I hope my colleagues will vote for this amendment.

Again, I do want to make sure that Senator DODD is listed as an original cosponsor. I would be pleased to speak a little more, but the Senator from Idaho may want to respond.

Mr. KEMPTHORNE addressed the Chair.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. KEMPTHORNE. Mr. President, first, let me commend my friend from Minnesota, who is a strong and a great advocate for children, as I feel that I am, also.

When he made the comment there at the end that you may not be a winner currently if you are a real advocate for children, I think he and I will agree that we will reject that notion. We need to do all that we can for children.

Now I appreciate the Senator's concern and I appreciate what he said tonight. But I think we are taking different tacks in order to accomplish really what he is talking about.

The committees that have jurisdiction over programs with jurisdictions affecting children would include this information on their report on relevant legislation. S. 1 is a bill about unfunded mandates on States and cities, unfunded mandates for cities and States to use scarce dollars that would otherwise be spent on discretionary programs, including programs to help children.

Now, Boyd Boehlje, who is the president of the National School Boards Association, said:

*** the more than 95,000 locally elected school board members nationwide *** strongly support S. 1. This legislation would establish the general rule that Congress shall not impose Federal mandates without adequate funding. This legislation would stop the flow of requirements on school districts which must spend billions of local tax dollars every year.

Today school children throughout the country are facing the prospect of reduced classroom instruction because the Federal Government requires, but does not fund,

services or programs that school boards (must) implement * * *. Our nation's public school children must not pay the price of unfunded federal mandates.

And he said on another occasion, Mr. President, that the very children that Congress is most concerned about protecting are hurt most often by these unfunded Federal mandates.

This amendment would require all committees to prepare such a report on all legislation, including legislation dealing with the Securities and Exchange Commission, which would have to file a report even when the legislation does not affect children. This amendment was part of another amendment the Senate considered earlier this year and was tabled by a vote of 56 to 43.

Mr. WELLSTONE. Will the Senator yield?

Mr. KEMPTHORNE. In just a moment.

Mr. President, again, this bill is a process bill. Those committees that have jurisdiction must include in their report the very aspects that the Senator from Minnesota has been pointing out.

So again, it is with all due respect that I will be making the motion to table, but with a great deal of respect for the Senator raising this issue.

I yield the floor.

If I may inquire, how much time is remaining?

The PRESIDING OFFICER. The Senator has 6 minutes 45 seconds.

Mr. KEMPTHORNE. Mr. President, I yield 3 minutes to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. I thank the Senator from Idaho.

Mr. President, first of all, just so my colleagues have a full understanding of what is at issue here, this amendment is not in opposition to this unfunded mandates legislation at all. And the fact that, Mr. President, that local school board official or others say that they think the unfunded mandates bill would benefit children does not in any way, shape, or form detract from this amendment. This amendment is actually meant to just support this piece of legislation. This amendment speaks not to the unfunded mandates bill, but this amendment speaks to where we are heading with our budget cuts.

Mr. President, I believe the Senator from Idaho will hear from many locally elected officials, including school officials, who are very worried that if, in fact, we cut into all of these kinds of programs, starting with child nutrition programs, that States and/or local governments are going to have to pick them up—maybe school districts—out of a property tax.

Actually, what the Senator was talking about was kind of an apples and oranges proposition. This amendment is not in opposition to the unfunded mandates legislation. This amendment just says that if we are going to look at the

impact of what we are doing on State governments or if we look at the impact on what we are doing on companies, we ought to look at the impact of what we are doing on children. That is all this amendment says. This amendment says that if a committee is going to file a report, and if the committee is working on legislation or budget cuts that affect children, then there ought to be a children's impact statement. That is all this amendment says.

One more time, it strengthens this piece of legislation. It just gives the Senate the same concern about children, that we are at least willing to look at the impact of what we are doing on children. And Mr. President, these numbers by Children's Defense Fund, that are backed up by numbers by a lot of organizations, suggest we could very well be going in the direction with this Contract With America of cutting programs that provide essential support for the most vulnerable citizens in this country—children.

I am saying before we rush headlong down that path, at least let Senators be intellectually honest and policy honest and have the child impact statement.

Again, I do not really understand the opposition from my colleagues. We want to look at the impact of what we do on State governments. We want to look at the impact of what we do on businesses. But for some reason, we do not want to look at the impact of what we do on children in America.

The PRESIDING OFFICER. The time of the Senator has expired. The Senator from Idaho has 3 minutes and 20 seconds remaining.

Mr. KEMPTHORNE. Mr. President, I inquire of my friend from Minnesota, I have nothing else to add, but if the Senator would like the remaining time, I would like to yield the time.

Mr. WELLSTONE. I thank the Senator from Idaho for his courtesy. I yield the rest of my time.

Mr. KEMPTHORNE. Mr. President, I yield back the remainder of my time. I move to table the amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

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

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

VOTE ON AMENDMENT NO. 170, AS MODIFIED

The PRESIDING OFFICER. The question occurs now on agreeing to amendment No. 170, as modified, offered by the Senator from Michigan, Mr. LEVIN. The yeas and nays have been ordered. The clerks will call the roll.

Mr. LOTT. I announce that the Senator from North Carolina [Mr. HELMS] and the Senator from South Dakota [Mr. PRESSLER] are necessarily absent.

I further announce that, if present and voting, the Senator from South Dakota [Mr. PRESSLER] would vote "yea."

Mr. FORD. I announce that the Senator from Louisiana [Mr. JOHNSTON] and the Senator from Vermont [Mr. LEAHY] are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 96, nays 0, as follows:

[Rollcall Vote No. 30 Leg.]

YEAS—96

Abraham	Faircloth	Lugar
Akaka	Feingold	Mack
Ashcroft	Feinstein	McCain
Baucus	Ford	McConnell
Bennett	Frist	Mikulski
Biden	Glenn	Moseley-Braun
Bingaman	Gorton	Moynihan
Bond	Graham	Murkowski
Boxer	Gramm	Murray
Bradley	Grams	Nickles
Breaux	Grassley	Nunn
Brown	Gregg	Packwood
Bryan	Harkin	Pell
Bumpers	Hatch	Pryor
Burns	Hatfield	Reid
Byrd	Heflin	Robb
Campbell	Hollings	Rockefeller
Chafee	Hutchison	Roth
Coats	Inhofe	Santorum
Cochran	Inouye	Sarbanes
Cohen	Jeffords	Shelby
Conrad	Kassebaum	Simon
Coverdell	Kempthorne	Simpson
Craig	Kennedy	Smith
D'Amato	Kerrey	Snowe
Daschle	Kerry	Specter
DeWine	Kohl	Stevens
Dodd	Kyl	Thomas
Dole	Lautenberg	Thompson
Domenici	Levin	Thurmond
Dorgan	Lieberman	Warner
Exon	Lott	Wellstone

NOT VOTING—4

Helms	Leahy
Johnston	Pressler

So the amendment (No. 170), as modified, was agreed to.

Mr. GLENN. Mr. President, I move to reconsider the vote.

Mr. KEMPTHORNE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. DOLE. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will come to order.

Mr. DOLE. Mr. President, if we can have order, I wanted to make a brief statement here before the next vote.

The PRESIDING OFFICER. The majority leader.

Mr. DOLE. Mr. President, I submitted to the distinguished Democratic leader a unanimous-consent request and have not yet had an opportunity to talk with the Democratic leader. So, because I am not certain this will be the last vote, I suggest the absence of a quorum while we have that conversation.

The PRESIDING OFFICER. The clerk will call the roll.

The bill 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. Without objection, it is so ordered.

Mr. DOLE. Mr. President, let me say that we have been working in good faith on both sides today and part of yesterday to put an agreement where we would be in session tomorrow but not have any votes, and on Monday, consider amendments but no votes before 4 o'clock. The proposal was that all the amendments that we had agreed to be put in this little basket to be offered by 3 o'clock on Tuesday. We thought that was fair. We whittled our numbers from 30-some down to 11, and I think on the Democratic side, it was 78 down to 42 or 43. Some of those may or may not be offered. We are unable to get that agreement, unfortunately.

I will first ask unanimous consent that all remaining committee amendments be considered, en bloc, and agreed to and, failing that, we will have a vote on a motion to table the pending amendment, and there will be 5 additional votes on the committee amendments.

So I ask unanimous consent that all remaining committee amendments be considered, en bloc, agreed to, and the motion to reconsider be laid upon the table, and that they be considered original text for the purpose of further amendments.

The PRESIDING OFFICER. Is there objection?

Mr. BYRD. Reserving the right to object, Mr. President. I hope that the majority leader will present the entire agreement that was proposed.

Mr. DOLE. I am happy to read it. I tried to summarize it.

Mr. BYRD. I am looking at it here and I am sorry to say the summary does not reflect all that the agreement entails. I hope the majority leader will read the agreement, let us listen to it, and see if we want to agree to it.

Mr. DOLE. That is fair enough. Let me do that. This is the agreement I proposed and that we discussed, as I say, on both sides in good faith:

I ask unanimous consent that the following amendments be the only amendments in order to S. 1; that they be offered as first or second-degree amendments, if Committee amendments are available to offer them to, and that they be subject to relevant second-degree amendments.

Then I would either read or submit the list. You had about 40, and we had about 11.

I further ask consent that all first-degree amendments must be offered on 3 p.m. on Tuesday, January 24, and that at 2:30 p.m. on Tuesday, the minority manager be recognized to offer any amendment on the list from the minority side of the aisle; that no later than 2:45 p.m. on Tuesday, the majority manager be recognized to offer any amendment on the list from the majority side of the aisle.

I further ask unanimous consent that following the disposition of the above-listed amendment and any remaining committee amendments, that the bill be advanced to third reading, and the Senate proceed to final passage of S. 1, as amended, all without any intervening action or debate.

I further ask unanimous consent that once the Senate has read S. 1 for a third time, and the Senate has received the House companion bill, it then be in order for the majority manager to call up the House companion bill and move to strike all after the enacting clause and insert the text of S. 1 as amended.

I further ask unanimous consent that the Senate proceed to vote on the Senate amendment, to be followed by third reading and final passage of the House companion bill, and that all of the action occur without any intervening debate.

I ask unanimous consent that the cloture vote scheduled for tomorrow be vitiated, and that no votes occur throughout Friday's session of the Senate.

I ask unanimous consent that when the Senate completes its business on Friday, it stand in recess until 9:30 a.m., Monday, January 23, 1995, and that the Senate resume consideration of S. 1 at 10 a.m., on Monday, January 23.

Finally, I ask unanimous consent that any votes ordered throughout the day on Friday and Monday be postponed to occur on Monday, January 23, beginning at 4 p.m.

That would have been the request. And then I had some explanatory material at the bottom.

I would say that the reason for 3 o'clock on Tuesday was to make certain that both policy luncheons would have an opportunity to discuss the bill and both the majority and minority side would have time to come back after the luncheons and say, "Well, we want to offer the following amendments," and they could be offered by the manager or by any Senator who had an amendment.

It seemed to me that this would have accommodated our colleagues on the other side of the aisle as far as tomorrow is concerned, and all of our colleagues as far as Monday is concerned until 4 p.m.

I might further state that it seems to me—I know the Senator from West Virginia would agree that only the following amendments be in order, but they would not have to be offered at any time. In my view, that would mean if we would debate those amendments, 40 or 50 amendments, we could debate those the next 30 days. So we wanted some cutoff time. After that time, no amendments could be offered.

It is an agreement we have entered into many, many times in the past. In fact, we have entered into agreements in the past where we said all amendments must be disposed of by a certain hour.

But that is the essence of the agreement. I hope that it might be acceptable to our colleagues on the other side. But if not, then I will proceed, as I have indicated, with the vote on the pending amendment, a motion to table that, plus a motion to table each of the committee amendments. And I believe there are four remaining. So there

would be four votes on the motion to table committee amendments.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER (Mr. BROWN). The Senator from West Virginia reserves his right to object.

Mr. BYRD. Yes, I reserve the right to object.

Mr. President, I thank the distinguished majority leader for reading the request that has been presented to me.

First of all, let me say I think we are shortcutting the legislative process too much. Let me be specific in two or three instances here.

All first-degree amendments must be offered by 3 p.m. on Tuesday, January 24, and that at 2:30 p.m. on Tuesday, the minority manager be recognized to offer any amendment on the list from the minority side of the aisle, and that no later than 2:45 p.m. on Tuesday, the majority manager be recognized to offer any amendment on the list from the majority side.

Now what does that mean, "offer any amendment on the list"? I do not have any amendment that I consider just to be a minor, inconsequential amendment. If I have an amendment, I consider it important enough that I be here to offer my own amendment. This is not the legislative process in accordance with the rules.

I do not know what that means—"must be offered." If I offer an amendment, I may want to take 2 or 3 hours on it. If somebody else offers an amendment, I may want to offer an amendment in the second degree to it. We have had too much of this business of accommodations. We have streamlined this process to the point that Senators are going to lose the knowledge of their responsibilities here. We do not have the responsibility to shortcut this process. We do not have the responsibility to put it on automatic pilot. We have a responsibility, as Senators, to be here, to call up our amendments and not be under the gun to have to call up 30 or 40 amendments by 3 o'clock next Tuesday or Wednesday or whatever it is.

We have fallen into that habit. Our business as Senators is to be here and be here at work. We are very early in the session. I do not think we have to operate under the gun like this.

I am very willing to have a listing of amendments. We have done that many times. I think that would be an accommodation, if one wants to call it an accommodation, to every Senator, that we have a list of amendments and know what is going to be called up.

But this idea of having the minority manager offer any amendments on the list from the minority side, and the majority manager—and I trust them both; this is not anything against the managers at all. They are both here and they are doing a good job. They are carrying out their responsibilities. If they can be here to offer amendments, why cannot Senators who are the authors of the amendments be here to offer them?

Mr. DOLE. We would be happy to change that. We put that in just to accommodate, to make it more efficient. But we would be happy to change that.

Mr. BYRD. We have too much efficiency now. The constitutional framers did not create the United States Senate to be an efficient organization. The Senate was intended to be a second House in which the Members would have longer terms and thus be more independent in their votes; where legislation passed by the House in a hurry could cool off; where it could be meticulously studied, thoughtfully amended, reasonably agreed to or rejected.

I know the impulse here is to ram things through. Thank God for the U.S. Senate. One Senator can stand as long as he is able to stand on his feet and object. I do not mind doing that.

If you insist on our being here tomorrow and our colleagues want to go to a retreat, you will not be interrupted by any rollcall. I will get you away and I will talk all day. So do not let that be a compelling gun to your temple.

Let us do our business here as we are expected to do it by the people who sent us here. Let us carry out our responsibilities to offer the amendment.

What does it mean to offer an amendment? How is my manager going to call up 20 amendments?

Mr. DOLE. We hope they would not call up all the amendments.

Mr. BYRD. Well, all the amendments may not be called up.

We made excellent progress today. The Senate has worked its will today in an orderly fashion. Amendments have been ably debated, carefully studied. That is the process we ought to continue on.

Senators ought to know the rules. Too many Senators do not know the rules. They do not know what offering an amendment means.

I may want to offer an amendment. I may want to talk on it a while. Why should I be bound by this? I should not be hemmed in and fenced out with respect to an orderly process by which I can debate my amendment at length. That is what we signed up for when we came to this Senate.

I would not have given my unanimous consent to taking up this bill if I had not been misled by promises which were made in good faith; no intention to mislead anyone. But I gave consent to take up this bill on the promise that there be a committee report the next morning. The committee report did not appear, but I had already given my consent to take it up. Had I known the committee reports were not going to be available, I would not have given my unanimous consent. So let Members take our time. We want to have a cloture vote; well, that is in accordance with the rules. Let Members go by the rules here. Let Members slow down here a little bit. Let Members know what we are doing.

Then, after all these amendments have been disposed of, the bill will be

advanced to third reading and the Senate will proceed to final passage, all without any intervening action or debate.

Suppose I, in my view, once we have gotten through this amendment process, feel that there ought to be some more talk on this bill? Any Senator may be displeased with the action that is taken on amendments in the intervening time. Why should he be gagged? I say to my own leader over here, I apologize. He is doing his level best to press this legislation forward in an orderly way. He was kind enough to come to me with this agreement.

I do not understand this business of letting the majority manager or the minority manager call up all first-degree amendments, must be offered by 3 o'clock p.m. on Tuesday. What is meant by "offered"? All first degree amendments must be offered by 3 o'clock p.m. on Tuesday. We are supposed to be out tomorrow. That only leaves Monday, and up to 3 o'clock on Tuesday. Then on Monday, by a certain time.

Mr. DOLE. By 4 o'clock on Monday. Votes will occur after 4 o'clock.

Mr. BYRD. Yes, any votes ordered throughout the day on Friday.

Mr. DOLE. Or Monday.

Mr. BYRD. Or Monday. Friday and Monday, be postponed to occur.

So we will set up votes. Sometimes in the legislative process, the necessity for offering a second-degree amendment does not arise in advance. I just think that we are getting in too much of a hurry on this important issue. The number is S. 1. Obviously, it is an important bill.

I know some Senators may be unhappy with me, but I am sorry. I think we need to slow down. If we want to enter into a list of amendments, that is fine. We have done that before. But I have seen this Senate deteriorate, one reason being this very thing, entering into agreements like this that relieve Members of our responsibilities to be here on this floor and do our own work, doing it painstakingly and carefully.

I am not going to agree to this. This is too important a bill. We have the Contract With America. Here is my "Contract With America" right here, the Constitution of the United States. I am not going to roll over and play dead. If my friends feel that standing up for the rights of the minority and an orderly legislative process calls for my expulsion from the Senate, then let the Senate proceed.

I say what I have said with respect to the majority leader. I told our friends over here earlier while we were on the debate, cutting down on the filibuster, that that leader over there is tough. Wait and see. He will use the rules on me. And I respect that and I admire that. And I also respect the fact that I can stand up, and I have a right to oppose those efforts to the limit of whatever rights and powers that I have.

This is just jamming and ramming legislation through. The American peo-

ple out there do not want that done. We have time. It is only the 19th of January. What is all the rush? The Senate will be in session, it says, on Friday, in order for Members to offer amendments contained in a list.

List? Who is going to know? If I offer an amendment on the list, who will be here to listen to me? They may not listen here on the floor, but they may be over in their house and know what is going on. They follow the debate, and their staff hears, as well. What kind of legislation is this when the Senate allows itself to come in on Friday, and no one will be listening to Senators, just come in and offer your amendments, and all the amendments have to be offered by a certain time on Monday or Tuesday?

What does offering the amendment mean? Does it just mean leaving amendments at the desk? What parliamentary statute does offering an amendment give them, except when it is done in accordance with the rule? When I get recognized, Mr. President, I send an amendment to the desk. That is offering an amendment. But I am not going to have any Senator stand up here and offer 15, 20, 30, or 50 amendments just to offer them, no action taken on them. What happens to them when Senators just offer amendments? What happens to them if no action is taken? How do we get rid of one amendment and go to the next?

Senators who have been around here a while who know how the process works, answer that question for me. Somebody tell me. I stand up here as the manager of the bill. I am going to offer 20 amendments. What does that mean? Does that mean sending 20 amendments up there en bloc? I do not know what that means in that context. I know what it means to offer an amendment under the rules.

Now, Mr. President, I apologize to the majority leader and my colleagues for detaining them. I object to the request.

The PRESIDING OFFICER. The objection is heard.

Mr. BYRD. Mr. President, I have no objection to listing the amendments, and there may be some other agreement that could be worked out. I cannot agree to this.

The PRESIDING OFFICER. Objection is heard. The majority leader.

Mr. DOLE. Mr. President, let me say first of all, the Senator is certainly within his rights. I have no quarrel with that, and never have. Certainly, the Senator from West Virginia or any other Senator on either side has that right.

I did want to indicate we have had 15 votes on this bill. We started Thursday, January 12, at 10:30 a.m. Up until about 6 o'clock, we had had approximately 25 hours of debate; the Democrats used 15 hours, the Republicans 10. But in the 15 votes taken on this bill, 5 were unanimous, and 3 were sense-of-the-Senate. I think we have only really voted on two or three amendments to the bill.

We were getting a list today of 78 or 80, and not many were even relevant. But few were germane. And then our list was some 30 amendments. We whittled our list down to 11. There are still 40-some on the other side.

It seems to me that the Senator from West Virginia has exercised his rights and will continue to exercise his rights. And I have no quarrel with that.

We must do what we must do as the majority, to try to move the bill along. It is not going to be easy. So I have asked unanimous consent that we just agree to that, and that has been objected to. So I would propose another unanimous-consent request and see if we might be able to save some time; that it be in order for me to table the Gorton amendment and the four remaining committee amendments en bloc, and one vote count as five rollcall votes.

Mr. BYRD. I object.

The PRESIDING OFFICER. There is an objection. The majority leader.

Mr. DOLE. Mr. President, we have tried by consent to have them agreed to. We have tried by consent to have one vote count as five. And, failing that, have the yeas and nays been ordered on the pending amendment?

The PRESIDING OFFICER. The yeas and nays have been ordered on the motion to table.

AMENDMENT NO. 171 TO AMENDMENT NO. 30

The PRESIDING OFFICER. The question occurs on agreeing to the motion to lay on the table the amendment of the Senator from Minnesota [Mr. WELLSTONE]. The clerk will call the roll.

The legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from North Carolina [Mr. HELMS] is necessarily absent.

Mr. FORD. I announce that the Senator from Louisiana [Mr. JOHNSTON] and the Senator from Vermont [Mr. LEAHY] are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 55, nays 42, as follows:

[Rollcall Vote No. 31 Leg.]

YEAS—55

Abraham	Gorton	Murkowski
Ashcroft	Gramm	Nickles
Bennett	Grams	Nunn
Bingaman	Grassley	Packwood
Bond	Gregg	Pressler
Brown	Hatch	Roth
Burns	Hatfield	Santorum
Chafee	Heflin	Shelby
Coats	Hutchison	Simpson
Cochran	Inhofe	Smith
Cohen	Jeffords	Snowe
Coverdell	Kassebaum	Specter
Craig	Kempthorne	Stevens
D'Amato	Kyl	Thomas
DeWine	Lott	Thompson
Dole	Lugar	Thurmond
Domenici	Mack	Warner
Faircloth	McCain	
Frist	McConnell	

NAYS—42

Akaka	Boxer	Bryan
Baucus	Bradley	Bumpers
Biden	Breaux	Byrd

Campbell	Harkin	Moseley-Braun
Conrad	Hollings	Moynihan
Daschle	Inouye	Murray
Dodd	Kennedy	Pell
Dorgan	Kerrey	Pryor
Exon	Kerry	Reid
Feingold	Kohl	Robb
Feinstein	Lautenberg	Rockefeller
Ford	Levin	Sarbanes
Glenn	Lieberman	Simon
Graham	Mikulski	Wellstone

NOT VOTING—3

Helms	Johnston	Leahy
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So the motion to lay on the table the amendment (No. 171) was agreed to.

Mr. DOLE. Mr. President, I move to reconsider the vote.

Mr. NICKLES. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOLE. Mr. President, I would ask unanimous consent that the vote on the next four amendments be limited to 10 minutes each.

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

Mr. DOLE. And I move to table the Gorton amendment and ask for the yeas and nays.

Mr. BYRD. Mr. President, after the Senator gets his yeas and nays, will he withhold his motion to table a minute that I might ask him a question?

Mr. DOLE. Pardon?

Mr. BYRD. After the Senator gets his yeas and nays, will he withhold his motion?

Mr. DOLE. Oh, yes.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. BYRD. Mr. President, I ask unanimous consent that there be 2 minutes notwithstanding that debate is not allowed on a tabling motion.

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

Mr. BYRD. Let me ask of the distinguished majority leader.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

The PRESIDING OFFICER. The distinguished Democratic leader.

UNANIMOUS-CONSENT REQUEST

Mr. DASCHLE. Mr. President, I ask unanimous consent that the following amendments be the only amendments in order to S. 1, that they be offered as the first- or second-degree amendments if the committee amendments are available to offer them to, and they be subject to relevant second-degree amendments.

I will send the list of the amendments to the desk.

The amendments are as follows:

DEMOCRATIC AMENDMENTS TO S. 1

Bingaman:

(1) Relevant.

(2) Relevant.

(3) Relevant.

Boxer:

(1) Sensitive subpopulations.

(2) Immigration costs.

(3) Child porn/abuse/labor exclusion.

Bradley:

Relevant.

Byrd:

(1) Relevant.

(2) Relevant.

(3) Relevant.

Dorgan:

(1) Metric conversion.

(2) Federal Reserve.

(3) C.P.I.

Ford:

(1) Imposing standards on House.

(2) Imposing standards on House.

(3) Imposing standards on House.

Glenn/Kempthorne:

(1) Relevant.

(2) Relevant.

(3) Relevant.

(4) Relevant.

Graham:

(1) Immigration.

(2) Fund allocation.

(3) Relevant.

Harkin:

(1) Relevant.

(2) Relevant.

Hollings:

(1) Relevant.

(2) Sense of Senate Balanced budget.

Johnston:

Relevant.

Kohl:

Relevant.

Lautenberg:

Relevant.

Levin:

(1) Relevant.

(2) Relevant.

(3) Relevant.

(4) Relevant.

(5) Relevant.

(6) Relevant.

(7) Relevant.

(8) Relevant.

(9) Relevant.

(10) Relevant.

Moseley-Braun:

Relevant.

Moynihan:

Relevant.

Murray:

(1) Hanford.

(2) CBO.

(3) CBO.

Wellstone:

(1) Relevant.

(2) Relevant.

(3) Sense of Senate Children's impact.

(4) Children's impact statement.

(5) Relevant.

REPUBLICAN UNFUNDED MANDATES

AMENDMENTS

McCain: Appropriations point of order.

Gramm: 60-vote point of order.

Gramm: Treatment of conference reports.

Hatfield: Local flexibility act.

Hatch: Brown-judicial review.

Hatch: FACA.

Brown: SOS/Review of S. 1.

Grassley: CBO vs. actual costs study.

Grassley: 60-vote waiver redirect costs.

D'Amato: Comptroller of the currency.

Kempthorne: Manager's technical amendment.

Roth: Chairman's technical amendment.

Dole: Relevant.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. DOLE. I object.

The question is on the motion to table.

VOTE ON AMENDMENT NO. 31, AS AMENDED

The PRESIDING OFFICER. The question is on the motion to lay on the table amendment No. 31. The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from North Carolina [Mr. HELMS] is necessarily absent.

Mr. FORD. I announce that the Senator from Louisiana [Mr. JOHNSTON] and the Senator from Vermont [Mr. LEAHY] are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced, yeas 54, nays 43, as follows:

[Rollcall Vote No. 32 Leg.]

YEAS—54

Abraham	Frist	McCain
Ashcroft	Gorton	McConnell
Bennett	Gramm	Murkowski
Bond	Grams	Nickles
Brown	Grassley	Packwood
Burns	Gregg	Pressler
Byrd	Hatch	Roth
Chafee	Hatfield	Santorum
Coats	Hefflin	Shelby
Cochran	Hutchison	Simpson
Cohen	Inhofe	Smith
Coverdell	Jeffords	Snowe
Craig	Kassebaum	Specter
D'Amato	Kempthorne	Stevens
DeWine	Kyl	Thomas
Dole	Lott	Thompson
Domenici	Lugar	Thurmond
Faircloth	Mack	Warner

NAYS—43

Akaka	Feingold	Mikulski
Baucus	Feinstein	Moseley-Braun
Biden	Ford	Moynihan
Bingaman	Glenn	Murray
Boxer	Graham	Nunn
Bradley	Harkin	Pell
Breaux	Hollings	Pryor
Bryan	Inouye	Reid
Bumpers	Kennedy	Robb
Campbell	Kerrey	Rockefeller
Conrad	Kerry	Sarbanes
Daschle	Kohl	Simon
Dodd	Lautenberg	Wellstone
Dorgan	Levin	
Exon	Lieberman	

NOT VOTING—3

Helms	Johnston	Leahy
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So, the motion to lay on the table the amendment (No. 31), as amended, was agreed to.

Mr. DOLE. Mr. President, I move to reconsider the vote by which the motion to lay on the table was agreed to.

Mr. BIDEN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

CLOTURE MOTION

Mr. DOLE. Mr. President, 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, hereby move to bring to a close debate on S. 1, the Unfunded Mandate Reform Act:

Bob Dole, Dirk Kempthorne, Bill Roth, Trent Lott, Judd Gregg, Alfonse D'Amato, Craig Thomas, Jon Kyl, John Ashcroft, Mike DeWine, Fred Thompson, Paul Coverdell, Conrad Burns,

Larry E. Craig, Bill Frist, Ted Stevens, John McCain, Rod Grams, Don Nickles, Pete V. Domenici, Strom Thurmond, Phil Gramm.

COMMITTEE AMENDMENT ON PAGE 25, LINE 11, AS MODIFIED

Mr. DOLE. Mr. President, I move to table the committee amendment found on page 25, line 11, as modified by Senator GLENN, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Kansas to lay on the table the committee amendment on page 25, line 11, as modified by Mr. GLENN. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from North Carolina [Mr. HELMS] is necessarily absent.

Mr. FORD. I announce that the Senator from Louisiana [Mr. JOHNSTON] and the Senator from Vermont [Mr. LEAHY] are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 55, nays 42, as follows:

[Rollcall Vote No. 33 Leg.]

YEAS—55

Abraham	Frist	McConnell
Ashcroft	Gorton	Murkowski
Bennett	Gramm	Nickles
Bingaman	Grams	Packwood
Bond	Grassley	Pressler
Brown	Gregg	Roth
Burns	Hatch	Santorum
Byrd	Hatfield	Shelby
Chafee	Hefflin	Simpson
Coats	Hutchison	Smith
Cochran	Inhofe	Snowe
Cohen	Jeffords	Specter
Coverdell	Kassebaum	Stevens
Craig	Kempthorne	Thomas
D'Amato	Kyl	Thompson
DeWine	Lott	Thurmond
Dole	Lugar	Warner
Domenici	Mack	
Faircloth	McCain	

NAYS—42

Akaka	Feingold	Lieberman
Baucus	Feinstein	Mikulski
Biden	Ford	Moseley-Braun
Boxer	Glenn	Moynihan
Bradley	Graham	Murray
Breaux	Harkin	Nunn
Bryan	Hollings	Pell
Bumpers	Inouye	Pryor
Campbell	Kennedy	Reid
Conrad	Kerrey	Robb
Daschle	Kerry	Rockefeller
Dodd	Kohl	Sarbanes
Dorgan	Lautenberg	Simon
Exon	Levin	Wellstone

NOT VOTING—3

Helms	Johnston	Leahy
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So, the motion to lay on the table was agreed to.

Mr. DOLE. Mr. President, I move to reconsider the vote.

Mr. BOND. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

COMMITTEE AMENDMENT ON PAGE 27 LINE 9

Mr. DOLE. I move to table the next committee amendment on page 27 line 9 and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. BYRD. 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. DOLE. 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 PRESIDING OFFICER. The question is on the motion to table.

The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from North Carolina [Mr. HELMS] is necessarily absent.

Mr. FORD. I announce that the Senator from Louisiana [Mr. JOHNSTON] and the Senator from Vermont [Mr. LEAHY] are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 55, nays 42, as follows:

[Rollcall Vote No. 34 Leg.]

YEAS—55

Abraham	Frist	McConnell
Ashcroft	Gorton	Murkowski
Bennett	Gramm	Nickles
Bingaman	Grams	Packwood
Bond	Grassley	Pressler
Brown	Gregg	Roth
Burns	Hatch	Santorum
Byrd	Hatfield	Shelby
Chafee	Hefflin	Simpson
Coats	Hutchison	Smith
Cochran	Inhofe	Snowe
Cohen	Jeffords	Specter
Coverdell	Kassebaum	Stevens
Craig	Kempthorne	Thomas
D'Amato	Kyl	Thompson
DeWine	Lott	Thurmond
Dole	Lugar	Warner
Domenici	Mack	
Faircloth	McCain	

NAYS—42

Akaka	Feingold	Lieberman
Baucus	Feinstein	Mikulski
Biden	Ford	Moseley-Braun
Boxer	Glenn	Moynihan
Bradley	Graham	Murray
Breaux	Harkin	Nunn
Bryan	Hollings	Pell
Bumpers	Inouye	Pryor
Campbell	Kennedy	Reid
Conrad	Kerrey	Robb
Daschle	Kerry	Rockefeller
Dodd	Kohl	Sarbanes
Dorgan	Lautenberg	Simon
Exon	Levin	Wellstone

NOT VOTING—3

Helms	Johnston	Leahy
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So the motion to lay on the table the committee amendment on page 25, line 9 was agreed to.

Mr. DOLE. Mr. President, I move to reconsider the vote by which the motion was agreed to.

Mr. NICKLES. Mr. President, I move to lay that motion on the table.