

same President Assad who aided the attack on the barracks in Beirut almost 15 years ago, when dozens and dozens and dozens and dozens of brave U.S. marines died needlessly. I am a father of a former marine myself. When I remember that, I have great difficulty in contemplating reaching engagement with such a person. I am sure, because of his own personal experiences, Prime Minister Rabin has even more difficulty.

But Prime Minister Rabin has gone forward. He knows that continued confrontation with Syria will just bring more attacks, more deaths, more suffering. He knows that. In order to create a world in which Israeli children can grow up without guns all around them, without the prospect of new attacks, he swallows his anger.

Madam President, as angry as I feel towards President Assad, I know that my anger is mild compared to that of Prime Minister Rabin. But in order to have peace, you do not negotiate with your friends, you negotiate with your enemies. It has always been that way. We Americans have always yearned for peace in the Middle East. Prime Minister Rabin is working for peace, and I for one applaud him.

Madam President, I see others in the Chamber seeking recognition, so I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Texas.

UNFUNDED MANDATE REFORM ACT

The Senate continued with the consideration of the bill.

AMENDMENTS NOS. 215 AND 216

Mr. GRAMM. Madam President, under the previous unanimous consent request, all amendments have to be submitted before 3 o'clock, so I ask unanimous consent that I might send two amendments to the desk for immediate consideration.

The PRESIDING OFFICER. If there are no objections, the Senate may set aside the pending amendment. The clerk will report.

The legislative clerk read as follows: The Senator from Texas [Mr. GRAMM] proposes amendments numbered 215 and 216.

Madam President, I ask unanimous consent that reading of the amendments be dispensed with.

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

The amendments are as follows:

AMENDMENT NO. 215

(Purpose: To require that each conference report that includes any Federal mandate, be accompanied by a report by the Director of the Congressional Budget Office on the cost of the Federal mandate)

On page, 21, between lines 13 and 14, insert the following:

"(2) AMENDED BILLS AND JOINT RESOLUTIONS: CONFERENCE REPORTS.—If a bill or joint resolution is passed in an amended form (including if passed by one House as an amendment in the nature of a substitute for the text of a bill or joint resolution from the

other House) or is reported by a committee of conference in amended form, the committee of conference shall ensure, to the greatest extent practicable, that the Director shall prepare a statement as provided in paragraph (1) or a supplemental statement for the bill or joint resolution in that amended form."

AMENDMENT NO. 216

(Purpose: To require an affirmative vote of three-fifths of the Members to waive the requirement of a published statement on the direct cost of Federal mandates)

On page 26, line 6, redesignate subsection (b) as subsection (c), and insert the following:

(b) WAIVER.—Subsections (c) and (d) of section 904 of the Congressional Budget and Impoundment Control Act of 1974 are amended by inserting "408(c)," after "313,".

Mr. GRAMM. Madam President, let me just make a couple of points. First of all, one of these amendments is technical, one is substantive. One is trying to strengthen the mandate bill. Under the mandate bill we are now considering, if someone wanted to impose an unfunded mandate on local government, county government, or State government, there would have to be an estimate of the amount of cost. And if that cost exceeds \$50 million, the unfunded mandate would be subject to a point of order and a 50-vote margin—50 votes plus 1, a majority, would have to be achieved in order to waive that point of order.

I have gone back and looked at what 50-vote points of order have done under the Budget Act. In fact, you have to go back to 1988 to actually find 50-vote points of order that anyone raises. In 1987-88 we had five 50-vote points of order raised. This was under the Budget Act, for busting the budget.

Four of them were waived, and no one has raised one since that time, the reason being if you only have to get 50 votes to waive the point of order, since it takes 50 votes to pass the bill, almost anything that is going to pass will get the votes to waive the Budget Act. That is why we went to a 60-vote point of order, to make the point of order have some meaning and substance.

I have offered an amendment that would change the bill in one fundamental respect, and that is it would require 60 votes to waive the point of order in the Senate to allow us to impose an unfunded mandate on local government.

Madam President, I want to make one observation about this bill. I understand obstruction. I have engaged in it myself. It is an important part of the American system and, while those who are being obstructed are unhappy about it, in fact it is the guaranteed right of those who serve in the Senate to obstruct.

I would like to note one observation that I think is relevant to this process. I engaged in obstructing the passage of the President's health care bill. For 7 months I was engaged, with other Members of the Senate, in relentlessly trying to prevent the President's health care bill from being passed. I

would say, however, that I had no qualms about standing up and saying I oppose the President's health care bill and it is going to pass over my cold, dead political body, which fortunately, such as it is, is alive today. The President's health care bill is deadlier than Elvis. And unlike Elvis, it would not be welcomed if it came back.

But I would note it is very strange to me that, though we are in our second week of deliberation on this bill, we have been unable to get cloture to go on and pass the bill when we have 63 cosponsors. My question is this: If so many people are for this bill, why do we have so much trouble in passing it?

So I think obstructing is an important part of the process. I think it allows us to analyze, to discuss, to reason. And I think ultimately if you have a determined minority that is opposed to a bill, that you ought to be able to show voter strength in the Senate in order to override that minority. But I do continue to be puzzled by the fact that so many people say they are for this bill, and yet we cannot seem to get on with the job of passing it.

I think that is an important point to make and I yield the floor.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from West Virginia.

AMENDMENT NO. 217

(Purpose: To exclude the application of a Federal intergovernmental mandate point of order to employer-related legislation, and for other purposes)

Mr. BYRD. Madam President, I send to the desk an amendment for the purpose of qualifying under the original unanimous-consent order. I have a spot on the list. I ask the number only be stated at this time and that it lie at the desk for call-up during the debate later.

The PRESIDING OFFICER. Is there objection? Without objection it is so ordered.

The clerk will state the amendment by number.

The legislative clerk read as follows:

The Senator from West Virginia [Mr. BYRD] proposes an amendment numbered 217.

The amendment is as follows:

On page 5, beginning with line 22, strike out all through line 2 on page 6 and insert in lieu thereof:

"(I) a condition of Federal assistance;

"(II) a duty arising from participation in a voluntary Federal program, except as provided in subparagraph (B)); or

"(III) for purposes of section 408 (c)(1)(B) and (d) only, a duty that establishes or enforces any statutory right of employees in both the public and private sectors with respect to their employment; or

AMENDMENT NO. 213, AS MODIFIED

Mr. BYRD. Madam President, I now have three amendments that have been entered in accordance with the order that was previously entered. One of those amendments I wish to modify.

I ask unanimous consent I may be permitted to modify amendment No. 213.

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

Mr. BYRD. Madam President, I send the modification to the desk.

The PRESIDING OFFICER. The amendment is so modified.

Mr. BYRD. Madam President, I ask unanimous consent the modification not be read.

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

The amendment (No. 213), as modified, is as follows:

On page 23, strike line 18 through line 6 on page 25 and insert the following:

“(III)(aa) provides that if for any fiscal year the responsible Federal agency determines that there are insufficient appropriations to provide for the estimated direct costs of the mandate, the Federal agency shall (not later than 30 days after the beginning of the fiscal year) notify the appropriate authorizing committees of Congress of the determination and submit legislative recommendations for either implementing a less costly mandate or making the mandate ineffective for the fiscal year;

“(bb) provides expedited procedures for the consideration of the legislative recommendations referred to in item (aa) by Congress not later than 30 days after the recommendations are submitted to Congress; and

“(cc) provides that the mandate shall cease to be effective 60 days after the date the legislative recommendations of the responsible Federal agency are submitted to Congress under item (aa) unless Congress has completed action on the recommendations during the 60 day period.

The PRESIDING OFFICER. The Chair recognizes the Senator from Michigan.

Mr. LEVIN. Madam President, parliamentary inquiry, is it necessary to ask unanimous consent to set aside the pending amendment in order to send up an amendment under the UC?

The PRESIDING OFFICER. Yes, that is correct.

Mr. LEVIN. Madam President, I ask unanimous consent the pending amendment be set aside temporarily so it would be in order for me to offer two amendments under the unanimous-consent agreement that is now in effect.

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

AMENDMENT NO. 218

(Purpose: To propose a substitute amendment)

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

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN] proposes an amendment numbered 218.

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

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

(The text of the amendment is printed in today's RECORD under "Amendments Submitted.")

Mr. LEVIN. Madam President, I now ask unanimous consent that the amendment be temporarily laid aside.

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

AMENDMENT NO. 219

Mr. LEVIN. Madam President, I send another amendment to the desk pursuant to the pending unanimous-consent agreement, and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN] proposes an amendment numbered 219.

Mr. LEVIN. Madam 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:

On page 18, line 25, insert before "and" the following: "but no more than ten years beyond the effective date of the mandate".

The PRESIDING OFFICER. The Chair recognizes the Senator from Colorado.

Mr. BROWN. Madam President, I ask unanimous consent the pending amendment be set aside so I may offer some amendments under our unanimous-consent agreement.

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

AMENDMENT NO. 220

(Purpose: To express the sense of the Senate that the appropriate committees should review the implementation of the act, and for other purposes)

Mr. BROWN. Madam President, I send to the desk an amendment dealing with a sense of the Senate regarding a review of this process, and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Colorado [Mr. BROWN] proposes an amendment numbered 220.

Mr. BROWN. Madam 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:

On page 13, insert between lines 13 and 14 the following new section:

SEC. 6. REVIEW OF IMPLEMENTATION.

It is the sense of the Senate that before the adjournment of the 106th Congress, the appropriate committees of the Senate should review the implementation of the provisions of this Act with respect to the conduct of the business of the Senate and report thereon to the Senate.

AMENDMENT NO. 221

(Purpose: To limit the restriction on judicial review)

Mr. BROWN. Madam President, I send a second amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Colorado [Mr. BROWN], for himself and Mr. HATCH, proposes an amendment numbered 221.

Mr. BROWN. Madam 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:

Strike title IV of the bill and insert the following:

TITLE IV—JUDICIAL REVIEW

SEC. 401. JUDICIAL REVIEW.

(a) IN GENERAL.—Any statement or report prepared under title I or III of this Act, and any compliance or noncompliance with the provisions of title I or III of this Act, and any determination concerning the applicability of the provisions of title I or III of this Act shall not be subject to judicial review.

(b) RULE OF CONSTRUCTION.—No provision of title I or III of this Act or amendment made by title I or III of this Act shall be construed to create any right or benefit, substantive or procedural, enforceable by any person in any administrative or judicial action. No ruling or determination made under the provisions of title I or III of this Act or amendments made by title I or III of this Act shall be considered by any court in determining the intent of Congress.

Mr. BROWN. Madam President, the first amendment deals with a sense-of-the-Senate, suggesting that by the 106th Congress, this legislation be reviewed. I think it is important that, while we are not able to bind future Congresses, and while I think it would be a mistake to set an automatic sunset on this legislation, it is important that future Congresses review that. My hope is that the body will want to go on record as urging future Congresses to provide the right kind of overview that will enable us to perfect the legislation.

The second amendment is an important one. I recognize, as I think most Senators do, it is important not to have a judicial review of things that are internal within the Congress. But it is also important, I think, to provide that outside regulatory agencies that are assigned responsibilities under this act be subject to judicial review just as they are in all the other things they do.

So what my amendment does is make it clear that title I and title III are not subject to judicial review, in that the regulatory agencies under title II are treated, in this act, the same way as they are in all other acts that apply.

I yield the floor.

Mr. KEMPTHORNE addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Idaho.

Mr. KEMPTHORNE. Madam 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. ROTH. Madam 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. 222

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

The PRESIDING OFFICER. If there is no objection, the pending amendment will be set aside, and the clerk will report.

The bill clerk read as follows:

The Senator from Delaware [Mr. ROTH] proposes an amendment numbered 222.

Mr. ROTH. Madam 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:

On page 33, strike all on lines 10 through 12, and insert the following:

This title shall take effect on January 1, 1996, and shall apply to—

(1) bills and joint resolutions reported, and to amendments and motions offered, on and after such date, and

(2) conference reports on such legislation.

Mr. ROTH. Madam President, I ask unanimous consent to temporarily lay this amendment aside.

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

Mr. KEMPTHORNE addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Idaho.

ORDER OF PROCEDURE

Mr. KEMPTHORNE. Madam President, I ask unanimous consent that at 3:15 today there be 30 minutes for debate on the Grassley amendment No. 207 to be equally divided in the usual form, and that no second-degree amendments be in order to the Grassley amendment No. 207, and that the vote occur on the amendment following the stacked votes already ordered to begin at 4 p.m..

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. KEMPTHORNE. Madam President, I ask unanimous consent that the consent agreement governing the Hollings amendment No. 182 be postponed to now occur immediately following the stacked rollcall votes at 4 p.m..

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

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

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

Mr. KEMPTHORNE. Madam President, I ask unanimous consent that the 3:15 time for the debate and vote on the Grassley amendment be postponed, to occur at a later time.

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

Mr. KEMPTHORNE. Madam 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. DOLE. Madam 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. Madam President, before we start five rollcall votes I thought I would just review for those who have been involved in this, and others who may have an interest, just sort of what has happened.

First of all, we started on this bill on Thursday, January 12, at 10:30 a.m.. We have had 10 full days of debate on this one. I do not want anybody suggesting this bill has been rushed. It should have been passed probably in a couple of days. We have had 21 rollcall votes taken on this bill. Of those, 5 were unanimous. Of those 21 votes, 9 were taken on committee amendments that had been adopted unanimously in committee.

We have had just about 41 hours and 48 minutes on the bill. Colleagues on the other side have used 26 hours and 41 minutes. On this side, we have used 15 hours and 7 minutes. We reached an agreement last Thursday to limit the number of first-degree amendments to 62 amendments. But then 50 amendments have been offered. I am not certain we gained anything. We probably could have disposed of 12 on Friday. So we really did not gain anything with the consent agreement.

So, of the 50 amendments which are pending, 37 amendments were offered by our colleagues on the other side and 13 were offered by my colleagues on this side of the aisle. We have accepted three by a voice vote, which means that after 10 days of debate and entering into these unanimous consent agreements, we still have 47 amendments left.

I just say to my colleagues that we hope to finish action on this bill this week. So I can say definitely tomorrow night will be a late, late night. Thursday night will be a late, late night, and I assume Friday night will be a late, late night because at the rate we are going we have only disposed of—I do not know how many amendments in the last 10 days—not very many. We have had 21 rollcall votes. So that is an average of two rollcall votes a day.

We obviously have the right to file cloture, in effect, because there is no time agreement on any of these amendments. Even though there are 47 amendments left, there is no time agreement on any of the amendments. They could take 1 hour apiece or 1 day apiece. So it may be necessary to file cloture. If not, it may be necessary to start tabling the amendments because we need to complete action on this bill.

I do not believe anybody can say that this bill has been rushed. I have read

statements where people say it has been rushed, that they are not going to be rushed and we are going to take our time. And I do not quarrel with that, except it would be a stretch by anyone to suggest we have not taken enough time on this bill. The bill has broad support on both sides of the aisle.

I hope that the President tonight in his State of the Union Message will just urge my colleagues on the other side of the aisle to speed up action on this bill. He is for it and indicates he is for it. There will be no action on Mexico until this bill is disposed of, and maybe—we have wasted so much time—maybe not until a balanced budget amendment is disposed of. We will have to make that decision later. This has been a priority, and we would like to dispose of it as quickly as possible. That would mean no later than the end of this week.

I want to thank both managers of the bill. I know that they have been working diligently. But it seems to me we have about reached the place where we should agree on some of the key amendments, offer the amendments, have the debate, and then have the vote.

I ask unanimous consent that all the votes except the first vote be limited to 10 minutes in duration.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. DOLE. So the first vote will be a 20-minute rollcall vote, 15 plus 5; the remaining votes will be 10 minutes, plus 5. We hope we can complete many amendments in 10 minutes. But the first will be 20 minutes, then the others will be 15-minute rollcall votes.

VOTE ON AMENDMENT NO. 178

The PRESIDING OFFICER. Under the previous order, the question recurs on the motion to table amendment No. 178, offered by the Senator from North Dakota [Mr. DORGAN]. 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 Wyoming [Mr. SIMPSON] is absent due to a death in the family.

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

Mr. FORD. I announce that the Senator from Alabama [Mr. HEFLIN] is necessarily absent.

I also announce that the Senator from Massachusetts [Mr. KENNEDY] is absent because of a death in the family.

I further announce that, if present and voting, the Senator from Massachusetts [Mr. KENNEDY] would vote "nay."

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

The result was announced—yeas 63, nays 34, as follows:

[Rollcall Vote No. 37 Leg.]

YEAS—63

Abraham	Frist	Mack
Ashcroft	Glenn	McCain
Bennett	Gorton	McConnell
Bond	Graham	Moseley-Braun
Bradley	Gramm	Moynihan
Brown	Grams	Murkowski
Burns	Grassley	Nickles
Chafee	Gregg	Nunn
Coats	Hatch	Packwood
Cochran	Hatfield	Pressler
Cohen	Helms	Roth
Coverdell	Hutchison	Santorum
Craig	Inhofe	Shelby
D'Amato	Jeffords	Smith
DeWine	Kassebaum	Snowe
Dodd	Kempthorne	Specter
Dole	Kerry	Stevens
Domenici	Kyl	Thomas
Faircloth	Lautenberg	Thompson
Feinstein	Lott	Thurmond
Ford	Lugar	Warner

NAYS—34

Akaka	Dorgan	Mikulski
Baucus	Exon	Murray
Biden	Feingold	Pell
Bingaman	Harkin	Pryor
Boxer	Hollings	Reid
Breaux	Inouye	Robb
Bryan	Johnston	Rockefeller
Bumpers	Kerry	Sarbanes
Byrd	Kohl	Simon
Campbell	Leahy	Wellstone
Conrad	Levin	
Daschle	Lieberman	

NOT VOTING—3

Heflin	Kennedy	Simpson
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So the motion to lay on the table the amendment (No. 178) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 179

Mr. DODD. Mr. President, I rise in support of this amendment and commend my colleague from North Dakota for his work on this issue.

We are still in the first weeks of the 104th Congress, and already it appears that some Members of the Republican leadership are going back on their promises to our seniors and our middle-class taxpayers. They promised not to touch Social Security and they promised to cut taxes. Now they are strongarming bureaucrats to approve a technical change that would reduce Social Security benefits to millions of seniors and raise taxes to millions of others.

Mr. President, may I suggest that this is no way to fulfill the meaning of the words that formed the backdrop at the Republican National Committee meeting this weekend? The banner read: "Republicans: Keeping Our Promises: Building Your Trust."

I support this sense-of-the-Senate resolution because I believe fine tuning our calculation of inflation is too important an issue to be exploited or politicized. Any adjustments to the consumer price index must be left—not to the whims of political leaders—but to the thoughtful analysis of our Nation's leading economists.

Federal Reserve Chairman Alan Greenspan and others have raised a

concern that the consumer price index may overestimate inflation by inaccurately measuring consumer spending habits. No consensus has emerged, however, on how to remedy this problem. None.

The calculation of the CPI has significant policy ramifications, principally for senior citizens who rely on Social Security cost-of-living adjustments.

Before we cut their benefits, we owe our Nation's seniors the benefit of consulting with the experts.

Speaker GINGRICH disagrees. He has threatened to cut off funding for the Bureau of Labor Statistics if the agency "can't get it right" within 30 days. What does "getting it right" mean? If the agency does not adjust the CPI calculations to fit the Speaker's political ends, are economists going to lose their jobs?

One thing is for sure—browbeating bureaucrats will not create a more reasoned analysis of this issue.

There is simply too much at stake for Congress to rush to judgment on this matter without the thoughtful review and recommendations of our economic experts.

A PATTERN OF GIMMICKS

I am concerned that this latest flap over the CPI is part of a disturbing pattern. Some of my Republican colleagues are seizing upon any gimmick they can to justify their tax cuts for the wealthy. It does not seem to matter who they run over in the process.

Dynamic scoring—otherwise known as dynamic dreaming—was the last flavor of the week. CPI changes are the newest flavor.

A balanced budget amendment will be the next. The Republicans' attempt to politicize the CPI shows that even with a constitutional amendment, Congress will use gimmicks to pass a budget that balances on paper, but bounces in the real world.

We have seen this before.

For 12 years, Ronald Reagan and George Bush advocated a balanced budget amendment while submitting budgets with rosy economic scenarios, inaccurate assumptions, and magic asterisks in the place of specified spending cuts.

These actions have left a legacy of large deficits and a quadrupling of the national debt. Today every American man, woman, and child owes almost \$13,500 on the publicly held debt. In inflation-adjusted terms, that's about 2½ times what they owed in 1980.

Time after time we have seen gimmicks used to support economic theories for political reasons. We are in serious jeopardy of returning to these dangerous tricks.

We all know—and experience has taught—who bears the greatest cost of this gimmickry—the middle-class. At the end of the day, it's middle-class Americans who are called upon to clean up the effects of mistaken economic theories.

If we misjudge this theory, and err in recalculating the CPI—it's middle-class Americans and vulnerable seniors who will lose the most.

I urge my colleagues to reject these quick fixes and gimmicks and act cautiously and conservatively. The American public deserves no less.

VOTE ON AMENDMENT NO. 179

Mr. KEMPTHORNE. Mr. President, I move to table the Dorgan amendment 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.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table amendment No. 179 of the Senator from North Dakota. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. BRADLEY (after having voted in the negative). On this vote, I have a pair with Senator SIMPSON, of Wyoming. I have voted "no." Senator SIMPSON would have voted "aye." I withdraw my vote.

Mr. LOTT. I announce that the Senator from Wyoming [Mr. SIMPSON] is absent due to a death in the family.

Mr. FORD. I announce that the Senator from Alabama [Mr. HEFLIN] is necessarily absent.

I also announce that the Senator from Massachusetts [Mr. KENNEDY] is absent because of a death in the family.

On this vote, the Senator from New Jersey [Mr. BRADLEY] is paired with the Senator from Wyoming [Mr. SIMPSON].

If present and voting, the Senator from Wyoming would vote "yea" and the Senator from New Jersey would vote "nay."

I further announce that, if present and voting, the Senator from Massachusetts [Mr. KENNEDY] would vote "nay."

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

The result was announced—yeas 52, nays 44, as follows:

[Rollcall Vote No. 38 Leg.]

YEAS—52

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

NAYS—44

Akaka	Boxer	Byrd
Baucus	Breaux	Campbell
Biden	Bryan	Conrad
Bingaman	Bumpers	Daschle

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

Ford	Lautenberg	Pell
Graham	Leahy	Pryor
Harkin	Levin	Reid
Hollings	Lieberman	Robb
Inouye	Mikulski	Rockefeller
Johnston	Moseley-Braun	Sarbanes
Kerrey	Moynihan	Simon
Kerry	Murray	Wellstone

Pryor	Rockefeller	Wellstone
Reid	Sarbanes	
Robb	Simon	
NOT VOTING—3		
Heflin	Kennedy	Simpson

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Bradley, against
NOT VOTING—3
Heflin Kennedy Simpson

So the motion to lay on the table the amendment (No. 179) was agreed to.

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

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

The motion to lay on the table was agreed to.

VOTE ON AMENDMENT NO. 191

The PRESIDING OFFICER. Under the previous order, the question occurs on agreeing to the motion to table amendment No. 191 offered by the Senator from New Mexico [Mr. BINGAMAN].

The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

Mr. LOTT. I announce that the Senator from Wyoming [Mr. SIMPSON] is absent due to a death in the family.

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

Mr. FORD. I announce that the Senator from Alabama [Mr. HEFLIN] is necessarily absent.

I also announce that the Senator from Massachusetts [Mr. KENNEDY] is absent because of death in the family.

I further announce that, if present and voting, the Senator from Massachusetts [Mr. KENNEDY] would vote "nay."

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

The result was announced—yeas 58, nays 39, as follows:

[Rollcall Vote No. 39 Leg.]
YEAS—58

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

NAYS—39

Akaka	Breaux	Conrad
Biden	Bryan	Daschle
Bingaman	Bumpers	Dodd
Boxer	Byrd	Dorgan
Bradley	Campbell	Feinstein

So the motion to table the amendment (No. 191) was agreed to.

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

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the motion to lay on the table the amendment No. 192 offered by the Senator from New Mexico [Mr. BINGAMAN]. 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 Wyoming [Mr. SIMPSON] is absent due to a death in the family.

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

Mr. FORD. I announce that the Senator from Alabama [Mr. HEFLIN] is necessarily absent.

I also announce that the Senator from Massachusetts [Mr. KENNEDY] is absent because of a death in the family.

I further announce that, if present and voting, the Senator from Massachusetts [Mr. KENNEDY] would vote "nay."

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

The result was announced—yeas 57, nays 40, as follows:

[Rollcall Vote No. 40 Leg.]
YEAS—57

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

NAYS—40

Akaka	Daschle	Kerrey
Baucus	Dodd	Kerry
Biden	Dorgan	Lautenberg
Bingaman	Feingold	Leahy
Boxer	Feinstein	Levin
Bradley	Ford	Lieberman
Breaux	Graham	Mikulski
Bumpers	Harkin	Moseley-Braun
Byrd	Hollings	Moynihan
Campbell	Inouye	Murray
Conrad	Johnston	Pell

So, the motion to lay on the table was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 182

Mr. GLENN. Mr. President, what is the next order of business before the Senate?

The PRESIDING OFFICER. Amendment No. 182, offered by the Senator from South Carolina [Mr. HOLLINGS] with 30 minutes, equally divided.

Mr. HOLLINGS addressed the Chair.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. HOLLINGS. Mr. President it is my hope that in this amendment we can sort of burst the bubble of false hope that permeates the Government in Washington with so-called contracts. All around town we seem to hear "The Government is the problem; let's get rid of the Government." Unfortunately, both sides participate in this charade. We will be fighting all year to bring reality into the picture. Specifically, let me refer, to an amendment that I introduced on the Senate floor in 1990, an amendment that is now the solemn law of the land. It says:

"Notwithstanding any other provision of law receipts, disbursements and Federal aid, survivors' insurance trust fund, and the Federal disability insurance trust fund shall not be counted as new budget authority outlays, receipts, deficit, surplus, for the purpose of the budget of the U.S. Government as submitted by the President or the congressional budget or the Balanced Budget and Emergency Deficit Control Act.

In reality, the administration and the other side continue to use surplus funds when they refer to the size of the deficit. When Vaclav Havel was inaugurated as President of Czechoslovakia, he said:

For 40 years we have been lied to, and for 40 years we have grown sicker because we have been saying one thing and believing another. I assume that you did not elect me President to continue this 40 years of lying. We have to deal with our problems. Nobody else can solve our problems but us.

That goes double for the problems that confront this Government at this hour.

We have, as the President speaks tonight, some 10 million Americans laying on the streets homeless, 12 million children hungry, and 40 million in poverty.

Mr. President, we need to be candid with the American people. All this resolution asks Congress to do, is to tell the American people up front the truth about our fiscal situation. Specifically, the deficit right now is not \$176 billion;

it is \$283 billion. We can look at the \$253 billion that we spend on domestic discretionary programs against the \$283 billion projected deficit and readily see that we could eliminate Government and still be in the red. My point is that in addition to spending cuts we will need to increase revenues.

I ask unanimous consent at this point to include in the RECORD a chart outlining one possible path to balancing the budget along with a list of

approximately \$37 billion in nondefense discretionary spending cuts.

There being no objection, the table is ordered to be printed in the RECORD, as follows:

HOLLINGS RELEASES REALITIES ON TRUTH IN BUDGETING

Reality No. 1: \$1.2 trillion in spending cuts is necessary.

Reality No. 2: There aren't enough savings in entitlements. Have welfare reform, but a jobs program will cost; savings are question-

able; health reform can and should save some, but slowing growth from 10 to 5 percent doesn't offer enough savings; social security won't be cut and will be off-budget again.

Reality No. 3: We should hold the line on the budget on Defense; that would be no savings.

Reality No. 4: Savings must come from freezes and cuts in domestic discretionary spending but that's not enough to stop hemorrhaging interest costs.

Reality No. 5: Taxes are necessary to stop hemorrhage in interest costs.

	1996	1997	1998	1999	2000	2001	2002
Deficit CBO Jan. 1995 (using trust funds)	207	224	225	253	284	297	322
Freeze discretionary outlays after 1998	0	0	0	-19	-38	-58	-78
Spending cuts	-37	-74	-111	-128	-146	-163	-180
Interest savings	-1	-5	-11	-20	-32	-46	-64
Total savings (\$1.2 trillion)	-38	-79	-122	-167	-216	-267	-322
Remaining deficit using trust funds	169	145	103	86	68	30	0
Remaining deficit excluding trust funds	287	264	222	202	185	149	121
5 percent VAT	96	155	172	184	190	196	200
Net deficit excluding trust funds	187	97	27	(17)	(54)	(111)	(159)
Gross debt	5,142	5,257	5,300	5,305	5,272	5,200	5,091
Average interest rate on debt (percent)	7.0	7.1	6.9	6.8	6.7	6.7	6.7
Interest cost on the debt	367	370	368	368	366	360	354

Note—Figures are in billions. Figures don't include the billions necessary for a middle-class tax cut.

Non-defense discretionary spending cuts	1996	1997
Space station	2.1	2.1
Eliminate CDBG	2.0	2.0
Eliminate low-income home energy assistance	1.4	1.5
Eliminate arts funding	1.0	1.0
Eliminate funding for campus based aid	1.4	1.4
Eliminate funding for impact aid	1.0	1.0
Reduce law enforcement funding to control drugs	1.5	1.8
Eliminate Federal wastewater grants	0.8	1.6
Eliminate SBA loans	0.21	0.282
Reduce Federal aid for mass transit	0.5	1.0
Eliminate EDA	0.02	0.1
Reduce Federal rent subsidies	0.1	0.2
Reduce overhead for university research	0.2	0.3
Repeal Davis-Bacon	0.2	0.5
Reduce State Department funding and end miscellaneous activities	0.1	0.2
End Public Law 480 title I and III sales	0.4	0.6
Eliminate overseas broadcasting	0.458	0.570
Eliminate the Bureau of Mines	0.1	0.2
Eliminate expansion of rural housing assistance	0.1	0.2
Eliminate USITA	0.012	0.16
Eliminate ATP	0.1	0.2
Eliminate airport grant in aids	0.3	1.0
Eliminate Federal highway demonstration projects	0.1	0.3
Eliminate Amtrak subsidies	0.4	0.4
Eliminate RDA loan guarantees	0.0	0.1
Eliminate Appalachian Regional Commission	0.0	0.1
Eliminate Untargeted funds for math and science	0.1	0.2
Cut Federal salaries by 4 percent	4.0	4.0
Charge Federal employees commercial rates for parking	0.1	0.1
Reduce agricultural research extension activities	0.2	0.2
Cancel advanced solid rocket motor	0.3	0.4
Eliminate legal services	0.4	0.4
Reduce Federal travel by 30 percent	0.4	0.4
Reduce energy funding for energy technology development	0.2	0.5
Reduce Superfund cleanup costs	0.2	0.4
Reduce REA subsidies	0.1	0.1
Eliminate postal subsidies for non-profits	0.1	0.1
Reduce NIH funding	0.5	1.1
Eliminate Federal Crop Insurance Program	0.3	0.3
Reduce Justice, State, local assistance grants	0.1	0.2
Reduce export-import direct loans	0.1	0.2
Eliminate library programs	0.1	0.1
Modify Service Contract Act	0.2	0.2
Eliminate HUD special purpose grants	0.2	0.3
Reduce housing programs	0.4	1.0
Eliminate Community Investment Program	0.1	0.4
Reduce Strategic Petroleum Program	0.1	0.1
Eliminate Senior Community Service Program	0.1	0.1
Reduce USDA spending for export marketing	0.02	0.02
Reduce maternal and child health grants	0.2	0.4
Close veterans hospitals	0.1	0.2
Reduce number of political employees	0.1	0.1
Reduce management costs for VA health care	0.2	0.4
Reduce PMA subsidy	0.0	1.2
Reduce below cost timber sales	0.0	0.1
Reduce the legislative branch 15 percent	0.3	0.3
Eliminate small business development centers	0.056	0.074
Eliminate minority assistance score, Small Business Institute and other technical assistance programs, women's business assistance, international trade assistance, empowerment zones	0.033	0.046
Eliminate new State Department construction projects	0.010	0.023
Eliminate International Boundaries and Water Commission	0.013	0.02
Eliminate Asia Foundation	0.013	0.015
Eliminate International Fisheries Commission	0.015	0.015
Eliminate Arms Control Disarmament Agency	0.041	0.054
Eliminate NED	0.014	0.034
Eliminate Fulbright and other international exchanges	0.119	0.207
Eliminate North-South Center	0.002	0.004
Eliminate U.S. contribution to WHO, OAS, and other international organizations including the United Nations	0.873	0.873
Eliminate participation in U.N. peacekeeping	0.533	0.533

Non-defense discretionary spending cuts	1996	1997
Eliminate Byrne grant	0.112	0.306
Eliminate Community Policing Program	0.286	0.780
Moratorium on new Federal prison construction	0.028	0.140
Reduce Coast Guard 10 percent	0.208	0.260
Eliminate Manufacturing Extension Program	0.03	0.06
Eliminate coastal zone management	0.03	0.06
Eliminate national marine sanctuaries	0.007	0.012
Eliminate climate and global change research	0.047	0.078
Eliminate national sea grant	0.032	0.054
Eliminate State weather modification grant	0.002	0.003
Cut Weather Service operations 10 percent	0.031	0.051
Eliminate regional climate centers	0.002	0.003
Eliminate Minority Business Development Agency	0.022	0.044
Eliminate public telecommunications facilities program grant	0.003	0.016
Eliminate children's educational television	0.0	0.002
Eliminate national information infrastructure grant	0.001	0.032
Cut Pell grants 20 percent	0.250	1.24
Eliminate education research	0.042	0.283
Cut Head Start 50 percent	0.840	1.8
Eliminate meals and services for the elderly	0.335	0.473
Eliminate title II social service block grant	2.7	2.8
Eliminate community services block grant	0.317	0.470
Eliminate rehabilitation services	1.85	2.30
Eliminate vocational education	0.176	1.2
Reduce chapter 1 20 percent	0.173	1.16
Reduce special education 20 percent	0.072	0.480
Eliminate bilingual education	0.029	0.196
Eliminate JTPA	0.250	4.5
Eliminate child welfare services	0.240	0.289
Eliminate CDC Breast Cancer Program	0.048	0.089
Eliminate CDC AIDS Control Program	0.283	0.525
Eliminate Ryan White AIDS Program	0.228	0.468
Eliminate maternal and child health	0.246	0.506
Eliminate Family Planning Program	0.069	0.143
Eliminate CDC Immunization Program	0.168	0.345
Eliminate Tuberculosis Program	0.042	0.087
Eliminate Agricultural Research Service	0.546	0.656
Reduce WIC 50 percent	1.579	1.735
Eliminate TEFPAP		
Administrative	0.024	0.040
Commodities	0.025	0.025
Reduce Cooperative State Research Service 20 percent	0.044	0.070
Reduce Animal Plant Health Inspection Service 10 percent	0.036	0.044
Reduce Food Safety Inspection Service 10 percent	0.047	0.052
Total	36.941	58.402

Mr. HOLLINGS. Mr. President, the path that I have outlined would include \$406 billion in spending cuts over a 4-year period. In reality, I doubt that the Congress could cut \$406 billion. I doubt that you could cut \$37 billion in the first year to put us on schedule. But as my list of cuts shows, even if that were done, we would have to make additional cuts in the second year, and the third year, and so on. Moreover, after all these cuts we will still need a 5 percent value-added tax to bring us into the black by 1999. But wait, there's more. Having gotten into the black, we will still be spending \$368 billion in interest costs on the gross debt. In short, we will be on automatic pilot for in-

creased spending of \$1 billion a day. The only way I know to get off of this binge is to start talking honestly about the budget.

Some of the elected officials in this town act like they are not part of the Government. It is like going to the Super Bowl and watching the Forty-Niners and the Chargers run into the stands hollering, "We want a touchdown. We want a touchdown." But to do that, they've got to get out of the bleachers and onto the field. Let us get down on the field and balance the budget.

Mr. President, David Stockman, the Republican Director of the Office of Management and Budget, said 10 years ago:

The root problem goes back to the July 1981 frenzy of excessive and imprudent tax cutting that shattered the Nation's fiscal stability. A noisy faction of Republicans have willfully denied this giant mistake of fiscal governance, and their own culpability in it ever since. Instead they have incessantly poisoned the political debate with a mindless stream of anti-tax venom while pretending that economic growth and spending cuts alone could cure the deficit. That ought to be obvious now that we cannot grow our way out of it.

That is what we are getting here, 1995. It is time to stop this charade today. I retain the balance of my time.

Mr. DOMENICI. Mr. President, how much time does Senator HOLLINGS have remaining?

The PRESIDING OFFICER. Six minutes and 18 seconds remaining. The Senator from New Mexico has a full 15.

Mr. DOMENICI. Do you want to proceed with some of that, Senator? Do you want him to go now?

Mr. HOLLINGS. Go right ahead and then I will yield to Senator DODD.

Mr. DOMENICI. I have 15 minutes and would like to yield up to 5 minutes for Senator SIMON from Illinois. I would use the balance.

Mr. SIMON. Mr. President, I thank you.

I am going to oppose this amendment. I have great respect for Senator

HOLLINGS. Frankly, if we had more FRITZ HOLLINGS in the U.S. Senate we would not need a balanced budget amendment. FRITZ HOLLINGS has shown more courage in the Budget Committee—and I have served there along with Senator DODD and others—in talking about revenue, talking about cuts, talking about the needs of our country and that is essential.

I think there will be a lot of votes on this side supporting it in part because there is some resentment to the Contract With America and it is pie-in-the-sky we can cut taxes and spend more on defense, and it is just unrealistic.

I, however, oppose it for this reason, and that is, if it were popular to balance the budget, we would have done it a long time ago, the FRITZ HOLLINGS votes in the Budget Committee would have passed. The reality is we need a straitjacket to force us to do the right thing, and that is why it is essential for the country that we have a balanced budget.

The principle has to be established, and once we establish the principle, then we can argue among ourselves how to go about it. But we have not established the principle. I will just give you one quick illustration.

Back about 3 years ago, I introduced a bill for long-term care with a ½ percent increase in Social Security to pay for it. Two of my colleagues in the Senate, one of whom is still serving here now, came to me and said they thought it was a great bill, they would like to cosponsor it if I would just drop the ½ percent tax to pay for it. We can do that now. We can spend money, not pay any attention to whether it balances or not.

The reality is, if we want long-term care, we have to have the revenue. Senator HOLLINGS is correct—and I know I differ with some of my colleagues on the other side on this—he is absolutely correct when he says this is going to have to be a combination of spending cuts and revenue increases. I do not think there is any way to do it without that. And I do not favor just putting this thing off. If this passes, and I believe it will, if this passes in a few weeks, then I want to move on that glidepath right away, and I will join Senator HOLLINGS and any other Senator. We cannot wait until the States act; we have to move immediately.

But, frankly, we do not need to spell out how many toes we are going to step on when we have a balanced budget amendment. It is not going to be easy. It is going to be tough, but not to do it is going to be infinitely tougher on the future of this country.

So I, with great respect for the sponsor, am going to be voting on the other side on this particular motion.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, first, I thank the distinguished Senator from

Illinois for his statement, but I also thank him for his strong support for a constitutional amendment for a balanced budget. It is obvious some Democrats support this. It is obvious the President of the United States does not. Very few Republicans do not support it.

Having said that, the issue tonight is not whether we favor a constitutional amendment for a balanced budget, but rather after all these years of saying in order to balance the budget you need a constitutional amendment to force a total change of attitude on the part of the American people, the Congress, Democrats, Republicans and, yes, Presidents, that is why we need the amendment, so nobody in the position of leadership can any longer be for an unbalanced budget. The Presidents in the future are going to have to tell us how they get there.

I can guarantee you that when this constitutional amendment passes the U.S. Senate and House, the implementing legislation that will be part of it will not permit the executive branch of Government to say, "I don't want to do it, I don't like it."

Do you not think the first sentence in that implementing language will say: "The next budget that the President of the United States sends to us, be he Democrat or Republican, will be in balance?" We do not have that luxury today.

We have my very good friend and distinguished budgeteer and one who has proposed many healthy things to get the deficit under control, Senator HOLLINGS—and I thank him for his complimentary statements this morning—we have him suggesting that somebody, presumably the Republicans, ought to produce the details of a balanced budget before the sovereign States tell us we have to have it. Or it is some kind of gimmick, somebody says, if we do not.

Why is that? We are all suggesting and the American people have finally agreed that until the substantive, relevant, basic, underlying law of the land is changed, we will not get to a balanced budget.

Mr. President, let me tell you, I am not one who 14, 15 years ago was for a constitutional amendment. In fact, you might find something in the RECORD of this institution where I was not. But I have come full circle, and the very reason that I have is the reason we cannot do what Senator HOLLINGS is recommending in this amendment, because we have never been able to produce a balanced budget, and until we have a constitutional amendment, we will not. When we do, I say to Senator SIMON, everything will change.

Now, you say to me, "What are you going to tax? What are you going to cut?" Everything will be changed because the entire attitude of Congressmen will constantly be saying, "How do we get a balanced budget?" The entire demeanor of the fiscal policy and U.S. Congress is to solve every problem

with a \$20 million, \$30 million or \$50 million program, or a new entitlement.

I say to the Senator from South Carolina, Senator HOLLINGS, we pass in reconciliation bills—not the Senator, not me—but in reconciliation bills in which we are supposed to save money, we spent \$150 billion because somebody found a loophole. They cut in the first year and then they pass 12 new programs in the second, third, fourth, and fifth. That happens to be how social services block grants, for those who are wondering, how the price went up. We never passed a free-standing bill. Believe it or not, we increased that spending by putting it in a budget-cutting bill.

We cannot stop all of that, but we will stop it all when we have a constitutional amendment.

Incidentally, we will not have a President of the United States giving a speech tonight on the State of the Union without including in it how we are going to get to a balanced budget, or I have sent you a balanced budget, or saying to the people of the United States, "I sent it last year and they did not follow it because they still think they have 5 more years to play games."

We are not going to have that now, I say to my friend from Connecticut, the new chairman of the Democratic Party, because this President is not obligated to. As a matter of fact, I believe sooner or later we ought to vote here and we probably ought to vote that the President should submit a balanced budget next year. That might be a good way to handle this. Maybe he ought to. He is the primary developer of budgets—the executive branch, not Congress, not Republicans because they are in the majority by a few votes.

So I want to close tonight by saying we do not need anybody telling us we have to produce a balanced budget in advance of a constitutional amendment. I say to the Senator from South Carolina, he is going to be there. He is the second ranking on the Budget Committee. I am the chairman. He is free to offer any amendments he wants in that timeframe, and he knows that.

I am going to offer plenty, and I am going to offer a budget that dramatically reduces the deficit. I welcome every Democrat who is pushing this issue. I welcome them to vote for all the cuts we are going to propose. That is the first start. That is the downpayment. If you are looking for an analogy in a football game, what we are going to have in 3 or 4 weeks is the game that just precedes the playoff. The Senator from South Carolina referred to the Chargers and San Francisco 49'ers. We are not at that game yet in the budget resolution this year. We are two games before the playoff because we still have to build the foundation for getting the deficit down with a big downpayment.

I say to the American people, just wait, in 4 or 5 weeks we will give you that downpayment and we will start that trend line down so that in the

fifth year, the budget will not be going up, it will be coming down.

Now, is this the way to do business? Let me close. I want to quote from Laurence Tribe, a liberal constitutional lawyer, on what kind of games we are playing with our children when we do not tie our own hands with a constitutional amendment. Listen carefully:

Given the centrality in our revolutionary origins of the precept that there should be no taxation without representation, it seems especially fitting in principle that we seek somehow to tie our own hands so we cannot spend our children's legacy.

That is why we need the constitutional amendment. It will tie our hands. Until then, we can only say to the American people for the first time in 40 years, there is a Republican House and a Republican Senate, and I do not believe you are going to have to be worried about whether we will cut enough. What we have to be worried about is how many Democrats will help us as we propose very significant cuts in entitlements, in every discretionary program, in all kinds of expenditures of the Federal Government and privatization. We welcome your help.

I yield the floor.

Mr. HOLLINGS addressed the Chair.

Mr. HOLLINGS. Mr. President, I understand I have 6 minutes left. I want to divide it between the distinguished Senator from North Dakota and the distinguished Senator from Connecticut, unless they can yield some time to our distinguished friend from Wisconsin.

Let me just make a few brief points. One, we are on the unfunded mandates bill which argues that the Federal Government should consider the costs imposed on State and local governments up front. The Senator from New Mexico in his opposition seems to say, "Do not consider the cost up front on the biggest unfunded mandate," namely the Federal budget.

Two, I am not so sanguine about the balanced budget amendment to the Constitution. I remember the 18th amendment was passed and people kept on drinking. I think this crowd in Washington could delay and cook up plenty of ways to avoid the discipline of a balanced budget amendment.

Three, President Bill Clinton has already given us the downpayment by offering a plan that will reduce the deficit over \$500 billion in 5 years. It's time now to finish the job.

I yield 3 minutes to the Senator from North Dakota and 3 minutes to the Senator from Connecticut.

The PRESIDING OFFICER. The Senator from North Dakota is recognized for 3 minutes.

Mr. CONRAD. I thank the Chair and I thank the Senator from South Carolina as well.

Let me just say that talk is cheap in this body. We have heard a lot of examples of this as we talk about a balanced budget. I think perhaps the American people deserve to know the gap between Republican rhetoric and Repub-

lican reality with respect to a balanced budget.

Mr. President, I brought this chart to show what is required to balance the budget over the next 7 years. The blue line shows what is needed if we do not do anything to make the problem worse before we start solving it—1 trillion 35 billion. That is not million, that is not billion. That is 1 trillion—1,000 billion—in cuts that are necessary if we do not do anything to make it worse.

But the Republican Contract With America says the first thing to do is cut taxes \$364 billion. That makes it a \$1.4 trillion problem. And then they say spend another \$82 billion on defense. That makes it a \$1.48 trillion hole to fill.

Mr. President, the Republican credibility gap, as I calculate it, is shown by the difference between what is necessary to balance the budget over 7 years—nearly \$1.5 trillion—and the paltry \$277 billion of spending cuts they have come up with in their Contract With America. They are \$1.2 trillion short.

Mr. President, let me just end with this chart that talks about famous gaps. Famous gaps. We have the Grand Canyon. That is a mile deep. That is a big gap. But the biggest gap we have in America today is the Republican credibility gap. It is \$1.2 trillion, the difference between what is needed to balance the budget and what they have identified by way of cuts. That is one of the most famous gaps in America today, the Republican credibility gap. They need to fill it in.

I thank the Chair.

Mr. FEINGOLD addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Could I yield myself 30 seconds?

I forgot in my remarks to indicate to the Senator from South Carolina, he would agree that the famous Stockman quote that he read into the RECORD—

Mr. HOLLINGS. Right.

Mr. DOMENICI. That in that book he excludes Senator DOMENICI from that definition, is that not right?

Mr. HOLLINGS. I am sure he did.

Mr. DOMENICI. Yes, indeed, he did. By definition he did. He said, "I exclude," and he gave about three people. I was one of them.

Mr. HOLLINGS. Well, he said Republicans.

Mr. DOMENICI. I am a Republican.

Mr. HOLLINGS. The Senator is not leaving the party, is he? Is he going to join me?

Mr. DOMENICI. No. We have been wondering when the Senator is coming over here.

I wish to make one last point and save my time and yield a minute or so to the new Senator from Pennsylvania.

First, Mr. President, let me say to the Senator from North Dakota, let us

wait around for a couple months and see what the gap is. Let us see how many of the Senators on the other side vote to help with that gap. That really is not the Republican gap. That is the spending gap. And we are going to try to fix it. Instead of it being the Grand Canyon, it is going to be some little gap in New Mexico that in a couple years we can pole-vault over.

I also want to tell you, with the big cuts we are talking about, the budget this year will spend \$1.5 trillion, and the budget when we are through making all the cuts will spend \$1.950 trillion. So we are really not cutting very much. I mean if you look at these trend lines, we are still going to be at a \$1.950 trillion, which is about \$400 billion more than now, even after all the cuts.

Mr. President, I will yield to the Senator from Pennsylvania in just a moment. Let us let them finish so the Senator can kind of wrap up.

Mr. HOLLINGS. How much time do I have remaining, Mr. President?

The PRESIDING OFFICER. The Senator from South Carolina has 3 minutes 5 seconds.

Mr. HOLLINGS. I yield 1 minute to the distinguished Senator from Wisconsin and the remaining 2 minutes and 5 seconds to the Senator from Connecticut.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

Mr. FEINGOLD. I will see if I can do 22 years in 1 minute.

First, there were 12 years of Republican Presidents who said they were going to provide a balanced budget. Instead, they brought us up to the biggest deficit and debt in the history of this country. Then there was a 4-year period which we are in the middle of now where a Democratic President provided the kind of glidepath and direction that the Senator from South Carolina is talking about.

What happened? The deficit, for the first time since Harry Truman, went down for 3 years in a row. Those are the facts. Not a single Republican in either House of this institution voted to help us on these specifics.

Now we go to the third stage, a 7-year period when the States will get to decide whether or not they want to have a balanced budget amendment, as the majority party in both Houses here increases taxes for everybody in the country to the tune of hundreds of billions of dollars and increases the defense budget and tries to tell you that is going to balance the Federal budget.

The fact is that the President is going to give his speech tonight. He is the only President who has provided a true, specific path and true progress in the direction of deficit reduction, and no matter how much the Republicans say that is not the case, it is a fact.

The PRESIDING OFFICER. The time of the Senator from Wisconsin has expired. Who yields time?

Mr. DODD addressed the Chair.

The PRESIDING OFFICER. The Senator from Connecticut is recognized for 2 minutes.

Mr. DODD. Mr. President, I just want to commend again the Senator from South Carolina for this proposal. Again, I will emphasize what I said the other day. This is a radical idea that the Senator from South Carolina is suggesting, the radical idea that we might try to lay out for our constituents and taxpayers how we are going to achieve this "straitjacket" as it has been called.

Frankly, I never thought of the Constitution of the United States as becoming a straitjacket, particularly when it comes to the economy of the country. But to suggest somehow that this is a dreadful notion to try to spell out, not in the details the Senator from New Mexico has described, but at least in some broad picture—I will take any numbers you can give me. Give me some general idea here so that my elderly, my young people, my defense contractors, my businesses will have some notion of how we are going to achieve the Holy Grail of a balanced budget when they look at the bridges that have to be crossed, the gaps that have to be breached. How do you get there? And the fact that we are just saying lay that out for us in some detail here for us, and again not for us so much as it is for the people we represent, I do not think is asking too much.

Frankly, until we do that, I think this amendment proposal is going to be in serious question. I say to my friend from Illinois, the Constitution should never be a straitjacket. That is not what the Founding Fathers had in mind. They specifically left out economic policy because they knew that future generations would have to confront problems that they could not imagine.

And so I hope that before we decide to get to this balanced budget debate, our friends on the other side will lay out at least in some detail for us where we are going to go with that, and again not to fall prey to the idea suggested by the distinguished majority leader of the other body that we cannot do this because, if we do, the "knees will buckle" of Members of Congress.

Well, as I said the other day, it is not the Members of Congress whose knees I worry about buckling; it is those out there who look to us to see to it that we do a job that makes sense, is rational and thoughtful. Asking for some details on this proposal I do not think is radical, and it certainly ought to be done if we are going to succeed with this proposal.

The PRESIDING OFFICER. The time of the Senator from Connecticut has expired. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I yield 1½ minutes to the junior Senator from Pennsylvania and 30 seconds for wrap-up to Senator GORTON.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. SANTORUM. I thank the Senator for yielding.

I wanted to pick up on the analysis of this amendment by my distinguished colleague from South Carolina, relating it to a football game, a Super Bowl, because I thought it was a keen analogy. I am not too sure he got it quite right.

What he suggested is that members of the football team be up in the stands rooting for different ideas instead of being on the field fighting it out and putting those cuts into place.

Let me tell you what the constitutional amendment is to balance the budget. It is the clock. You see, the game will not start unless the clock starts, and that makes the teams get on the field. It makes them get on the field and start fighting it out. Otherwise, they would spend all their time sitting in the stands enjoying life, running around with the cheerleaders. They are going to be on the field now because the clock starts; the game has begun.

Now, the Senator from Connecticut said, well, we need the game plan. I know George Seifert would love to have Bobby Ross's game plan, and I know Bobby Ross would like to have Mr. Seifert's, but they are not going to give it to each other.

You see, that is what the game is all about and it has to be played. But you have to start the clock. That is what the balanced budget amendment does, it starts the clock. It gets us on the field and makes us perform before the people of the United States of America. That is what this game is all about. And all this other stuff is just hype. All these gaps and canyons and where is it coming from, where do you tax it—it is all hype. Just pick up a paper and look at the hype.

When the clock starts the game begins. I yield.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mr. GORTON. Mr. President, one fact is crystal clear as a result of this debate. Our friends and colleagues on the other side of the aisle, with a few notable and courageous exceptions, do not want a balanced budget. They want an outline which will make it more difficult to get a balanced budget. Their President has never proposed one. They have not proposed one. They do not plan to propose one. They fear the constitutional amendment because it will require them to be in that game as well.

The difference is this side may not know every detail of how it is going to get to a balanced budget, but it wants to get there and will try to do so. The other side does not even want to start the journey.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

The Chair reminds the Senator all time has expired.

Mr. DOMENICI. Mr. President, I move the Hollings amendment be tabled. Mr. President, 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 yeas and nays have been ordered.

Mr. KEMPTHORNE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. DOLE. Mr. President, have the yeas and nays been ordered on the pending motion?

The PRESIDING OFFICER. They have.

Mr. DOLE. Mr. President, following this vote, there will be a resolution condemning terrorist attacks in Israel. I will have that resolution read after this vote so we can accommodate the Members.

I ask for the yeas and nays on that resolution. It has been agreed to by leaders on both sides, and many others.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. DOLE. That will be the last vote. There will be one more vote. The vote on the resolution will be the last vote.

I remind my colleagues that we have a little dinner over here in S-211, if they would like to partake.

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the motion to lay on the table the amendment numbered 182 offered by the Senator from South Carolina [Mr. HOLLINGS]. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Indiana [Mr. COATS] is necessarily absent.

I also announce that the Senator from Wyoming [Mr. SIMPSON] is absent due to a death in the family.

I further announce that, if present and voting, the Senator from Indiana [Mr. COATS] and the Senator from Wyoming [Mr. SIMPSON] would each vote "yea."

Mr. FORD. I announce that the Senator from Alabama [Mr. HEFLIN] is necessarily absent.

I also announce that the Senator from Massachusetts [Mr. KENNEDY] is absent because of a death in the family.

I further announce that if present and voting, the Senator from Massachusetts [Mr. KENNEDY] would vote "nay."

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

The result was announced—yeas 55, nays 41, as follows:

[Rollcall Vote No. 41 Leg.]

YEAS—55

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

NAYS—41

Akaka	Dorgan	Leahy
Baucus	Exon	Levin
Biden	Feingold	Lieberman
Bingaman	Feinstein	Mikulski
Boxer	Ford	Moynihan
Bradley	Glenn	Murray
Breaux	Graham	Nunn
Bryan	Harkin	Pell
Bumpers	Hollings	Pryor
Byrd	Inouye	Reid
Campbell	Johnston	Robb
Conrad	Kerry	Rockefeller
Daschle	Kerry	Sarbanes
Dodd	Lautenberg	

NOT VOTING—4

Coats	Kennedy
Heflin	Simpson

So the motion to lay on the table was agreed to.

Mr. KEMPTHORNE. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

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

The motion to lay on the table was agreed to.

CONDEMNING TERRORIST ATTACKS IN ISRAEL

The PRESIDING OFFICER. Under the previous order, the clerk will report Senate Resolution 69.

The legislative clerk read as follows:

A resolution (S. Res. 69) condemning terrorist attacks in Israel.

Thereupon, the Senate proceeded to consider the resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Indiana [Mr. COATS] is necessarily absent.

I also announce that the Senator from Wyoming [Mr. SIMPSON] is absent due to a death in the family.

I further announce that, if present and voting, the Senator from Indiana [Mr. COATS] and the Senator from Wyoming [Mr. SIMPSON] would vote "yea."

Mr. FORD. I announce that the Senator from Alabama [Mr. HEFLIN] is necessarily absent.

I also announce that the Senator from Massachusetts [Mr. KENNEDY] is absent because of a death in the family.

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

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

The result was announced—yeas 96, nays 4, as follows:

[Rollcall Vote No. 42 Leg.]

YEAS—96

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

NOT VOTING—4

Coats	Kennedy
Heflin	Simpson

So the resolution (S. Res. 69) was agreed to as follows:

S. RES. 69

Whereas on January 22, 1995 a brutal and cowardly terrorist attack near Netanya, Israel killed 19 Israelis and wounded dozens more;

Whereas the terrorist group "Islamic Jihad" claimed credit for the January 22, 1995 attack in a statement issued in Damascus, Syria;

Whereas on December 25, 1994, a "Hamas" terrorist attack in Jerusalem wounded 13 civilians, including 1 American citizen;

Whereas on October 19, 1994, a Hamas terrorist attack in Tel Aviv killed 22 Israelis and wounded 48 more;

Whereas 110 Israeli citizens have been killed and hundreds more have been wounded in terrorist attacks since the Declaration of Principles was signed on September 13, 1993;

Whereas the Declaration of Principles obligates the Palestinian Authority to publicly condemn terrorist attacks, and to bring to justice perpetrators of such acts in territories under their control;

Whereas no perpetrators of these terrorist attacks have been brought to justice for their acts of violence by the Palestinian Authority;

Whereas the governments of Syria and Iran continue to provide safe haven and support for terrorist groups, including Islamic Jihad and Hamas, among others;

Whereas continued acts of terrorism threaten the peace process in the Middle East; Therefore, be it

Resolved by the Senate that—

(1) the terrorist attacks in Israel are condemned in the strongest possible terms;

(2) condolences are extended to the families of all those killed, and hopes are expressed for the rapid and complete recovery of all wounded in the January 22, 1995 attack;

(3) Chairman Arafat should, consistent with the obligations of the Declaration of Principles, publicly and forcefully condemn acts of terror against Israelis, take immediate steps to bring to justice those responsible for such acts, and implement steps to prevent future acts of terrorism in all territory under his control;

(4) President Assad should immediately end all support for terrorist groups, including safe haven, material and financial support, in all territory under his control;

(5) The administration should undertake strong efforts to end the safe haven, training, and financial and other support granted terrorists by Iran, Syria and other states.

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

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Without objection, the preamble is agreed to.

UNFUNDED MANDATE REFORM ACT

The Senate continued with the consideration of the bill.

Mr. HATFIELD addressed the Chair.

The PRESIDING OFFICER. The Senator from Oregon.

AMENDMENT NO. 181

Mr. HATFIELD. Mr. President, I would like to withdraw my amendment No. 181.

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

So the amendment (No. 181) was withdrawn.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Wisconsin.

AMENDMENT NO. 193

Mr. KOHL. Mr. President, I ask unanimous consent that it be in order to consider the Kohl amendment No. 193.

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

Mr. KOHL. Mr. President, I am offering this amendment to address an unintended consequence in the bill before us.

I am concerned that in the process of trying to end the practice of placing onerous unfunded mandates on States and countries, we are actually discouraging States and counties from passing necessary laws. Some States may decide to delay action in the hope that Congress passes a Federal law to do the same thing and then provides the money to do it.

Health care reform is a good example. How many States put off health care reforms last year anticipating action here in Washington? We do not want States saying, "Why should we take action today, when the Federal