

by 38 States the balanced budget amendment and begin to require the Congress of the United States to live within the parameters of a process that we will soon begin to debate and hope to establish.

I yield the remainder of my time.

#### THE STATE OF THE UNION ADDRESS

Mr. DOLE. Mr. President, last night was a time for rhetoric. And no doubt about it, President Clinton knows how to give a good long speech.

And now that the President has delivered his speech, the Republican Congress will continue to deliver on the promises we made to the American people.

For we know that the success of this Congress—as well as the future of our country—does not depend on our words. They depend on our actions.

And now it is time to act. It is time to carry out the mandate the American people gave us on November 8. And that means limited Government, less spending, fewer regulations, lower taxes, and more freedom and opportunity for all Americans.

As Governor Whitman said last night in the Republican response, if President Clinton is ready to help us achieve those goals, then we welcome him aboard. But we won't wait long to see if he means what he says. The train is pulling out of the station. Republicans are getting on with the business of changing America.

If President Clinton is truly committed to change, I hope he has a talk with congressional Democrats—many of whom are devoting themselves to derailing Republican efforts to give government back to the people.

And while I do not begrudge anyone standing firm against legislation they oppose, some of my Democrat friends are doing their best to block legislation they support.

The American people are in a demanding mood—and rightfully so. They are watching us very closely. And they will know who is responding to the message they sent, and who is restoring to 100 percent pure partisan politics.

The President spoke again last night about Americans he terms as “middle class” and those he terms as the “under class.”

We have a basic fundamental disagreement in philosophy here. Republicans do not believe we should create factions of Americans competing against one another for the favors of Government. Instead, we believe we should lead by taking actions that instill hope and restore freedom and opportunity for all Americans.

So, this Congress will carefully consider the President's so-called middle-class bill of rights,—but our actions will flow from the real Bill of Rights—the one that contains the 10th amendment to the Constitution.

The President did not mention that amendment last night, so let me read it for the record. It is very short.

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States, respectively, or to the people.

End of quote. That is all there is. That is the 10th amendment.

Let me close by saying how exciting it was for some of us, particularly me, to look up last night and see a Republican Speaker sitting behind the President. We have waited—some almost a lifetime, 40 years—to see this happen. In fact I think it was a sight I was beginning to loose hope of ever seeing.

But now it is a fact. And the President well knows that this Congress is much, much different from those in the recent past. He talked about yesterday's. This is not yesterday's Congress. This is a new Congress. This is not a big taxing, big spending Congress. This is not a Congress that has a government-mandated solution to every problem.

Rather, this is a Congress that has a very specific mandate from the American people. President Clinton said last night that despite his liberal policies of the past 2 years, he accepts and understands that mandate.

Republicans and all Americans who support our efforts to return Government back to the people hope that is a reality, and not just rhetoric.

So, Mr. President, it seems to me the President has spoken. He has every right to. He spoke as most Presidents do, laid out the best that has happened in the administration. That is true whether you are a Republican or Democrat President. The President talked about lobbying. He did not mention how many lobbyists contributed to his legal defense fund. So if we are going to stop and give it all back, maybe we will hear that announcement today that all that money is going to go back, the \$1 million raised from lobbyists around the country for his legal defense fund.

We are prepared to work with the President. I must say I did not hear any cheers go up on the other side of the aisle when Mexico was mentioned. I do not know where the Democrats are on Mexico. The President said it is not foreign aid, it is not a loan. Maybe there is something we are not aware of.

But I would say as far as that issue is concerned, we told the President in good faith at this meeting at the White House, which Secretary Rubin has talked about a number of times, that we understood there was a problem and we wanted to help. But we are not going to help on just this side of the aisle. Unless there is some help on the other side of the aisle, forget it; it is not going to happen.

I do not see much support. I did not see any applause last night when the President talked about our special relationship with Mexico and our boundaries and the history of the two countries. But I would say to the President that we are still prepared to work out

some arrangement—maybe a different arrangement than has been proposed so far. But it must be bipartisan. It cannot be Republicans in the House and the Senate providing the votes while the Democrats vote the other way.

If that is the case it will never be brought up in the U.S. Senate.

Mr. HOLLINGS. Mr. President, as I passed through the Chamber and heard the distinguished majority leader, I remembered the words of John Mitchell, the former Republican Attorney General. He said, “Watch what we do, not what we say.”

As I heard the distinguished Republican leader, he asked that we not resort to class warfare. Yet almost in the same breath, he waxed eloquently about the “Contract With America” and sank into the very game he indicted. Yes, President Clinton has put forward a proposal to cut middle-class taxes. But let us not forget that an important part of the Republican “Contract With America” is none other than a middle-class tax cut. It is ironic, if nothing more, that Republicans would attack the President for something they themselves have done.

Having said that, I feel strongly that the formulation of public policy should not be based on class, or age, or race, or anything of that sort. We are Senators for all the people, in our State and throughout the entire country. Unfortunately, we too often fall into the trap of conducting politics by poll numbers and forgetting that fact.

We need to get out of that habit and start doing what is best for the American people. Otherwise we end up admonishing each other about lobbyists on the one hand, and then accepting contributions from them on the other, as might the distinguished majority leader when he establishes his committee for the Presidency. In the end, we haven't done anything, and the electorate simply grows angrier and angrier.

We should not resort to demeaning the Government. That is what I heard in the majority leader's speech today and in the President's last night. Sometimes I feel like Republicans and Democrats are in a footrace to see who can demean the Government the most, to which I take strong exception. After all, we are never going to work together and be effective, if we are always finding fault and pointing fingers.

Mr. President, let me briefly turn to another subject, namely, the crisis in Mexico. I shall have more to say on this issue at a later time, but let me make a few brief points. It is my opinion that the risk subsidies which the administration is seeking on the \$40 billion in loan guarantees would require the Mexican Government to pledge some of its oil revenues. While that may be a good business decision to secure the loan guarantee, my fear is that we will be taking the wherewithal from the Mexican people to recover as a country. In essence, in a year or two, the United States of America will not be seen as a friend, but as an enemy. In

that sense, I think it is a bad, bad policy.

Furthermore, the President should not be obligated to get Democrats together.

It is a Republican program to bail out the billionaires. Former President Salinas was given tremendous credit for privatizing. But if you look at *Forbes* magazine last year, you will see that of the 24 to 25 billionaires, 22 were created under the Salinas administration. What we saw was the good old boys system where the newly privatized companies were farmed out to political allies.

If the Mexican Government really needs money, they should tell that crowd to give some of the money back. The people need it badly down there. But what we don't want is to get into a situation where we bail out Wall Street and the billionaires in Mexico but breed resentment from the Mexican people.

Supporters of the loan guarantees have taken pains to stress that it does not cost the United States anything. While that may be true on paper, I immediately recall the \$7 billion we guaranteed to Egypt, the \$14 billion to India, and the \$2 billion to Poland. I do not mean to question the need for that assistance, but I merely raise that point to illustrate that when this crowd in Washington says it won't cost anything, it is the taxpayers who end up holding the bag when loan forgiveness occurs.

Mr. President, I did not intend to talk at length. I only wanted to comment on the tone of today's political discourse which paints Government as the enemy. It isn't new. I heard the same singsong when I was a member of the Federalism Commission under President Reagan. "Get rid of the Government." Indeed, 15 years ago, President Reagan came to town pledging to slash Federal programs and send Government back to the States. Five years later, what we slashed was the funding by eliminating revenue sharing. That is what has caused the dilemma that brings this bill before the Senate today.

It is time for elected officials to quit blaming the Government in Washington and acting as if we were not part of the Government. Instead, we need to get down on the floor of the Congress and do the job, which the distinguished Senators from Ohio and Idaho are attempting to do. I thank them for their courtesy in yielding.

#### WAS CONGRESS IRRESPONSIBLE? THE VOTERS SAID YES

Mr. HELMS. Mr. President, anyone even remotely familiar with the U.S. Constitution knows that no President can spend a dime of Federal tax money that has not first been authorized and appropriated by Congress—both the House of Representatives and the U.S. Senate.

So when you hear a politician or an editor or a commentator declare that "Reagan ran up the Federal debt"; or that "Bush ran it up," bear in mind that it was, and is, the constitutional duty of Congress to control Federal spending. We'd better get busy correcting this because Congress has failed miserably to do it for about 50 years.

The fiscal irresponsibility of Congress has created a Federal debt which stood at \$4,799,369,247,041.81 as of the close of business Tuesday, January 24. Averaged out, every man, woman, and child in America owes a share of this massive debt, and that per capita share is \$18,218.49.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

#### UNFUNDED MANDATE REFORM ACT

The PRESIDING OFFICER. The hour of 10:30 having arrived, under previous order, the Senate will resume consideration of S. 1.

The clerk will report the bill.

The legislative clerk read as follows:

A bill (S. 1) to curb the practice of imposing unfunded Federal mandates on States and local governments; to strengthen the partnership between the Federal Government and State, local and tribal governments; to end the imposition, in the absence of full consideration by Congress, of Federal mandates on State, local, and tribal governments without adequate funding, in a manner that may displace other essential governmental priorities; and to ensure that the Federal Government pays the costs incurred by those governments in complying with certain requirements under Federal statutes and regulations, and for other purposes.

The Senate resumed consideration of the bill.

Pending:

Levin amendment No. 172, to provide that title II, Regulatory Accountability and Reform, shall apply only after January 1, 1996.

Levin amendment No. 173, to provide for an estimate of the direct cost of a Federal intergovernmental mandate.

Levin amendment No. 174, to provide that if a committee makes certain determinations, a point of order will not lie.

Levin amendment No. 175, to provide for Senate hearings on title I, and to sunset title I in the year 2002.

Levin amendment No. 176, to clarify the scope of the declaration that a mandate is ineffective.

Levin amendment No. 177, to clarify the use of the term "direct cost".

Graham amendment No. 183, to require a mechanism to allocate funding in a manner that reflects the direct costs to individual State, local, and tribal governments.

Graham amendment No. 184, to provide a budget point of order if a bill, resolution, or amendment reduces or eliminates funding for duties that are the constitutional responsibility of the Federal Government.

Wellstone amendment No. 185, to express the sense of the Congress that the Congress shall continue its progress at reducing the annual Federal deficit.

Wellstone modified amendment No. 186, (to amendment No. 185), of a perfecting nature.

Murray amendment No. 187, to exclude from the application of the Act agreements with State, local, and tribal governments and the private sector with respect to environmental restoration and waste management activities of the Department of Defense and the Department of Energy.

Murray amendment No. 188, to require time limitations for Congressional Budget Office estimates.

Graham amendment No. 189, to change the effective date.

Harkin amendment No. 190, to express the sense of the Senate regarding the exclusion of Social Security from calculations required under a balanced budget amendment to the Constitution.

Bingaman amendment No. 194, to establish an application to provisions relating to or administered by independent regulatory agencies.

Glenn amendment No. 195, to end the practice of unfunded Federal mandates on States and local governments and to ensure the Federal Government pays the costs incurred by those governments in complying with certain requirements under Federal statutes and regulations.

Kempthorne amendment No. 196 (to amendment No. 190), to express the sense of the Senate that any legislation required to implement a balanced budget amendment to the U.S. Constitution shall specifically prevent Social Security benefits from being reduced or Social Security taxes from being increased to meet the balanced budget requirement.

Glenn amendment No. 197, to have the point of order lie at only two stages: (1) against the bill or joint resolution, as amended, just before final passage, and (2) against the bill or joint resolution as recommended by conference, if different from the bill or joint resolution as passed by the Senate.

McCain amendment No. 198, to modify the exemption for matter within the jurisdiction of the Committees on Appropriations.

Lautenberg amendment No. 199, to exclude from the application of the Act provisions limiting known human (group A) carcinogens defined by the Environmental Protection Agency.

Byrd amendment No. 200, to provide a reporting and review procedure for agencies that receive insufficient funding to carry out a Federal mandate.

Boxer amendment No. 201, to provide for unreimbursed costs to States due to the imposition of enforceable duties on the States regarding illegal immigrants or the Federal Government's failure to fully enforce immigration laws.

Boxer amendment No. 202, to provide for the protection of the health of children, pregnant women, and the frail elderly.

Boxer amendment No. 203, to provide for the deterrence of child pornography, child abuse, and child labor laws.

Wellstone amendment No. 204, to define the term "direct savings" as it relates to Federal mandates.

Wellstone amendment No. 205, to provide that no point of order shall be raised where the appropriation of funds to the Congressional Budget Office, in the estimation of the Senate Committee on the Budget, is insufficient to allow the Director to reasonably carry out his responsibilities under this Act.

Grassley amendment No. 207, to express the sense of the Congress that Federal agencies should evaluate planned regulations, to provide for the consideration of the costs of regulations implementing unfunded Federal mandates, and to direct the Director to conduct a study of the 5-year estimates of the costs of existing unfunded Federal mandates.