

from all of our State legislatures and Governors, which is: If you pass the balanced budget amendment, then before you send it to the States, please do an economic analysis of it so we will know the impact on our States and on our people. Are we going to have to raise taxes at the State level? Is that what we are afraid to tell our colleagues at the State level? Are our local governments going to have to rely more on the property tax? Is this going to become the biggest unfunded mandate of all, where we just transfer costs back to State and local governments? Is that why we are unwilling to pass this amendment, a sense-of-the-Senate amendment, that we at least, before we send this to the States, have an accompanying financial analysis?

I hope that this amendment will attract strong bipartisan support. It is all about the rights of people back in our States to know what we are doing. It is all about accountability. It is all about good government. It is all about being direct and straightforward with people, and this amendment should pass by a huge vote in the U.S. Senate.

I yield the remainder of my time.

The PRESIDING OFFICER. All time has expired.

Mr. CRAIG. Mr. President, I move to table the amendment of the Senator from Minnesota, and ask for the yeas and nays.

The PRESIDING OFFICER. All time has expired.

The question is on the second-degree amendment numbered 186 of the Senator from Minnesota to the first-degree amendment No. 185.

Does the Senator from Idaho wish to table the first-degree amendment or the second-degree amendment?

Mr. CRAIG. I wish to table amendment No. 185.

The PRESIDING OFFICER. The motion is to table amendment No. 185.

Mr. CRAIG. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on the motion of the Senator from Idaho [Mr. CRAIG] to table the amendment of the Senator from Minnesota [Mr. WELLSTONE]. 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."

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

The result was announced—yeas 54, nays 45, as follows:

[Rollcall Vote No. 43 Leg.]

YEAS—54

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

NAYS—45

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

NOT VOTING—1

Simpson

So the motion to lay on the table the amendment (No. 185) 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.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the majority leader.

ORDER OF PROCEDURE

Mr. DOLE. Mr. President, let me state for the benefit of my colleagues, we do have a meeting at 2 o'clock today. Hopefully, everybody will come—Senators only, no staff—to talk about a number of things that affect us, not as Senators, as Republicans or Democrats, but as people who live around here.

I think during that period, we will not recess because I think there will be an amendment offered. But I want to point out, we still have 39 amendments. This is the 11th day and we still have 39 amendments to this bill. We are going to finish the bill this week, if it takes all day today until midnight, all day tomorrow until midnight, all day Friday, and all day Saturday. We are going to finish the bill this week.

So I hope that Members are prepared to offer amendments and give us time agreements, or not offer amendments. I cannot believe that every one of the 39 amendments, whether they are on this side of the aisle or that side of the aisle, needs to be offered. So we will finish this bill this week sometime. We may file cloture if we do not get some action on some of the amendments. It is 12:15. We disposed of one little amendment. We have 39 left.

Mr. GLENN addressed the Chair.

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

Mr. GLENN. Mr. President, in response to the majority leader's comments, we are working very hard trying to get just as many lined up with time agreements as short as possible so we can move it along. I know the majority leader's desire to end this this week. We are certainly cooperating in that endeavor to that end. We are trying very hard to line things up just as fast as we can, to get them tailored with the shortest time agreement as possible. I think we are making some progress, and we will continue.

Mr. BAUCUS addressed the Chair.

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

Mr. BAUCUS. Mr. President, I ask unanimous consent that I be allowed to proceed as in morning business not to exceed 10 minutes.

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

Mr. BAUCUS. I thank the Chair.

(The remarks of Mr. BAUCUS pertaining to the introduction of S. 274 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

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

UNANIMOUS-CONSENT AGREEMENT

Mr. KEMPTHORNE. Mr. President, I will be very brief. I ask unanimous consent that at 1:30 p.m. the Senate turn to the consideration of amendment No. 202 by Senator BOXER and there be time for debate prior to a motion to table divided in the following fashion: 90 minutes under the control of Senator BOXER, 30 minutes under the control of Senator KEMPTHORNE. I further ask unanimous consent no amendments be in order to amendment No. 202, and that following the conclusion or yielding back of time, the majority manager or his designee be recognized to move to table amendment No. 202 and that upon the disposition of amendment No. 202 the Senate turn to the consideration of amendment No. 187.

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

Mr. GLENN addressed the Chair.

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

ORDER OF PROCEDURE

Mr. GLENN. Mr. President, I ask unanimous consent to proceed as if in morning business.

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

THE PRESIDENT'S PERFORMANCE

Mr. GLENN. Mr. President, I will not direct my address to the President's

speech last night. But I have been planning for some time to make a few remarks regarding the President's performance, with emphasis on the things that I think are important to the future of this country.

We get so bound up here in our considerations on the Senate floor, in our committee work, and in our speeches back home that I think we sometimes do not really sort out the wheat from the chaff and try at least in our mind's eye to go 10, 15, or 20 years in the future, and look back to see what was really important to the people that was passed by any administration. What has effect 15 years down the road for every family, every child, the elderly, the young—everyone in our whole society? What then should be relegated to trivial footnotes of history? It seems as though quite often we concentrate on things that in history's 20-20 hindsight will be but trivia, while in the future we will live with the important things that were passed in any administration. I think we need to consider the Clinton administration in that light.

The October 24 issue of *Time* magazine had a little graph that showed that this President, President Clinton, had passed and signed into law more of his stated agenda than any other President since Lyndon Johnson and before that back to Dwight Eisenhower. In other words, it was the most successful first 2 years—not quite 2 years, but the first 20 months—of accomplishing an announced agenda since President Dwight Eisenhower.

That is a proud record quite apart from all the trivia and all the ups and downs of charges against the President that I think will wind up as small print footnotes later, trivia, in history.

What we are talking about here is doing rather than talking. It seems to me people tend to ignore the record of what was done, what has been accomplished in this first 2 years. Too many on the other side keep talking about doing some of these things that are already under way, that are already being accomplished by this administration.

I can go through some examples of this. The economy has never been better. We have the lowest unemployment in 4 years, and the budget deficit has come down 3 years in a row. That is not something for the future. This is being done now with the economic policies of this administration. We remember the reconciliation vote in August of the first year of this President's tenure in office. There was not a single Republican vote, not one, that we could get here in the Senate to pass that reconciliation. In fact, the Vice President had to break the tie on that vote. There were dire predictions by some on the other side that there was going to be massive unemployment. In fact, all the other things that were brought up at that time that have not occurred. The economy remains in good shape. I repeat this is the first time we will

have reduced the budget deficit since the administration of Harry Truman—3 years of reducing the budget deficit.

How about the size of Government? When this administration came in, we had a lot of publicity and talk about reinventing Government. But it was not all talk; a lot of things were also put into effect. Some 300 different programs have been cut in the last 2 years. We talk about reducing the size of Government, getting the Government down-sized. The objective stated last year was that within 3 years we would be able to reduce the size of the Federal work force by some 272,000 people. At that time, a lot of people clucked a little bit, put their tongue in their cheek and said, "We will believe it when we see it." Well, we are seeing it.

Right now, the current figure of reaching that goal of reducing the Federal work force by 272,000 is being accomplished. 98,000 people have already been cut from the Federal work force. Along with those cuts—and I worked with the administration on this as chairman of the Governmental Affairs Committee—has come something else. Formerly, the Federal work force was all skewed to bosses and there was not enough employees in many departments and agencies. In other words, the boss-to-employee ratio was not what it is in private business, academia, or anywhere. In businesses across the country, the ratio of managers to employees is 1 to 12 or 1 to 15. The Federal Government has drifted over the years to a point where it is top heavy. We have about a 1-to-7 manager-to-employee ratio.

At the same time we are down-sizing by 272,000, how do we manage to adjust the manager-to-employee ratio? We put in buyout legislation along with early retirements. This encourages the GS—the civil service ratings—GS-13's, 14's, and 15's, who are basically the managers, to get out. So we are simultaneously down-sizing and correcting this imbalance that is very wasteful and adjusting it back to a better ratio that will compare favorably with what is done in private industry and private business. We do not hear that mentioned very often. When we get cut down to the 272,000 level, we will have the lowest Federal employment since John F. Kennedy was President.

What other things have been done during the first 2 years of this administration? With the administration's support, the Congress put through a family leave bill. Everybody talks about making a more family-friendly administration here in Washington, a more family-friendly Nation. What could be more family friendly, I ask you, than allowing employees to have time off when there is a bereavement in the family, when somebody is sick, or when there is a birth in the family? These are times when a person's attention should flow to the family and be concentrated on the family.

Once again, there were all sorts of dire predictions of what would happen

if we passed this legislation. So there was one exemption put in that said if you have key employees, and taking those key employees out for family leave would hurt the business, they were exempted. But the regular rung of employees in a company that can be filled in for on a temporary basis, they would have the right to help take care of their families if there is sickness, or a mother or father needs help, or if a child is ill, or whatever.

This administration is expanding Head Start. We now have an extra 200,000 young people in this country that have access to the benefits of the Head Start Program. Last evening the President talked about his National Service Program. This program is a helping hand. It is a program where people are doing constructive things for their community and reaping some benefit for it. I have talked to some of those people and they are proud of what they are doing under these Government programs.

I submit that, once again, going into the future some 15 or 20 years, we will look back and many of those people will be in productive work because of the opportunity they were given at this time. I would be very surprised, if we took that view in the future and actually determined the past cost, if this program had not been something of benefit for the Government. Those people will be so much more productive. They will be paying taxes and will be productive citizens. Even more important will be the fact that their lives have been enriched, and they will be participating citizens in the future of this country. What can be more important than that?

In another area, the college loan program has been expanded. The potential is there for some 20 million people to have the advantage of a college education over the next few years.

For communities, there is a community development bank that has been provided. These are not things where we are just talking about it as though we had to do something in the future; these are things actually being done. They are being accomplished now. They are accomplishments of the first 2 years of this administration. These are not pie-in-the-sky things. These are things where the new administration made these proposals, worked with Congress, and we got them through.

I think the news media concentrate on the trivia of history to the exclusion of some of the good things that have gotten through for which the President should get due credit as accomplishments achieved during the administration's first couple of years. Yet, too often we find the other side talking as though nothing has been done in these areas.

We want to cut the size of Government. It is being done, my friends. It is being done now—and ahead of schedule. There has been a 98,000 reduction in the Federal work force already, but 272,000 was the goal, and that is coming.

Have we gotten everything done? Not by a long shot. We are just seeing the beginning of GATT. I have not mentioned that. International trade is now being addressed. This is controversial. We have a lot of people in my State of Ohio, and some were for GATT and some were against GATT. I submit that we have moved into such an economic situation in the world that had we not finally terminated negotiations and gotten an agreement on GATT, we would have placed ourselves at a great disadvantage down the road.

To give an example of what I am talking about, if we went back to a New England village 100 years ago or so, it probably made very little difference whether anyone came through that village from one year to the next. The buggy-maker was on one corner, the cobbler or the shoemaker was over on another corner, most people had a garden out behind the house, and there were vegetables grown out in the valley. It was basically a self-sufficient community that took care of itself. People took care of people; the community took care of its local community. Now, what happened? Then we developed out of that village, and the cobbler, in effect, became all of New England and parts of the South. The buggy-maker became Detroit, and the Imperial Valley in California became the supplier for the whole Nation, as our means of shipping were expanded. Then we developed even further, and what happened? The buggy-maker that was in Detroit became 30 percent Japanese, and the cobbler became Korea and Italy, and our food was sent all over the world, with hundreds of millions of tons being shipped everywhere.

In other words, we became, whether we like it or not, a worldwide community. And the question is, are we going to move into GATT and participate and be the competitive Americans that we have always been, or are we going to ask for protection in a world that is moving toward international relationships?

I think it is to the President's credit that he moved us into GATT. GATT was not something that was supported by just this President alone, but he brought it to its final culmination, and we got it through. GATT had been going on over the last two Republican administrations. It has been negotiated over a lengthy period of time. But it was brought to fruition, and now we have this agreement that I think will be a pattern, not perfect, that we can follow into the future.

Now, have we accomplished everything that needs to be accomplished? Certainly not. There was a lot that did not get done in the first 2 years. Certainly health care is one that always comes up about what a great failure it was. Well, I think, in looking back on what happened here, the concentration on health care last year was not all a disaster, for this reason:

For the first time we had a concentrated debate, concentrated atten-

tion on health care reform. Because of the efforts of the President and the First Lady, there was attention focused on health care all through last year. Maybe it excluded some other things.

But was it a total loss? No; I do not think it was. Because what happened was the health care community, the health care providers, those in the health care industry, took a new look at themselves. They took a new look at themselves and said, maybe we can do better, and felt that they should do better or something was going to happen to them.

So we find HMO's being formed and we find hospitals cooperating for the first time with other hospitals, not just in competition but working together to see whether they cannot share equipment and cut costs down. We find doctors' groups moving to HMO's. We find all sorts of things going on in the medical industry, the health provider industry, that are good, largely as a result of the concentration on health care during the past year.

I do not want to be a Pollyanna about this and say that we solved our health care problems. Far from it. We have yet to address many problems, and they are still out there waiting to be addressed, because we have many millions of Americans that do not have health care insurance yet. But I would say that the costs are beginning to level off a little bit from what some of the predictions indicated because of the attention that was put on the industry last year and because of the action they have taken to try to reduce health care costs. So that is one that we have yet to deal with.

There are environmental concerns that we have not yet addressed. Last night, the President spoke of several other issues that have not been addressed such as lobbying reform, political reform and campaign finance reform.

There are two other issues that we are in the process of addressing. One of the two other objectives set early on in the administration was congressional compliance with the laws that apply to everyone. We voted that out of here. It went to the White House and the signing was just the day before yesterday. I participated in that signing. This legislation is something that I have pushed on the Senate floor since 1978 and it has taken all this time to get it through. Senator GRASSLEY and Senator LIEBERMAN took the lead in drafting this legislation through our Committee on Governmental Affairs last year and we almost had it through last fall.

Those who would somehow seem to eliminate all past considerations as though this legislation was something brand new that was passed just because there was a change of political leadership in the Congress have not looked back to see the long history of what has happened in getting to the point where we are now. Had there not been

some of the delays occasioned in the last 10 weeks of the past session, where nothing was being let through, we probably would have had congressional coverage legislation last fall.

I would say the same with unfunded mandates, the bill that is on the floor right now. Unfunded mandates is another one that my colleague Senator KEMPTHORNE from Idaho has taken a lead on. I have worked with him on this. We had a bill through committee last fall, S. 993, but, once again, because of the delays, we could not get it on the floor. We even finally tried to do it by unanimous consent. We could not do that last fall in the last few days of the session, so that did not get passed. So we are addressing that now.

This legislation also has a long history over the last couple of years of being addressed under the leadership of the distinguished Senator from Idaho. And he has done a great job. It has been an honor for me to work with him on this legislation. We remain as committed as ever to getting it passed. We are involved now in some of the difficulties in getting it through.

There were delays in committee. We were not permitted to bring up amendments in committee, so we are trying to address those amendments here on the floor right now to correct some discrepancies in the bill and to make the bill better and workable. So we will work through this.

But I wanted to take this opportunity, since there were some comments made about the President's speech last night, to make these few remarks here today on the floor about the accomplishments of the first 2 years of this administration. I personally think the President can be very proud of these first 2 years.

As I started off saying, Time magazine in the October 24 issue showed a bar chart of accomplishments of the announced agenda of Presidents going clear back to Dwight Eisenhower, since World War II. This President has the best record of getting through what he said he would do since Lyndon Johnson, who came in on the heels of the Kennedy assassination, had a great wave of support at that time, and going beyond that back to Dwight Eisenhower, who was trying to reform things after World War II and had the support of the people in that effort.

So I think this is a Presidency in which we can be proud of its accomplishments. Did the administration accomplish everything they wanted? No, certainly not. There was a mammoth effort on health care last year that did not result in everything they wanted, and we still have to deal with that.

But I wanted to set the record straight on what I think will be in the mind's eye, looking back 20 years from now or 15 years from now, as to what is affecting my family, your family, our children, our mothers and fathers, and so on. What, in this first 2 years, will be the important things that are affecting lives across this country? And

if we look at it from that vantage point in the years to come, it seems to me that we will be living with a lot of very, very important things. We will have had a stable economy during this time; we will have had a new relationship in trade that we can expand; the crime bill—I did not mention that; that is one that affects us everywhere we live—family leave, Head Start, national service. These are programs that are good. They are programs that I have been glad to be a part of helping put through here in the Congress.

Mr. President, I believe we are ready to move on some other items here. I yield the floor.

Mr. President, I had asked that we go into morning business. I ask that we return to regular order.

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

#### UNFUNDED MANDATE REFORM ACT

The Senate continued with the consideration of the bill.

Mr. LEVIN. Mr. President, I was going to call up amendment No. 173. It was my understanding that the managers of the bill were prepared to accept this amendment, and now I am not certain if that is true. Since that uncertainty exists, I will withhold asking to move to consideration of this amendment, and I yield the floor.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, the distinguished Senator from Ohio, Mr. GLENN, has been making some comments with reference to the President's State of the Union Message, I believe.

Mr. President, has Pastore rule run its course?

The PRESIDING OFFICER. The Chair advises the Pastore rule will expire at 1:30, beginning at 10:30 this morning.

Mr. BYRD. Mr. President, I ask unanimous consent that I may speak out of order.

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

#### CONSTITUTIONAL AMENDMENT TO BALANCE THE BUDGET

Mr. BYRD. Mr. President, I listened to a goodly number of our colleagues earlier today as they came to the floor to speak about the constitutional amendment on the balanced budget. I was glad to see the President last night give some time to that subject matter. I was glad that he stated that the proponents of a constitutional amendment to balance the budget have a responsibility to let the American people know up front the details as to just how the proponents propose to achieve that balanced budget over the next 7 years.

I listened to my friends with a great deal of interest this morning on the

floor, and I just have a few comments to make in regard to this subject. Many colleagues who support such a constitutional amendment are sincere in their belief that such an amendment is the answer to our budget deficits and is necessary to impose discipline on ourselves. I do not quarrel with their sincerity. They have a right to their viewpoints just as I have a right to mine.

I heard it said earlier today that Members of the House and Senate should show courage by voting for a constitutional amendment. Mr. President, courage is not needed to vote for a constitutional amendment to balance the budget. Courage is needed to oppose the constitutional amendment to balance the budget. We read public polls that 80 percent of the American people support a constitutional amendment to balance the budget. Courage is not needed to vote for something that the polls say 80 percent of the people want. Courage is needed to take the time to try to convince the American people that they are being misled. So those of us who vote against a constitutional amendment to balance the budget are swimming upstream, and going against the grain.

I believe it was Talleyrand who said, "There is more wisdom in public opinion than is to be found in Napoleon, Voltaire, or all the ministers of state present and to come."

I subscribe to that view. There is more wisdom in the people, but the people have to be informed in order to reach considered and wise judgments. The people have to be correctly informed if they are to form wise opinions. They also have a responsibility to do what they can to inform themselves.

It does not take courage, Mr. President, to vote for this constitutional amendment on the balanced budget. It just takes a politician's view of what is best for him or her politically at the moment. I urge Senators to show courage in taking the time to debate this matter fully and voting against a constitutional amendment on the balanced budget, at least until the proponents show Senators what is involved here—what is in this poke, along with the pig.

I hear it repeated over and over again that we need a constitutional amendment to balance the budget, so that we will be forced to discipline ourselves. Mr. President, no constitutional amendment can give us the political spine to make the hard choices necessary to balance the budget. Constitutional amendments cannot impose spine or courage or principle where those things may be lacking to begin with.

We do not need a constitutional amendment. If the proponents of a constitutional amendment have two-thirds of the votes in the House and Senate, and I would say they are very close to that, I would say they would need 67 votes in the Senate and 290 votes in the House. If they have 67 votes in the Senate and 290 votes in the House for a

constitutional amendment, they can pass any bill, now. It only takes a majority to pass a bill. If all Senators are here, it only takes 51 Senators to pass a bill, and only a majority of the House to pass a bill. So if the votes are in both Houses to adopt a constitutional amendment to balance the budget, the votes are here to produce simple majorities to pass bills and resolutions that will get the job done now. We do not have to wait 7 years.

In the final analysis, the discipline that is needed now will still be needed 7 years from now if this amendment goes into effect. That constitutional amendment will not cut one program nor will it raise taxes by one copper penny. In my judgment it will have to be a combination of both in order to deal with the extremely serious problem of balancing the budget.

The responsibility of balancing the budget 7 years from now will rest where it rests now: With the President of the United States and with the Members of the House and the Senate. If we lack the discipline now we are not likely to have much more spine, if any, 7 years from now. It will come right back here. Of course, many of those who vote for a constitutional amendment to balance the budget today probably will not be around, some of us, in the House and Senate, 7 years from now.

Mr. President, an immense hoax—that is what this is, in my judgment, a colossal hoax. It is supported by a lot of well-intentioned, well-meaning people. But in the final analysis, that is what it will prove to have been—a hoax. It is about to be perpetrated on the public at large.

It is this Senator's hope that the people will get quickly about the business of informing themselves of the ramifications of the so-called balanced budget amendment before it is too late. In my opinion, the American people could do themselves no better favor than to become very intimately involved as fast as they can with the details. And they should insist on their representatives in these two bodies to give them the details, and the probable impact of this proposal.

For almost every benefit being claimed by the proponents of this ill-conceived idea, the exact opposite of the bogus claim is, in fact, the truth. For example, the proponents claim that the balanced budget amendment will remove the burdening of debt from our children and leave them with a brighter future. This balanced budget amendment will do nothing of itself. The amendment would do nothing of the kind that is being stated. Even if we were somehow able instantly to be able to bring the current budget into balance, our children, our grandchildren, and their children would still be in debt and they would still be paying interest on that debt. Bringing the budget into balance so that there is no deficit this year or next year, or the