

all of Japan since the earthquake and has served as an inspiration to all of the world;

Whereas the nation's and people of the United States and Japan share a strong, decades old history of friendship and mutual interests and respect; and

Whereas the people of the United States, having suffered a similar tragedy almost a year ago to the day of the Kobe and Osaka earthquake, share in the pain and hope of the people of Japan: Now, therefore, be it

*Resolved by the Senate that—*

(1) The Senate expresses its deepest sympathies to the Nation of Japan and the citizens of Kobe and Osaka for the tragic losses suffered as a result of the earthquake of January 17, 1995.

(2) The Senate expresses its support to the people of Japan as they continue their noble efforts to rebuild their cities and their lives.

(3) The Senate expresses its friendship to the people of Kobe and Osaka and pledges its support for their efforts in the face of this disaster.

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

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

The motion to lay on the table was agreed to.

#### UNFUNDED MANDATE REFORM ACT

The Senate continued with the consideration of the bill.

Mr. LAUTENBERG addressed the Chair.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. Will the Senator yield to the majority leader?

Mr. LAUTENBERG. Absolutely.

Mr. DOLE. Mr. President, there is not a "no more vote" sign out there because I did say—and I am reminded by the Senator from Kentucky—that we would be here until 11 o'clock tonight, tomorrow night, whatever it took.

I assume now we will debate this amendment and two additional amendments. We will probably be here until about 9:30. The question is whether we want to have a vote at that time, or have the vote tomorrow morning. I am prepared to do it either way. There are a number of our colleagues at a press dinner. Some would not be displeased if they were called back about 9 o'clock. Others who are on the program would be; but whatever the wishes of the Senator from Kentucky.

Mr. FORD addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. FORD. Mr. President, I did not know it was all left up to me.

Mr. DOLE. No. I said we have not said that there would be no more votes. I am prepared to do it either way.

Mr. FORD. Mr. President, I say to the majority leader that I understand the problem that he got into, and he probably will not get in this deep again for awhile. The Senator from New Jersey has an amendment. I am willing to debate him tonight and stack the votes until tomorrow. I would prefer that we have 40 minutes tomorrow in the morn-

ing, that we debate it tomorrow, and then have the motion as proposed by the distinguished Senator from Idaho. That is my preference. In order to accommodate the leader, I am perfectly willing to debate it tonight. However, we can vote on it tomorrow, and the votes apparently are going to be stacked. Two or three votes will be stacked, and I will be part of that. I am willing to acquiesce to that.

Mr. DOLE. Or we give you 5 minutes each before the vote tomorrow.

Mr. FORD. That would suit me fine, but I am trying to be—like my daddy told me, "When you sell it and they ask you when do you want to be paid for it, say right now is fine." I have tried to accommodate the leader. Now you are trying to stick me over to tomorrow and divide me up. Let us debate it tonight and put the vote off until tomorrow. But do not have it too early. Those fellows over at the press dinner probably are going to have such a good time they will want to sleep in the morning.

Mr. DOLE. I am still sleepy from last night. In any event, that press dinner does last a while. It is live on C-SPAN. If you are not able to go, but you would like to watch it—which I prefer—it will be on about from 9:45 until 10:30.

So if that is agreeable, I appreciate the consideration by my friend from Kentucky. There will be the debate on the Lautenberg amendment, which is 40 minutes, I understand, equally divided. Two Levin amendments will be offered. I do not know of any time on that. If there are any rollcall votes ordered on any of the amendments, they will be postponed until tomorrow morning.

At 9 o'clock there will be an immigration amendment, we hope. I guess the point is that none of the votes will occur until disposition of the immigration amendment, and we will try to stack the votes, probably after 10, maybe later than that.

Mr. FORD. Mr. President, may I ask the distinguished majority leader, are we coming in at 9?

Mr. DOLE. We will come in at 9.

Mr. FORD. Then morning business?

Mr. DOLE. We are not going to have morning business. We will get right on the bill.

Mr. FORD. But you will go to the immigration amendment?

Mr. DOLE. There is an hour agreement on that. So that will be at least 10 o'clock. That vote will occur at 10, followed by a vote on Lautenberg, or any other votes ordered.

Mr. FORD. At 10 o'clock, or a minute or two after that. After the prayer and so forth, there will be an hour, which will take us to a few minutes after 10, when the first vote will occur.

Mr. DOLE. There will be no votes before 10, if that is all right with the Democratic leader. If that is agreeable to everybody, there will be no more votes this evening.

Mr. GLENN. The majority leader mentioned immigration. We are trying

to work on differences on both sides on immigration. Did you not have that as part of any agreement?

Mr. DOLE. I did not make a request. But we can put it in writing if it works out. We still will not have any votes before 10, I can assure the Senator from Kentucky.

Mr. GLENN. Is that when we go back on the bill?

Mr. DOLE. That will be at 9.

#### AMENDMENT NO. 199

Mr. LAUTENBERG. Mr. President, I would like to turn to the consideration of my amendment No. 199 at this time.

The PRESIDING OFFICER. Amendment No. 199 is the pending business.

Mr. LAUTENBERG. Mr. President, I felt like a spectator as I was watching this debate occur. The majority leader knew that he had my good will as part of his dialog here. Since I was not asked, I just kind of shook my head. I was glad to be here. Obviously, those of us without a sense of humor are here because tonight is the funny night down there. It may be funnier here.

Mr. President, I thank my colleagues, the managers of the bill, the distinguished Senator from Ohio and the distinguished Senator from Idaho, for their interest in moving this legislation. I marvel at their patience and their good temperament, because it has not been easy, especially when there are those of us who think that the legislation is appropriate, but at the same time want to amend it to make it as good as we can in our own views and our own perspectives.

So I rise to speak for the fourth time on the subject of unfunded mandates. I understand I have 20 minutes, and I do not know whether I will use it all—probably not. But I will use sufficient time to discuss the subject now.

I offer this amendment which is as simple as it is compelling. I offer it because I believe that some laws are so important to the well-being of our citizens that regardless of whether the Federal Government fully pays for them, State and local governments should be required to implement them.

The authors of this bill recognized this fundamental truth, and that is why they created exclusions to S. 1. Federal legislation designed to enforce the constitutional rights of individuals are exempt from the strictures of the unfunded mandate law. So is legislation designed to protect statutory rights when they are threatened by discrimination. So is legislation deemed to be necessary to protect our national security.

Mr. President, my amendment would expand the list of exemptions to S. 1 to include limits of or on exposure to known human carcinogens. The Environmental Protection Agency has a list of substances which are believed to be causally connected to cancer in human beings. Evidence from human studies confirms a relationship between exposure to these substances and cancer.

These known carcinogens include: arsenic, asbestos, benzene, nickel, radon, and environmental tobacco smoke.

I ask unanimous consent that EPA's complete list of Group A carcinogens be printed in the RECORD at this time.

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

#### EPA'S GROUP A CARCINOGENS

Group A: known human carcinogens:

"This group is used only when there is sufficient evidence from epidemiologic studies to support a causal association between exposure to the agents and cancer". (EPA's Risk Assessment Guidelines of 1986)

Arsenic.  
Asbestos.  
Benzene.  
Benzidine.  
Bis(chloromethyl)ether.  
Chromium VI.  
Coke oven emissions.  
Diethylstilbestrol.  
direct black 38—benzidine-based dye.  
direct blue 6—benzidine-based dye.  
direct brown 95—benzidine-based dye.  
Environmental tobacco smoke (ETS).  
2-naphthylamine.  
Nickel.  
Radon (and other radionuclides).  
Vinyl chloride.

\* ETS is the only carcinogen in Group A for which the cancer risk in humans was detected at environmental exposure levels, rather than occupational or pharmaceutical levels.

ETS is also the only Group A carcinogen which is not subject to regulation by EPA.

Mr. LAUTENBERG. My view is that protecting our citizens from avoidable risks is an essential responsibility of government. It is an obligation which State and local government must accept and discharge—even if the Federal Government does not pay all the costs of doing so.

On another level, though, I recognize that States and cities are often unable to afford the cost of Federal mandates. They need the flexibility to set their own priorities and implement Federal mandates efficiently. There is a commonsense appeal to this statement.

But we must also recognize that problems which cross State borders can only be effectively addressed at the Federal level.

Pollution, for example, knows no State borders. If each State develops its own pollution policy, some States will adopt stricter laws than others. As a result, a State with strong environmental laws, such as New Jersey, might fall victim to pollution from a nearby State with weaker standards. The cost of dealing with this foreign pollution would be unfairly borne by New Jersey taxpayers.

During the last few weeks, I have discussed the problem of State shopping that might result from this bill. With a patchwork of differing standards across the States, why wouldn't companies build factories in States with the least stringent environmental standards? In order to remain competitive, why wouldn't States with higher standards, lower them? This dangerous race to the bottom would lower the quality of life for all Americans. And I believe the

Federal Government has a moral responsibility to discourage it.

The cancer-causing group A substances identified in my amendment are so deadly, and the Federal role in efforts to reduce our exposure to them are so important that I believe efforts to restrict human exposure to them should be exempt from the points of order in S. 1.

I commend the Senator from Idaho for his tenacity which ensured unfunded mandates would be a priority. I also want to commend the Senator from Ohio for his hard work in committee and on the floor to improve this bill. Together, they have forged a bill that would create better intergovernmental relations.

But central to this bill is the recognition that certain laws are so important to our Nation's welfare that they must be enacted and enforced—regardless of whether State and local governments will have to pay to implement them.

Mr. President, I think legislation to control known human carcinogens is so important that it warrants special consideration. Certainly, protection from deadly exposure to cancer-causing substances is as critical as any of the exclusions currently found in S. 1. Those who have lost loved ones to this disease can tell you that.

I believe this bill, as currently drafted, could hamper congressional efforts to protect the public from cancer-causing agents. Let me explain why.

Some of my colleagues might say that once the EPA determines something to be a group A carcinogen, there would be a broad consensus to protect children from it. But that is not the case at all.

Consider the case of radon. Radon, an invisible, toxic gas, is very threatening. Radon is one of the most serious environmental health risks facing the country. In my State, radon is the most prevalent environmental cause of cancer. Nationwide studies show elevated radon levels in 25 percent of our homes and in 20 percent of our schools. Radon testing and mitigation are relatively inexpensive. Still, because this problem is so widespread, a mandate to test for and reduce radon levels in schools would certainly pass the \$50 million threshold contained in S. 1.

Last year, I offered, and the Environment and Public Works Committee reported, a bill to do radon testing in schools. It was never considered on the floor of the U.S. Senate. And one of the reasons it was not, was because some objected to the cost that would have to be assumed if tests revealed unacceptable levels of radon.

S. 1 would institutionalize those concerns and roadblocks. It would tie our hands and prevent us from passing legislation that requires radon testing and mitigation in schools. Someone would argue that radon is just a medium-risk hazard. And, as a result, progress in the fight against radon-related disease would be threatened. After smoking, radon is the second leading cause of

lung cancer. Is not protecting our children from this risk important enough to support Federal legislation?

Again, I ask my colleagues: Are we prepared to surrender to all the different States the basic obligation of protecting the health—and in this case, the lives—of American citizens? Are we prepared to allow thousands of American children to be exposed to proven carcinogens? Is it a defense—or even an excuse—to say we are leaving this up to the States? I hope not.

I will conclude my remarks, Mr. President, to allow others to speak about my amendment. But I would ask my colleagues to think about the children whose health might be affected if we are unable to effectively regulate group A carcinogens. My youngest daughter is about to give birth to my second grandchild and I cannot help wondering how this bill, as written, might affect his or her health.

I feel that it is my obligation to protect that child with all of the might and the power that I can muster. I am sure that everyone else feels similarly about their children and grandchildren and the generations that follow.

As a consequence of that, I hope that we will have the support to amend S. 1 to include this very important exemption.

Mr. President, I ask unanimous consent that Senator BRADLEY from New Jersey and Senator BOXER from California be listed as cosponsors of this legislation.

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

Mr. LAUTENBERG. I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. KEMPTHORNE. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time that we are in a quorum call be equally charged to both sides.

The PRESIDING OFFICER. Is there objection?

Mr. LAUTENBERG. Mr. President, I will not object, but I must note that the time that I used was because I was here and prepared to speak on the amendment.

I hope that my colleague from Kentucky is ready to speak.

Mr. FORD addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. FORD. Mr. President, will the distinguished Senator from Idaho yield me at least 5 minutes?

Mr. KEMPTHORNE. Mr. President, I am more than happy to yield 10 minutes to the Senator from Kentucky.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. FORD. That is probably twice what I will need. I usually like to work and not talk.

Mr. President, the amendment offered by my colleague from New Jersey is unwise. Since the proposed amendment would give the Environmental

Protection Agency authority in deciding what causes are worthy of exemption from this bill, I feel it deserves closer attention than could be afforded a floor amendment on an unrelated bill. The amendment before the Senate is a powerful amendment. It adds to a list of special exemptions for items that are so important to the fabric of our Nation that they should receive preferential treatment.

I question why we should give an agency whose credibility is in such question. I am not the first to raise the issue of the EPA falling down on the job. By some people's judgment, if it was not for rash and politically motivated regulations and decisions by the EPA, we might not even need the unfunded mandates bill.

I have a report here that outlines the problems at the EPA. It is called "Safeguarding the Future: Credible Science, Credible Decisions." It was produced by an expert panel on the role of science at EPA. The reason that the EPA needed such a report was simple: The agency has been unable to base its actions on unpoliticized science. Its findings are nothing short of startling.

Furthermore, the EPA is not even sure what is a class A carcinogen. I submit a letter from the EPA that states that putting an "exact number of chemicals on this unofficial 'A' list is tricky \* \* \*." Some chemicals are grouped with others, some don't appear on EPA's risk hotline called IRIS, with this kind of information coming out of the EPA, we have no idea what this amendment could lead to down the road.

Mr. President, I ask unanimous consent that a letter from the U.S. Environmental Protection Agency dated June 21, 1994, to my office, be included in the RECORD at this point.

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

U.S. ENVIRONMENTAL  
PROTECTION AGENCY,  
Washington, DC, June 21, 1994.

To: Matthew Rapp.

From: Jeanette A. Wiltse, Ph.D., Deputy Director, Office of Health and Environmental Assessment (8601).

Re: EPA Classification of Suspected Carcinogens.

Attached is the information that you requested on substances identified by EPA as Class A carcinogens. We have provided both use and health effects information.

Please be aware that the exact number of chemicals on this unofficial "A" list is tricky depending on how they are grouped. Often you will see just nickel listed, while on IRIS two nickel compounds are listed separately. Also, you may see radionuclides and radon listed separately or just radon mentioned as a catch-all for the whole group. As you know, there are at least 300 different radionuclides.

If you need additional information please call me at 202-260-7315.

Mr. FORD. Mr. President, a prime example of what could happen is chlorine. Chlorine, according to a recent newspaper article:

\* \* \* is found in such diverse products as Teflon, compact discs, photographic film,

sofa cushions, linoleum and lawn chemicals. It is used in 85 percent of all pesticides, purifies 98 percent of all U.S. drinking water, and directly affects 1.3 million American jobs. Chlorine is so important, in fact, that it is used in 60 percent of all chemical transactions—which amounts to 40 percent of our total gross national product.

Guess which product is likely to get on EPA's unofficial group A list? Chlorine. The EPA stated last year that it should "develop a national strategy for subjecting, reducing, or prohibiting the use of chlorine and chlorinated compounds."

Mr. President, to me this proves we should not give the EPA this new authority, and should not by our actions condone its behavior.

Mr. President, I yield the floor.

Mr. LAUTENBERG. Mr. President, how much time is remaining?

The PRESIDING OFFICER. Eight minutes and 56 seconds.

Mr. LAUTENBERG. I ask the manager of the bill at this point whether there are additional speakers?

Mr. KEMPTHORNE. Mr. President, in response to my friend from New Jersey, no. I would have a quick comment at the conclusion of this. I think that will be all the speakers tonight.

Mr. LAUTENBERG. Mr. President, I yield myself such time as I need, and in the interest of trying to reduce this debate to its shortest possible period I want to respond to the distinguished Senator from Kentucky by just saying that I understand why he is raising those questions. Certainly there is a lot there that can be questioned.

In this case, Mr. President, I, too, have a letter and I assume it is not the same letter that the Senator from Kentucky submitted for the RECORD because he ascribed a June date to that and this letter is January issue. It is addressed to me from Miss Browner, who is the Administrator of the EPA, and she says—and I will put the full letter in the RECORD:

Group A carcinogens are, as explained at length in EPA's Risk Assessment Guidelines, those which have, in fact, caused cancer in humans. Group A classification does not derive from laboratory studies and inferences, assumptions or other uncertainties. These are instances which have resulted in cancer.

That is a pretty specific statement. When actions are needed to effectively limit exposure to these substances, EPA should be able to move expeditiously to do so.

She goes on further to say, "Your amendment would provide an exemption from the procedural and other requirements of S. 1 that could delay or prevent congressional or other actions to limit exposure to known human carcinogens," signed Carol M. Browner, Administrator for EPA.

I ask unanimous consent that this letter be printed in the RECORD.

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

ENVIRONMENTAL PROTECTION AGENCY,  
Washington, DC, January 25, 1995.

Hon. FRANK LAUTENBERG,  
U.S. Senate, Washington, DC.

DEAR SENATOR LAUTENBERG: I applaud your effort to ensure there is no hindrance to Environmental Protection Agency regulatory actions to limit human exposure to Group A carcinogens.

Group A carcinogens are, as explained at length in EPA's Risk Assessment Guidelines, those which have in fact caused cancer in humans. Group A classification does not derive from laboratory studies and inferences, assumptions, or other uncertainties; these are substances which have resulted in cancer. When actions are needed to effectively limit exposure to these substances, EPA should be able to move expeditiously to do so.

Your amendment would provide an exemption from the procedural and other requirements of S. 1 that could delay or prevent Congressional or other actions to limit exposure to known human carcinogens.

Sincerely,

CAROL M. BROWNER.

Mr. LAUTENBERG. I just say this to the distinguished minority whip, and that is that chlorine is now under question review. Despite its omnipresence, we know the material is used effectively all over. But we do not know the full health effects. It is, I think, appropriate to review it.

I think back to the days when asbestos was used for installation in every conceivable type of product: Wallboard, ceilings, pipes, et cetera. Then one day a terrible discovery was made. That was that asbestos is, in fact, cancer-causing material. There have been lawsuits that confirm that. Lots of people whose health was injured and, as a matter of fact, their lives terminated.

So the fact that something has been used extensively does not mean, of course, that it is, therefore, acceptable from a science or health-based review.

I conclude, Mr. President, and would yield the floor at this moment. If there is no further discussion I would be happy to yield back the balance of my time, but that depends on what happens with the opponents' statement.

Mr. KEMPTHORNE. Mr. President, I appreciate the concern that my friend from New Jersey has expressed. I enjoy serving on the Environment and Public Works Committee with him. I know of his sincerity in this issue. I appreciate his concerns about class A carcinogens and I share that concern. I may vote with my friend from New Jersey to waive a point of order on this when and if it comes to the floor. However, I do not support the amendment.

For example, we have the issue of radon on safe drinking water. What was the cost of that? Some estimate \$10 billion. But should we know that cost up front? Was there a less costly alternative? This is exactly the purpose of Senate bill 1, to provide this process so that the issues that have been raised concerning this amendment can be brought to the floor to allow informed debate, accountability. And I believe that a complete exemption not only prevents us from knowing cost but prevents us from agreeing if, in fact, a waiver is deserved. Again,

there may be a time in the future that I would support him in seeking a waiver of the point of order, but I cannot support the idea of an exemption. So we could never get to that part of the process.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The clerk proceeded to call the roll.

Mr. LAUTENBERG. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. LAUTENBERG. Mr. President, I ask the manager of the bill whether he is going to ask for the yeas and nays for the purpose of tabling the motion.

If that is the end of the discussion, I am happy to yield back the remainder of my time.

Mr. KEMPTHORNE. Mr. President, an inquiry. Is it now in order for me to move to table the amendment?

The PRESIDING OFFICER. The Senator from New Jersey has yielded back his time. It would be in order for the Senator to do so.

Mr. LAUTENBERG. Mr. President, I yield back the remainder of my time.

Mr. KEMPTHORNE. I move to table the amendment and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. GLENN. Mr. President, just to make this certain so that everybody knows and they know it in the offices also, it was understood that the vote on this would occur in the morning, if a rollcall vote is requested.

The PRESIDING OFFICER. That is correct, the agreement was that the vote will be not prior to 10 in the morning. If the Senator would propound a unanimous-consent in that regard.

Mr. GLENN. Mr. President, I ask to set the pending amendment aside.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### AMENDMENT NO. 177, AS MODIFIED

(Purpose: To clarify use of the term "direct cost")

Mr. LEVIN. Mr. President, I first ask unanimous consent that I be allowed to modify amendment No. 177.

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

Mr. LEVIN. I thank the Chair. I believe the majority has a copy of that modification.

Mr. President, I believe the modification is at the desk now.

The amendment, with its modification, is as follows:

On page 14, line 19 strike "expected".

On page 22, line 12 strike "estimated".

On page 22, line 22 strike "estimated".

On page 23, line 2 strike "estimated".

On page 23, line 5 strike "estimate" and "full".

On page 24, line 8 strike "estimated".

On page 24, line 15 strike "estimated".

Mr. LEVIN. Mr. President, I think it is also required that I ask unanimous consent that the Senate return to consideration of amendment No. 177.

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

Mr. LEVIN. Mr. President, this amendment may seem like a technical amendment, but it has substantive ramifications to it. There are eight places in the bill where the term "direct costs" is used, and that is a very critical term in the bill. But in five of those eight instances, there are some adjectives which are used which confuse the bill. For instance, sometimes it is referred to as "estimated direct costs," even though the word "estimate" is already in the definition of direct costs in the definition section.

Once it is referred to as "expected direct costs." Another time it is referred to as "full direct costs," which raises an implication about, well, on those other occasions when you refer to direct costs, are they something other than full direct costs.

So in order to clear up these ambiguities and potential problems with those times direct costs is referred to in the bill, this amendment strikes the adjectives which I have indicated which are in the amendment and just simply leaves the words "direct costs." That would then be as defined in the definition section of the bill.

I understand that the floor managers will accept this amendment. It is, frankly, a good reason why it is important that we take some time to make sure this bill is as clear as can possibly be achieved, and while there has been some suggestion by some that there has been an effort to delay this bill, there is no effort that I know of to delay this bill. The effort is being made to improve this bill in a number of very important ways, to clarify the bill where there are ambiguities, and this is one instance where there are ambiguities which need to be cleared up.

I believe the managers of the bill concur in this and, if so, this does not require a rollcall vote, as far as I am concerned. I yield the floor.

The PRESIDING OFFICER. Is there further debate?

Mr. KEMPTHORNE addressed the Chair.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. KEMPTHORNE. Mr. President, we view this as a technical amendment which eliminates several redundancies in the language of the bill, as the Senator from Michigan pointed out. Because the term "direct costs" is de-

finied to mean aggregate estimated amounts, there really is no need for the word "estimated" to be used elsewhere in the bill with the term "direct costs." Therefore, this amendment strikes such usage.

This side of the aisle is ready to accept this amendment. Again, we appreciate the Senator from Michigan for his efforts.

Mr. GLENN addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. GLENN. Mr. President, once again, I think the Senator from Michigan has shown his dedication to making this a good piece of legislation by going into some of the details and defining before we pass this, and correcting some of the things that might give trouble a little later on or that could be misinterpreted.

I want to congratulate him on that, and I am glad it has been accepted on the other side. We are happy to accept it on this side, also.

The PRESIDING OFFICER. Is there further debate? If not, the question is on agreeing to amendment No. 177, as modified.

The amendment (No. 177), as modified, was agreed to.

Mr. KEMPTHORNE. Mr. President, I move to reconsider the vote by which the amendment 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. KEMPTHORNE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Will the Senator withhold for a moment?

Mr. KEMPTHORNE. Mr. President, I withhold.

#### HOW TO BALANCE THE FEDERAL BUDGET

Mr. GRAMM. Mr. President, we have heard recently requests from a number of colleagues and the President for an explanation of exactly how those of us who support the balanced budget amendment to the Constitution propose to achieve that goal after the States have ratified the amendment.

Frankly, the demand for details has come from some of the same individuals who opposed the balanced budget constitutional amendment when it was considered last year and it is my belief that no matter how detailed a plan was presented, they would find fault with it.

However, I do believe it is worth demonstrating to my inquiring colleagues that there is a specific, legislative path that we can follow in order to balance the Federal budget—S. 149, the Balanced Budget Implementation Act, which I introduced on January 4 of this year, the first day of the 104th Congress and which I originally introduced on February 16, 1993, as S. 377.

The legislation outlines the procedures necessary to bring the Federal