

the World Bank or the IMF until democracy is absolutely established.

Were we to apply those provisions to the New Independent States and some of the conditionality in this bill, we would still be denying that kind of assistance to them as they struggle to get their footing into established democracy, a firm democracy in their country.

Mr. President, I feel very strongly that today to be raising on the floor of this body a bill involving Cuba, which I believe is fundamentally flawed—I realize it passed this body, but I know a number of my colleagues think it is a bad bill. Because we are going to have a primary, a straw vote I guess it is, in Florida this weekend, we are rushing to get the Cuba bill done.

So the closure of the Federal Government, the important appropriations bills, Medicare, Medicaid, they all take a back seat here now so that we can score some points to maybe win a straw poll in Florida. That is the only reason this bill is being brought up now—the only reason.

In fact, if they wanted to deal with this issue expeditiously, the House could adopt the Senate version and send it back over to us. No, that is not the case.

So today we are going to try and move through to deal with this Cuban aid bill while we put aside the very issue of whether or not the Federal Government is going to close its doors.

#### UNANIMOUS CONSENT AGREEMENT—HOUSE JOINT RESOLUTION 115

Mr. DODD. Mr. President, I am about to propose a unanimous-consent request that would recognize the distinguished chairman of the Senate Appropriations Committee for the purposes of raising the continuing resolution.

At the conclusion of that discussion I will be prepared to ask unanimous consent that the Senator from Connecticut be recognized to continue his discussion on the matter before the Senate.

Mr. President, let me propound that unanimous-consent request: That, without losing his right to the floor, the Senator be recognized at the conclusion of the time that the Senator from Oregon is recognized, for the purpose of introducing the continuing resolution; at the conclusion of that introduction and discussion that the Senator from Connecticut be recognized once again and his remarks be uninterrupted.

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

#### FISCAL YEAR 1996 CONTINUING APPROPRIATIONS

Mr. HATFIELD. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on House Joint Resolution 115, a joint resolution making further con-

tinuing appropriations for the fiscal year 1996, and for other purposes.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

*Resolved*, That the House agree to the amendments of the Senate numbered 1 and 2 to the joint resolution (H.J. Res. 115) entitled "Joint resolution making further continuing appropriations for the fiscal year 1996, and for other purposes."

*Resolved*, That the House agree to the amendment of the Senate numbered 3 to the aforesaid joint resolution with the following amendment:

Delete the matter proposed by said amendment, and beginning on page 15, line 1 of the House engrossed joint resolution (H.J. Res. 115), strike all down to and including line 7, on page 36, and redesignate title IV as title III, and renumber sections accordingly.

Mr. HATFIELD. Mr. President, I move that the Senate concur in the House amendment to the Senate amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion. So the motion was agreed to.

Mr. HATFIELD. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DODD. Mr. President, on behalf of the Democratic side here, we did not object to proceeding to the continuing resolution. It is important we move this process forward.

Mr. HATFIELD. This procedure has been cleared with—

Mr. DODD. And I understand that, but I wanted to make note that we disagree with the continuing resolution, Mr. President; and I ask unanimous consent that the vote that occurred last Thursday be printed in the RECORD.

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

[Rollcall Vote No. 567 Leg.]

#### YEAS—50

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

#### NAYS—46

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

Robb	Sarbanes	Snowe
Rockefeller	Simon	Wellstone

#### NOT VOTING—3

Akaka	Bradley	Lugar
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Mr. DODD. Mr. President, the Democrats on this side still have objection to this proposal, but nonetheless we feel the process is worthwhile.

Mr. DOLE. If I may proceed for 5 minutes.

Mr. DODD. Absolutely.

Mr. DOLE. First, let me state that the Senate will remain in session until midnight tonight in the hopes we can get this to the President very quickly and that if he should veto the continuing resolution, which I hope he will not, there still might be time for the President and the leadership to work out some agreement that would prevent a shutdown of the Federal Government.

I am not an advocate of shutting down the Federal Government. I think there ought to be some way to come together. I think the American people expect us to do that.

This will be on its way to the House within a minute or two and will go directly from the House and we will see it is expedited and over to the President and hopefully the President will have it a little after 5 o'clock. That would still give us 7 hours to resolve the difference.

There has been some discussion today of maybe changing one of the provisions on Medicare, just writing in the figure \$46.10 which would amount to a freeze. That was raised by the distinguished Senator from New Mexico in a talk show over the weekend and also by the Senator from Oklahoma, Senator NICKLES, and discussed by the Senate leadership at 12:30 today, and then discussed with the Speaker maybe an hour or so ago, along with a number of other things we are also looking into—items of disagreement on the total reconciliation package, and we are about to wrap that up.

Before we concluded our discussion, we understand Mr. McCurry resolved the matter for us at the White House, indicating in addition to the Medicare provision they had other substantive problems with the continuing resolution.

So it underscores that all this weekend was a smokescreen on Medicare, and the truth of the matter is there were other objections—not just Medicare.

So they are playing the Medicare scare card all weekend, so we were working on maybe a softer version just to freeze at \$46.10 and that, again, Mr. McCurry indicates was not satisfactory.

In fact the quote reads, "Explain what's wrong with the freeze, just explain what's wrong with the freeze."

Mr. MCCURRY. Well, because the President prefers current law. Current law is very clear on what premium increases should be.

Mr. President, I ask unanimous consent to have the entire transcript of the White House Press Secretary's remarks printed in the RECORD.

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

REGULAR BRIEFING BY MICHAEL MCCURRY, 2:23 P.M., EST, MONDAY, NOVEMBER 13, 1995

Mr. MCCURRY. Let me—good afternoon, everyone. Let me start with an announcement concerning the president's very important trip to Japan for the meeting of the Asian Pacific Economic Cooperation Forum leaders summit and very important state visit, bilateral visit with the Japanese government.

First, as is obvious, the president has to tighten his schedule in order to take the very important work that he needs to do on this trip and fit it in to what will amount to a weekend trip to Japan. (Laughter.) The president will depart 11:00 Friday evening from Andrews Air Force Base, and will return Tuesday morning at approximately 2:00 a.m. to Andrews Air Force Base.

*Question.* Was that a.m. or p.m.?

Mr. MCCURRY. A.M. Tuesday morning. He will—he leaves at 11:00 p.m. Friday, and he will be returning at 2:00 in the morning Tuesday morning; so in other words, very late Monday night.

That will allow him to participate fully in the APEC leaders meeting that will occur on Sunday. It will also allow him to accept the gracious invitation of the emperor and empress for a state visit to Japan, and to conduct important bilateral meetings with Prime Minister Murayama. The United States appreciate the courtesy of the emperor and empress in allowing this schedule adjustment to occur. Obviously, we also appreciate the cooperation of the Japanese government and the Japanese people as we make these necessary adjustments to the president's schedule. The president is confident that this schedule will allow him to do the very important work of advancing U.S. economic interests as we participate in these important discussions with the other Asian economies, and as we deal at a very important point with the very important bilateral relationship we have with the government of Japan.

Yeah, Mike?

*Question.* Is that locked in now, or if you get a deal can you expand it back out?

Mr. MCCURRY. Say again?

*Question.* Can you expand it again if you get a deal, or is this locked in?

Mr. MCCURRY. This is—we are making all the adjustments necessary to follow this schedule, so this will be the schedule.

*Question.* You mean even if you get a deal it will be the schedule?

Mr. MCCURRY. There's nothing to indicate that that's going to happen in a time that would allow us to open the trip back up accordion style.

*Question.* Let's suppose that you don't get a deal—

Mr. MCCURRY. I'm not going to do "supposes." This is the schedule. We're announcing the schedule as it's now announced.

Yes?

*Question.* How long will the state visit be then?

Mr. MCCURRY. It will be one day. It will be—the president will fly from Osaka down to Tokyo on Sunday night. He will have sessions beginning at 9:00 in the morning Monday, he will conclude with a state dinner at the Imperial Palace at conclusion of the state dinner.

*Question.* In his talk to the DLC, the president said something like he hopes to be able to make this trip to Ireland. Did he use that language because that trip could also be in some danger because of the (threat ?) of a government shutdown?

Mr. MCCURRY. Well, the president still is keeping to his planned schedule. It's impos-

sible for us now to predict what will happen between now and the end of this month in this rather fluid situation

*Question.* Is Mrs. Clinton going?

Mr. MCCURRY. Mrs. Clinton does plan—does plan to attend, yes.

*Question.* Since you're talking about scheduling, if the CR comes down here—it now looks like they're going to vote about 5:30, what time do you think the president would take action?

Mr. MCCURRY. He will exercise his veto as soon as he receives the measure from the Hill. As you know, final passage in Congress has very little to do with what time Congress actually sends the measure of the White House. We had final passage on the debt ceiling measure Friday that did not arrive here until Sunday. So it's impossible for us to predict to you now what time that measure will arrive from the Congress.

*Question.* Will he do it in a public way?

Mr. MCCURRY. I'm not aware that—you've got more information than I do! I'm not aware that the Senate has now dropped the Medicare premium increase. I've heard one or two members suggest that, but we don't have anything authoritative from the Republican leadership indicating that they're now dropping the Medicare premium increase from the continuing resolution.

*Question.* What do you have from Domenici?

Mr. MCCURRY. We have what we've seen him say on CNN. (Cross talk.)

*Question.* (Off mike)—saying he hasn't talked to Panetta?

Mr. MCCURRY. His conversations with Mr. Panetta, the idea that he discussed is very much the same one that he's discussed publicly now on television.

*Question.* Well what's your reaction?

*Question.* So what's your reaction to it?

*Question.* What's your reaction?

Mr. MCCURRY. Well, it's an interesting idea, but it's got nothing to do with resolving the current crisis. The president, as he's made clear, needs for them to drop the Medicare premium increase from the continuing resolution so that we can then get down to a serious discussion about what will be in a continuing resolution that's appropriate and acceptable to the president.

*Question.* In other words—

*Question.* So you're saying a freeze is not good enough?

Mr. MCCURRY. A freeze has to—a willingness on the part of Congress to drop the Medicare premium increase can open the way to further discussions. That's the most you can say at this point because the president has substantive objections to other aspects of the continuing, especially the level of funding.

*Question.* Explain what's wrong with the freeze, just explain what's wrong with a freeze.

Mr. MCCURRY. Well, because the president prefers current law. Current law is very clear on what premium increases should be.

*Question.* Mike, following up, when you say the objection to other aspects of the CR is the funding levels, assuming the Senate even takes up Mr. Domenici's proposal, which isn't at all clear that it's been embraced by Senator Dole or the leadership, and they send him down a bill with the 46-10 frozen in there, whatever, are you saying he could still veto because of the 60 percent funding levels? Is that still—

Mr. MCCURRY. The president—look, nothing has changed from the viewpoint of the White House. The president is willing to sit down with the bipartisan leadership of Congress to discuss how we are going to avert this crisis, a shutdown in our government, and the only condition he attaches to that is some measure of good faith on the part of

the leadership by dropping the proposed Medicare premium increase that is in the current version of the continuing resolution. If they drop that, there is a basis upon which to have discussions about how we move forward from here, even though the president still has substantive objections to the continuing resolution now pending in the Senate.

(Cross talk.)

Mr. MCCURRY. Well, if there's no action by the Congress, or if there's no action on a measure that the president signs, then the there's proceeds.

*Question.* Mike, suppose they sent him the thing with the Medicare premium dropped, would he sign that? A CR with the Medicare premium dropped, would he sign that?

Mr. MCCURRY. The president's made it clear he would sign a clean extension, clean continuing resolution, one that follows—

*Question.* That doesn't answer the question.

Mr. MCCURRY.—the formula that was developed in September. Well, I can tell you what the president has said he will sign, I can't speculate for you what the president will do on something hypothetical that we don't have any indication at all is the viewpoint of Congress. Is Congress going to pass any of these things that you're suggesting and send it to the president tonight? That's a different question. There's no indication that's going to happen at this point.

Mr. DOLE. Even though the President still has some objections to the continuing resolution now pending in the Senate, the point is a number of cases here that a freeze was not acceptable, and that they had other objections—which they have a right to have—so I am not certain what the offer to meet with the leadership really amounted to.

We have been saying all weekend, people should understand we are talking about part B Medicare; part B Medicare, where all the money that is not paid by the beneficiary is paid out of general revenues, paid by taxes by people that work at McDonald's, people that work right here on the Senate floor.

You are asked to pay 68½ percent of some millionaires' part B premium or someone making \$100,000 a year. It does not make a great deal of sense to me.

All we were talking about, we were just keeping the 31.5 percent in place long enough until we negotiate some agreement, hopefully, with the President of the United States on an overall balanced budget over the next 7 years.

So, we made our case. The President has made his case. I think they have overstated the case. And today they admit that it is not just Medicare; even the freeze would not be satisfactory, because they have other objections, other objections in the continuing resolution.

So, it seems to me we have no other choice. We passed the resolution. I thank my colleagues on the other side for clearing the resolution, and we hope that as we speak it is on the way to the House and will soon be on the way to the White House. If the President should deem it necessary to veto it, that then he would be willing to sit down with us. We are the leaders, and we would be happy to try to work it out before midnight to avoid a shutdown.

As I have said earlier, the Senate will be in session and the House will be in session until midnight. We are prepared to act up until midnight or after, if necessary, to prevent a shutdown of the Federal Government.

The PRESIDING OFFICER. The Chair now, under a unanimous-consent agreement, recognizes the Senator from Connecticut.

#### CUBAN LIBERTY AND DEMOCRATIC SOLIDARITY [LIBERTAD] ACT OF 1995

The Senate continued with the consideration of the message from the House.

Mr. DODD. Mr. President, I thank the Chair. Let me return to the subject matter that is the pending business of the Senate, but let me also state here in response to the distinguished majority leader, it was our intention that this process do move forward, but also it is our strong feeling this CR ought to be as clean as possible.

There is a place and time to negotiate the budget proposals for 7 years, but we do not believe it ought to be part of a continuing resolution and that extraneous matter included in the CR is really a back-door attempt to achieve through this process efforts which should properly be the subject of negotiations as part of the long-term budget commitments of this country.

So the CR ought to be as clean as possible. As I mentioned earlier, we have only dealt with 4 appropriations bills in the last number of months out of 13 that should come before this body. I think we might better spend our time in dealing with those appropriations bills, get the job done, and then the need for a CR—of course, it becomes unnecessary.

In any event, Mr. President, I am aware our colleague from Massachusetts will be coming to the floor shortly to talk specifically about some of the Medicare proposals.

Allow me to just wrap up my own comments about the matter that is presently before us, and that is the message to the House on the appointment of conferees dealing with the so-called Cuban bill.

I am somewhat mystified as to why this particular bill has such a high priority that we are willing to move almost everything else out of the way to consider it. There is no sense of urgency about it whatsoever. We are moving this bill out of the Foreign Relations Committee while simultaneously holding up nominees to be Ambassadors and critically important treaties that ought to come before this.

Frankly, when you consider a sense of urgency, not to have United States representation in the People's Republic of China, Pakistan, Indonesia, seems to be an issue that ought to be dealt with immediately, rather than putting that on a back burner and dealing with this bill, which most people think will have absolutely no effect whatsoever on the

Government in Cuba. It will complicate our relationships with Russia, with the New Independent States, and others, given the fact that we link our aid to those nations and our arms control efforts based on whether or not they provide any assistance to Cuba. That ought not be the way we deal with the fragile democracies in Russia and in the New Independent States.

So, for those reasons, I feel it is worthwhile to focus some attention on this and to try to bring the attention of the U.S. Senate back to a discussion of what ought to be the subject matter for debate and discussion today, and that is the priorities of our overall budget for this country and why it is we cannot seem to get a clean debt ceiling extension in a CR that is devoid of extraneous matter, and then get to the business of negotiating on the budget over the next 7 years but not tying up those two matters with matters that have no business being there at all.

With that, I ask the Chair to tell me what the pending business of the Senate is.

The PRESIDING OFFICER. The present order of business is to recognize the Senator from Massachusetts for pending business. And at that point we are going to resume H.R. 2491.

The Senator from Connecticut is recognized.

Mr. DODD. I gather the Senator from Massachusetts [Mr. KENNEDY], may be a bit delayed. He should be here momentarily.

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

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

Mr. WELLSTONE addressed the Chair.

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

#### PRIVILEGE OF THE FLOOR

Mr. WELLSTONE. Mr. President, I ask unanimous consent that Maimon Cohen, who is a fellow working with me, be allowed to be on the floor for the duration of the debate on this amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### THE 7-YEAR BALANCED BUDGET RECONCILIATION ACT OF 1995

The Senate continued with the consideration of the bill.

Mr. WELLSTONE. Mr. President, let me be clear that Senator KENNEDY will be on the floor with his motion. I am actually not making a motion. But what I thought I would do is take a little bit of time to talk about one provi-

sion in the motion. That is something that I have worked on, and I want to speak a little bit about that.

Mr. ABRAHAM. Mr. President, I just ask that maybe we keep track of the time because we are on a time limit. So this time might be assigned to the block of time which will be used for consideration of this motion, if that is part of the agreement.

The PRESIDING OFFICER. I want to inform the Senator from Minnesota that the Senator from Massachusetts will have a total of 40 minutes on this motion.

Mr. WELLSTONE. Mr. President, I have been allotted 10 minutes. So I will be pleased to lock that block of time.

The PRESIDING OFFICER. Without objection, this time is taken from the time of the Senator from Massachusetts.

Mr. WELLSTONE. I thank the Chair. Before I proceed, could I make sure? I ask the Chair to please notify me if I should go over 10 minutes, because I do not want to take any more time than that.

The PRESIDING OFFICER. The Senator is allotted 10 minutes.

Mr. WELLSTONE. I thank the Chair.

Mr. President, let me just talk about one provision in this motion to instruct conferees that Senator KENNEDY is going to be making. This is a provision that I worked on, which essentially says that the Congress shall be instructed to delete provisions that provide greater or lesser Medicaid spending in States based upon the votes needed for the passage of the legislation rather than the needs of the people in those States.

What I am essentially saying here is that what happened a couple of weeks ago in the dark of night was that the U.S. Senate exchanged Medicaid money for votes. What I am saying in this provision in this instruction to the conferees is that when we develop a formula for allocating Medicaid—or what we call in Minnesota medical assistance funds—it ought to be based upon some rational policy choice. It ought to be based upon the needs of the people in the States. It ought not to be based on some kind of a deal which is all based upon the number of votes to pass a particular piece of legislation.

From my State, on this Friday night in about 3 hours we went from seeing a cut of \$2.4 billion to a cut of \$2.9 billion. In other words, the State of Minnesota lost \$500 million.

Mr. President, we need to understand that in the State of Minnesota altogether the projected cuts on Medicare and medical assistance are going to be somewhere between \$7 billion and \$8 billion.

So the concern that I have—and the reason that I am working with Senator KENNEDY on this, and so much appreciate his instruction to conferees—it seems to me that it is outrageous for the U.S. Senate to make decisions on allocation of medical assistance funds to States based upon some sort of