

with the debt on a debt ceiling increase. I would ask that question of my friend.

Mr. KERRY. Mr. President, I would be delighted to say a few words about that for my colleague from California.

The regulatory reform bill presents the most radical, overreaching effort to undo 25 years of environmental protection for the people of this country.

The regulatory reform bill that is attached to the debt limit will undo the protection of our citizens for the inspection of food for the potential of carcinogens in that food. To everybody who has read about E. coli poisoning, the incidents of people who have died or gotten seriously ill as a consequence of the lack of inspection, that will now be liberated. That will occur as a consequence of this.

I just share a list here. This is a long, rolling list. These are the 88 different openings for people to stop the process of putting out legitimate regulations within the Environmental Protection Agency. This list, which could not pass the Senate, has been attached to the debt limit.

Mr. NICKLES. We are not on debt limit.

Mr. KERRY. No, but it is attached to it. It is attached to it. What we are talking about here is whether or not the President of the United States is going to have this kind of gun held to his head or not.

Just take the continuing resolution. They have restrictions on Federal grants, lobbying to public interest groups; they have Medicare part B premium increases, abolition of certain agencies. These are not items that ought to be on what the Senator from Connecticut has adequately pointed out ought to be very simply an extension of the continuing resolution.

Mr. President, I know my colleagues on the other side of the aisle are going to say, look, we have been here for years, and we have never balanced the budget. That is correct. Some of us tried. We tried with Gramm-Rudman-Hollings. We tried with other efforts. We finally have come to an agreement that this year we are going to try to do it. The question is how are we going to do it, not whether we are going to do it.

So when anybody hears our colleagues come to the floor and say the Democrats do not want to balance the budget, I hope America will say, "Wrong; not true." We voted, 39 of us, for a 7-year balanced budget on this side of the aisle. The difference is we did not do it by making it more expensive for kids to go to college. We did not do it by cutting out the volunteer corps of America, AmeriCorps. We did not do it by cutting student capacity to have summer jobs. We did not do it by taking hot lunches away from kids. We did not do it by raiding the pension funds of this country. We did not do it by denying the people at the lowest scale of income the earned-income tax credit, the ability to be able to work out of poverty.

Do you know how we did it? We did it by not giving to people this extraordinary \$245 billion tax break, most of which is unexplainable in the face of this kind of a deficit.

Mr. DODD. Will my colleague yield?

Mr. LOTT. Will the Senator yield?

Mr. KERRY. I would be happy to yield, Mr. President.

Mr. DODD. I just wanted to ask—

Mr. KERRY. I yield for a question.

Mr. DODD. My colleague, did I understand him to say that we have an increase in premiums for Medicare in this continuing resolution? We are going to have Medicare put on a continuing resolution and not save that debate for the kind of attention it deserves with 37 million Americans depending upon Medicare? That is wrapped up in the continuing resolution?

Mr. KERRY. The Senator from Connecticut is absolutely correct.

Mr. DODD. Can my colleague from Massachusetts explain, what is the wisdom of taking a simple extension of the continuing resolution and incorporating a critically important program to millions of Americans and their families in something like the continuing resolution? Why not leave that for the broader debate? Is there some rationale that my colleague from Massachusetts, Mr. President, is aware of as to why we would have an increase in premium costs in Medicare put on something like this?

Mr. KERRY. Mr. President, I would say to my friend, there is certainly no legitimate or fair rationale. I can certainly explain to my colleague a political and craven rationale but not one that I think would meet the test and standard of fairness.

Now, I know that the acting majority leader wanted to ask a question. I would be happy to yield for a question.

Mr. LOTT. Mr. President, I understood when the distinguished Senator from Massachusetts started speaking he indicated he would speak until we were ready to dispense with the other issues pending, and we have gotten an agreement on that and I am ready to ask for that consent when he completes his statement.

Mr. KERRY. Mr. President, the Senator from Mississippi knows how to silence the Senator from Massachusetts. If we can get consent on this, the Senator from Massachusetts would be delighted to terminate his colloquy. So I would be happy to move to that consent if we can.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LOTT. 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.

UNANIMOUS-CONSENT AGREE-
MENT—HOUSE MESSAGE ON H.R.
927

Mr. LOTT. Mr. President, I ask unanimous consent that the House message regarding H.R. 927 no longer be pending.

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

Mr. LOTT. I must say, Mr. President, that that is unfortunate because this is an issue which passed the Senate on October 19 by an overwhelming vote, 74 to 24. There was a lot of discussion here about the position of the Senate being preserved. This is one where we are just trying to appoint conferees on an issue that passed, three-fifths of the Senators voting for it in a bipartisan vote, and now we are being told that there is opposition to appointing conferees to go to conference on a bill that has broad support. So it is our intention to renew this motion later but not tonight so that we will be able to go to morning business at this point.

MORNING BUSINESS

Mr. LOTT. Mr. President, I now ask unanimous consent there be a period for the transaction of morning business until the hour of 12 midnight, with Senators permitted to speak for up to 10 minutes each.

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

Mr. DODD addressed the Chair.

The PRESIDING OFFICER. The Senator from Connecticut.

FOREIGN RELATIONS COMMITTEE BUSINESS

Mr. DODD. I just want to comment briefly, if I could, and I appreciate the acting majority leaders's willingness to lay this matter aside.

Let me say to my colleagues, I understand normally appointing conferees is a relatively routine matter. While I have underlying objection to the bill, I was in the minority. The bill did pass. The Senator from Mississippi is absolutely correct; it passed with a pretty good margin.

However, I point out to my colleagues that the principal author of this legislation is also holding up 18 nominees to serve as Ambassadors for this country, every single treaty including START II as well as the chemical weapons treaty. Frankly, moving this kind of bill to the forefront while every other major piece of legislation on the Foreign Relations Committee is held hostage because of one other piece of legislation he is interested in, I say, with all due respect, this legislation does not have the kind of urgency to it that the absence of a United States representative in the People's Republic of China, in Indonesia, I think warrants.

So I have objected to this in the hopes that these holds that have now gone for weeks—I would normally not

engage in this kind of legislative maneuver, a procedural maneuver, but it has not been a question of days, it has been weeks—weeks have gone by despite the confirmation hearings in the Senate Foreign Relations Committee. Hearings on these treaties, all of these matters are being held up, all of them, just so the chairman of the Foreign Relations Committee can have a bill that he cares about be resolved to his liking.

So, with all due respect, I am going to hold up this bill until those matters are resolved. Now, cloture motions can be filed, and I can be beaten on this. But frankly, my patience has run out on this. The fact of the matter is our country's interests are not being well served by not having a U.S. representative. Vote against these nominees if you want to. Vote against these treaties if you want to. But do not deny these people the opportunity for a hearing. First of all, it is not fair to their families. They have been confirmed by the committee, awaiting action here on the floor of the Senate, and yet weeks go by.

Some of these people are career people who have dedicated their lives to the foreign service of this country. They have been sent out by committee and are waiting in limbo. Weeks have gone by. That is just wrong. Vote against them, if you will, but do not deny them the opportunity of being voted up or down in the U.S. Senate. So I will strenuously object to our naming conferees and moving forward on this bill.

I might also point out, as I mentioned earlier, we have some eight or nine appropriations bills—the Senator from Massachusetts has pointed out a regulatory reform bill—all of these things, welfare reform, Medicare, Medicaid, all of which I would argue have a far greater importance than this bill, the so-called Cuban democracy bill, that frankly is of highly questionable merit, in my view, taking priority over everything else.

So, for those reasons, I partook of the procedural vehicles available to me to slow down the naming of conferees. If there is a lift on the hold on these ambassadors and a lift on the hold on the treaties, I will lift my hold on the conferees going forward on this particular bill that is before us. For those reasons, Mr. President, I have objected.

With that, Mr. President, I yield the floor.

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER. The minority leader.

Mr. DASCHLE. Mr. President, let me commend the distinguished Senator from Connecticut for a statement that I think enjoys broad-based, in fact unanimous, support on this side of the aisle. This has gone on too long. There is absolutely no reason why ambassadors representing the foreign policy of this country ought not be appointed. I think you have to go back decades, if not generations, to find a time when

this many ambassadors were held hostage.

I think it is unfortunate, it is wrong, it is not the way to do business. It sends exactly the wrong message, not to mention what an incredible inconvenience it is to people in the Foreign Service who are depending upon some resolution of these matters. So, whether it is the ambassadors or whether it is a number of other Federal agencies that have to be dealt with in a reasonable way, this has gone on too long. And until we resolve those matters, I think it is fair to say that it will be very difficult to resolve some of the legislation relating to foreign policy pending in the Senate.

I am very hopeful that we can resolve these matters in the not-too-distant future because what is happening today is inexcusable. I think the Senator from Connecticut speaks for all members of the Democratic Caucus in articulating very clearly our strong feelings about this matter.

THE CONTINUING RESOLUTION

Mr. DASCHLE. Let me also commend the distinguished Senator from Massachusetts as well as the Senator from Connecticut for their comments on the matter directly pertaining to our schedule tonight and the next couple of days. I think there is some misunderstanding about what is involved with both the continuing resolution and the debt limit. I think it is very important that everybody clearly understand what the circumstances are tonight.

Tonight the continuing resolution, which the President will veto, includes the lowest funding level of either the House or the Senate. No programs were zeroed out, but the floor is now set at 60 percent of the 1995 level. Funding would be approved through December 1. The funding levels are an issue of concern to a number of us. But the most important concern, and the one that I think has drawn the greatest degree of anxiety across this country, and certainly the issue for which the President has said there is no compromise, is the increase in the premium that senior citizens will pay as a result of mistakes that we made in prior years in setting that premium.

I think everybody needs to understand that. We made a mistake several years ago. Instead of setting the premium at 25 percent and locking that percentage in for part B Medicare recipients, stipulated a dollar amount that we believed to represent a 25 percent payment. In doing so, we overestimated the amount it would take to reach 25 percent. As a result, the real calculation was not 25 percent; it was 31.5 percent.

We realized it. We all concluded, I think virtually unanimously, several years ago when this issue came up that it ought not be 31.5 percent; it ought to be 25 percent. We locked it into law. We set a timeframe within which that should happen. And now as a result of

a realization that they need additional revenue for a lot of other reasons, including this tax cut, our Republican colleagues are suggesting that we legalize the glitch indefinitely.

That is the issue. Should we lock in an amount higher than we anticipated or intended, an amount we accidentally locked in several years ago, just to come up with revenue necessary to do what the Republican agenda has dictated? Should we effectively increase that premium to provide the pool of resources that they need for tax breaks for the wealthy?

Mr. President, what the President has said is, that is not negotiable. That Medicare premium increase is not something that belongs in the continuing resolution. That is something that has to be taken out. We can negotiate funding levels, and we can negotiate other matters with regard to how the continuing resolution ought to be drafted, but there ought not be any misunderstanding with regard to the importance of Medicare premiums. That ought to be off the table. That ought not to be in the continuing resolution. And that is where we are.

Mr. DODD. Would my distinguished Democratic leader yield?

Mr. DASCHLE. I would be happy to yield to the distinguished Senator from Connecticut.

Mr. DODD. I have been asking this question for the last couple of hours, Mr. President. Maybe the Democratic leader can enlighten me. I do not understand for the life of me why we are attacking Medicare premiums in a continuing resolution.

Is there some reason why Medicare is being incorporated in a temporary extension of the continuing resolution? Why are we taking something so critically important to millions of Americans, not only to the direct recipients, but their families who depend upon this, to avoid the kind of cataclysmic crisis that can affect them if they are afflicted with some serious illness? Why are we taking that as a subject, which I think requires serious study and analysis before we make changes in that program, why is that being incorporated by the Republicans in a continuing resolution? What is the value and purpose of putting it here?

Mr. DASCHLE. Well, I will respond to the distinguished Senator, I do not know what the answer is. I have to assume that they believe increasing premiums is more important than running the Government, is more important than getting a continuing resolution, is more important than any other priority out there. It is the most important issue for them today. Raising those premiums has the priority that no other issue has as we consider all of the other complexities involved in this debate.

What is even more important to me is what this action says to the American people in general and American seniors in particular. It says that we are going to ask seniors to pay more