

funded in this bill were not authorized, were not requested by the President, were not requested by the Senate.

Mr. President, the freedom to criticize, the freedom to disagree, the freedom to discuss, to debate and make decisions are very important in this democracy. This is not a dictatorship. The President does not tell us I want that ship and nothing else.

I want to review history, recent history.

We have been told that the most important weapon system in Desert Storm was the F-117, the Stealth fighter bomber, and if it were not for that, we would have lost lives, many lives, because this Stealth bomber was the one that was able to knock out all of the radar stations, which made it possible for our fighter planes and bombers to go in. It might interest you to know, and I think we should remind ourselves, that the administration and the Pentagon opposed building the F-117. This Congress persisted. I am certain the chairman of the committee remembers that.

Let us take another weapon system that was most important in Desert Storm, the Patriot. If it were not for the Patriots, the casualties on our side would have been at least double. The Patriots were able to knock out the Scuds. Thank God we had the Patriot. The administration opposed it, the Pentagon opposed it, but we in the Congress and in this committee insisted upon it.

In 1978, the President of the United States vetoed a defense appropriations bill that carried the *Nimitz*-class nuclear carrier. It is the most powerful weapon system we have today. Thank God the Congress persisted, and we overrode that veto.

There is another aircraft that my colleague from Alaska is the most knowledgeable expert on, the V-22 Osprey. The Pentagon did not want it. The White House did not want it. This committee insisted upon it. Now everyone wants it.

So, Mr. President, much as we would like to suggest that we are the repository of all wisdom, it is not so. The democracy that we cherish here is made up of many minds, and the wisdom from all of these many minds, hopefully, will reach the right decision. And we would like to believe, Mr. President, that the decision we present to you today is the right decision. I cannot tell you, in all honesty, that there is no pork in this bill. But those who advocate and those who have fought and supported these provisions in their belief that it is essential to our democracy. And, also, I am certain all of us agree that when one enters into a conference, you cannot hope to get everything you want. You can get some of it. You will have to give in to some.

This is the compromise that we have reached. It was not easy, Mr. President. But I think we have done a job that we can stand before our colleagues and say that we have done our best,

and we are presenting our best to the Senate of the United States. I notice that my time is up.

I yield the floor.

The PRESIDING OFFICER. The hour of 6:25 having arrived, under the previous order, the yeas and nays having been ordered, the question is on agreeing to the conference report.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Georgia [Mr. NUNN] is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 59, nays 39, as follows:

[Rollcall Vote No. 579 Leg.]

#### YEAS—59

Abraham	Ford	Lugar
Akaka	Frist	Mack
Ashcroft	Gorton	McConnell
Bennett	Gramm	Murkowski
Bond	Grams	Nickles
Breaux	Grassley	Pressler
Burns	Gregg	Reid
Campbell	Hatch	Robb
Chafee	Heflin	Santorum
Coats	Helms	Shelby
Cochran	Hollings	Simpson
Cohen	Hutchison	Smith
Coverdell	Inhofe	Snowe
Craig	Inouye	Specter
D'Amato	Johnston	Stevens
DeWine	Kassebaum	Thomas
Dole	Kempthorne	Thompson
Domenici	Kyl	Thurmond
Faircloth	Lieberman	Warner
Feinstein	Lott	

#### NAYS—39

Baucus	Exon	Levin
Biden	Feingold	McCain
Bingaman	Glenn	Mikulski
Boxer	Graham	Moseley-Braun
Bradley	Harkin	Moynihan
Brown	Hatfield	Murray
Bryan	Jeffords	Pell
Bumpers	Kennedy	Pryor
Byrd	Kerrey	Rockefeller
Conrad	Kerry	Roth
Daschle	Kohl	Sarbanes
Dodd	Lautenberg	Simon
Dorgan	Leahy	Wellstone

#### NOT VOTING—1

Nunn

So the conference report was agreed to.

Mr. INOUE. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. LIEBERMAN. Mr. President, I have voted today for the Defense Appropriations Conference Report because I believe it is fundamentally a sound and necessary bill which will fund critical defense functions for the current fiscal year. This bill is not perfect. It funds procurement of a few weapons systems which the Secretary of Defense and the military service chiefs have said they do not need or want; I would have preferred that such systems not be funded. But on balance I believe the right programs are funded, critical modernization for our armed forces will take place, and critical skills of defense workers across the country, including in my State of Con-

necticut, will be maintained. At the same time, I am very troubled that this appropriations conference report includes language that prohibits abortions in military facilities. My record of opposition to language that creates unfair barriers to legal abortion services is clear. I see no reason why this restrictive provision needed to be included on a defense appropriation bill and I oppose it. No one should misconstrue my vote today for this important appropriations bill—a bill which is even more critical as many defense workers have been furloughed along with thousands of other Federal employees caught up in our current budget crisis.

#### FURTHER CONTINUING APPROPRIATIONS FOR FISCAL YEAR 1996

The Senate continued with the consideration of the joint resolution.

The PRESIDING OFFICER. The minority leader.

Mr. DASCHLE. Mr. President, parliamentary inquiry, are we back on the continuing resolution?

Mr. FORD. Mr. President, may we have order, please?

The PRESIDING OFFICER. The Senate is not in order. The Senate will please come to order.

The minority leader is correct.

Mr. DASCHLE. Mr. President, I withdraw my amendment and raise a point of order that the bill violates section 306 of the Congressional Budget Act.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. DASCHLE. Mr. President, I ask unanimous consent that the point of order be vitiated.

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

Mr. DASCHLE. Mr. President, let me explain. I know it is certainly the intent of colleagues on both sides of the aisle to work through this process and to accommodate what we all want here, and that is an agreement on a continuing resolution at the earliest possible date. It is also my personal view, and the view of most of our colleagues, that the best way to do that, of course, is to send a clean resolution to the President. I offered the point of order in the hope that we could strip away the extraneous matters and get back to what we tried to do this morning, which was to offer a clean continuing resolution.

It appears, however, that that would entail a good deal of parliamentary discussion and negotiation and procedure that, in my view, would be counter-productive, frankly, because it would take us at least through another day.

It was not my intent to surprise the majority leader. I thought we had an understanding about the point of order, and there was some misunderstanding. For that reason, as well, I think it is propitious at this point to pick up where we left off prior to the time the point of order was offered.

So I have discussed the matter with the majority leader, and I am prepared to offer our second amendment, as we had agreed to do earlier today. This would expedite our consideration of the continuing resolution and will allow us to get the bill down to the President, allow us to continue the negotiations in good faith, and to find, at an earlier date rather than a later date, some resolution.

I have no doubt that if this bill goes to the White House, the President will be required to veto this one, as well. So we will be back to where we were prior to the time we offered this.

So I am looking for, and the majority leader is looking for, a way in which to find some resolution. It is in that good-faith effort that I have asked for the unanimous consent.

#### AMENDMENT NO. 3057

Mr. DASCHLE. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from South Dakota [Mr. DASCHLE] proposes an amendment numbered 3057.

Mr. DASCHLE. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

Strike all after the first word and insert the following:

Section 106(c) of Public Law 104-31 is amended by striking "November 13, 1995" and inserting "December 22, 1995".

Section 2. (a) The President and the Congress shall enact legislation in the 104th Congress to achieve a unified balanced budget not later than the fiscal year 2002.

(b) The unified balanced budget in subsection (a) must assure that:

(1) Medicare and Medicaid are not cut to pay for tax breaks; and

(2) any possible tax cuts shall go only to American families making less than \$100,000.

Mr. DOLE. Mr. President, I will take a minute to thank the Senator from South Dakota. We had a miscommunication, and I will let it go at that. We have to work together. We do not surprise each other. I think we are on the right track.

It is my understanding that the Senator from South Dakota would agree to 40 minutes equally divided, or more?

Mr. DASCHLE. Yes, 40 minutes, I think, is adequate time to consider this amendment.

Mr. DOLE. Prior to a vote or a motion to table in relation to the amendment.

Mr. DASCHLE. As I understand it, there will be no second degree amendments.

Mr. DOLE. Right. I ask unanimous consent that what was just stated be the order.

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

Mr. DOLE. It is my understanding, also, that following disposition of this amendment, maybe after some debate, we will go to final passage.

Mr. DASCHLE. That is my understanding, as well.

The PRESIDING OFFICER. Who yields time?

Mr. DASCHLE. Mr. President, I yield such time as I may consume.

The PRESIDING OFFICER. The Democratic leader is recognized.

Mr. DASCHLE. Mr. President, this amendment starts where the last amendment left off. It simply says that we ought to have a resolution that takes us at least through the month of December, setting as a target date December 22. That is what the earlier amendment did. This amendment would accomplish the same thing.

Second, it uses the same level of spending for all of those agencies of Government affected as the previous continuing resolution—the same, again, as the amendment we proposed this morning.

So in an effort to accommodate what I hoped would be a very serious negotiation on reconciliation, we would offer this continuing resolution, with the expectation that we could avoid facing another crisis for at least for another 4 weeks. So we start with an appreciation that it is going to take longer than a couple of weeks to resolve all of the outstanding differences that we have with respect to reconciliation. If that is the case, rather than revisiting the issue, let us be serious about a continuing resolution. Let us move this date to a point that is practical, that is prudent, that accepts the fact that we may not be able to finish our work prior to that time.

Second, Mr. President, it simply says if we are going to insist in this resolution that there be a 7-year budget, that we use the 7-year budget timeframe within which to resolve all the other differences, priorities, and circumstances that we have, and then let us do a couple of other things. Let us also, since we are setting some parameters here, decide that we are not going to use the Medicare trust fund as a pool from which to draw resources to pay for a tax cut. Let us not do that. And let us not use this process, this particular piece of legislation, to exacerbate income distribution even more than it is.

In other words, let us not build upon what is already happening in this country, where more and more of the wealth is being shifted to the upper-income levels. And to avoid that, let us

assume that there will be a tax break; or let us just say if there is a tax break, the resources we will spend for those tax breaks will all go to those making under \$100,000 a year—that is, no tax breaks for those making more than \$100,000 a year.

So, Mr. President, that is really what this amendment does. First, it allows us to do our work through December 22. Second, it sets funding levels where they have been in the past continuing resolution. Third, it says if we are going to have a 7-year budget resolution, let us at least recognize that that is a constraint that might warrant a couple of other constraints—the first being the protection of Medicare from cuts to finance tax breaks. We have had votes on it in the past. I think this Senate has been on record now on a number of occasions that it is not right, that it is not acceptable, that it is not something that even some Republicans have indicated they can support—to block the use of Medicare resources for purposes of a tax cut—under any circumstances.

I, frankly, think that is one of the most challenging of all the things that we are going to be facing as we sit down to negotiate a final reconciliation package. How do you pay for the tax cut? I know we are told by CBO that there is going to be roughly a \$170 billion dividend. Frankly, I am amazed that we can project a dividend 7 years out without really knowing whether there is going to be a recession or what kind of economic growth there is going to be.

We are going to have less economic growth, I remind my colleagues, using CBO growth projections at 2.3 percent than we have had in the last 25 years. In the last 25 years, we are told that the growth, on the average, was 2.5 percent. So what CBO is telling us is that we are going to have a balanced budget at the end of 7 years, but the growth is only going to be 2.3 percent, two-tenths of a percent less than what we have had historically. That seems inconsistent to me, and it is hard to understand how one generates dividends from that. But let us assume there is a dividend of some \$170 billion. The tax cut is over \$220 billion. It may even be \$245 billion, if our House colleagues have their way.

So the question is: Where does the additional amount of revenue come from? We all know that this is all pretty flexible here. We all know that, in the meantime, before the dividend is realized, that revenue has to come from somewhere because the tax cuts start immediately. Well, the tax cut revenue is going to come from pools of resources already in the budget. And the only pools of resources available are Medicare and Medicaid, to the degree we need large revenue sources to pay for the tax cut.

Mr. President, that has been our concern from the very beginning, a very legitimate concern about paying for tax cuts from revenue that is already

dedicated to virtually the most important function, in my view, virtually in the entire budget. The health care of senior citizens, the health care of those who are unemployed, insured only by Medicaid, the health care of those who are going to nursing homes—that is what we are talking about, providing a safety net, some security, to those people who have counted on it now for 30 years.

Mr. President, that is a fundamental question that in our view ought to be addressed. If we are going to set out 7 years as a precondition, it is our view we also ought to set out preconditions about where Medicare and Medicaid resources go.

We recognize the need to bring about trust fund solvency. We are not talking about solvency here. We are talking about \$270 billion in cuts, \$181 billion more than what the trustees tell us we need for solvency. For what reason? Unfortunately, it is our view, it is to provide the tax cuts that, in our view, simply are not necessary in many cases.

That is the first stipulation.

The second stipulation is that if we are going to have those tax cuts, at least ensure they go to those who have the greatest need. Make sure it is working families whose incomes are already stretched with college and a whole range of difficulties. Make sure they are the ones who are held harmless in all of the cuts and to make sure, to the extent we can, that if we have tax cuts, they go to those working families who need it the most.

I really do not know that somebody making \$2 million or \$3 million or \$4 million needs a tax cut, regardless of the circumstances. I do not think somebody with our income level, regardless of what it may be now under this difficulty we are facing, needs a tax cut.

We do not need a tax cut. And certainly no one making more than \$1,000,000 a year needs a tax cut—not if we are really serious about balancing the budget, not if we are really serious about bringing down not only the deficit but the debt.

I have always been curious, and I have never had one of my conservative friends respond to this, are they not as concerned about the aggregate debt as they are about the deficit? The aggregate deficits total \$6 trillion.

So even if we reach a balanced budget, we still have \$6 trillion of indebtedness out there—\$6 trillion. I have not heard one of my Republican colleagues give me any indication as to what they think ought to be done with that.

How are we going to buy down that debt? Are we going to be content to leave it out there to continue to pay the interest on it? It seems to me before we start talking about tax breaks not only should we dedicate our efforts to reducing the deficit but we should dedicate our efforts to reducing the debt as well.

I know my colleague from Massachusetts is here. How much time remains, Mr. President?

The PRESIDING OFFICER. The Senator has 10 minutes 49 seconds.

Mr. DASCHLE. I am happy to yield to the Senator.

Mr. KENNEDY. I inquire of Senator DASCHLE if he would possibly yield for a question.

Mr. DASCHLE. I am happy to yield to the Senator.

Mr. KENNEDY. It seems to me, and I ask whether the Senator would agree with me, that the President of the United States, when the initial continuing resolution was sent down there, it had the increase of the premium—some \$52 billion.

At that time, he vetoed it and our Republican friends said, all right, we will not put in that increase for the premiums. All we are interested in is a balanced budget.

Now we have the real intention of our Republican friends, because I do not know whether the minority leader has had a chance to examine the reconciliation that will be up here on the floor tomorrow which right here on title VIII has all of the premium increases that would have been increased on the continuing resolution, they went through it and said all they were interested in was a balanced budget.

Here we have—tomorrow we will be addressing these issues. Is the Senator familiar that all of those increases in Medicare are going to be part of their program?

The point I am just making is all day long and just recently this evening we heard about the willingness of Mr. Gingrich and our Republican leader who wanted to get a balanced budget.

Tomorrow we are going to have the \$270 billion Medicare cuts, the \$52 billion in additional premiums which will result in \$2,500 additional premiums, the Medicaid cuts of \$180 billion, the student loan cuts of \$4.9 billion, and the raid on the pensions which we passed here, 94 to 5—\$20 billion raid on worker pensions.

Does the Senator agree with me that this argument that is being made here that we have to pass this this evening and all we are interested in is trying to get the President to sign this so we can have a balanced budget, we are glad to work the priorities out with the President, that is rather a hollow statement and comment given the fact that our Republican friends have worked this out in a closed session with effectively only Republicans participating, and they are doing just what we warned they would do in terms of cutting the Medicare \$270 billion and tax breaks for the wealthiest individuals at \$240 billion? Does the Senator agree with me that has some inconsistency in terms of what this issue is really all about?

Mr. DASCHLE. The Senator from Massachusetts makes a very, very good point. This is just the beginning.

The real debate will begin perhaps as early as tomorrow when we get the rec-

onciliation package. As the Senator noted, none of us have had the opportunity to see this package yet. It will be on the floor in the next 48 hours at some point.

We know, given what the House did and what the Senate did, there are huge cuts—three times more cuts than we have ever seen before, for Medicare, cuts that go deeply into the program, that go way beyond trust fund solvency, cuts that will be used to create the pool of resources, to create the tax cuts that the Republican majority continues to want to defend.

That is what this is all about.

Mr. KENNEDY. Even if the President signed this resolution tomorrow, these Medicare cuts of \$270 billion would still be up here on the floor of the Senate—our senior citizens ought to know it—and there is every indication that the votes are there to pass it.

Mr. DASCHLE. The Senator is right. We may have taken it out of the last continuing resolution. It was dropped from the CR, but it is in the budget reconciliation bill. It is in the permanent legislation. It is in the language that we are going to be voting and debating beginning tomorrow, in all of its detail, spelling out exactly how deeply they are going to cut into the Medicare and Medicaid programs. We will see it tomorrow.

We know it is there tonight. We know that there is a huge cut in Medicare. We know that is the pool of resources from which they will pay for the tax cut. That much we know. All the other details we still do not know.

Mr. KENNEDY. Finally, because I see my friend and colleague, this is one Senator who finds this whole exercise of Mr. GINGRICH and Mr. DOLE to be rather a hollow one. This idea that all you have to do is indicate to us that we are headed for a balanced budget goal and we are quite ready to sit down with you and work out the priorities. I do not know how many times I have heard that on the radio and heard it last night. All the while, the priorities are going to be voted on by this body under a very strict time agreement, which will be \$270 billion cuts in the Medicare Program.

I think our senior citizens ought to understand who is standing up for them in this debate. It has been the President. It has been the minority leader. It is the Senator from Nebraska, and I am proud to be supporting their efforts.

Mr. DASCHLE. I thank the Senator for his comments. I yield to the Senator from Nebraska.

Mr. EXON. I want to ask a question, too, of our Democratic leader.

First, we have been hearing on television and here on the floor that the Democrats do not want to balance the budget in 7 years.

I have looked—and I do not think we have emphasized that the very first part of the amendment you have offered says the President and the Congress shall enact legislation in the

104th Congress to achieve a unified balance of the budget no later than fiscal year 2002.

As I understand and interpret that—but I want to hear it from the lips of my leader—here is a case where we are proposing to balance a budget by the year 2002; is that correct?

Mr. DASCHLE. The Senator is correct.

There is a way to balance the budget by the year 2002. The Senator from Nebraska has voted for it. The Senator from South Dakota has voted for it. Many of our colleagues have voted for it.

If you do not have a tax cut, if you use reasonable economic projections about what will happen in the next 7 years, there is a real possibility that you could achieve a meaningful balanced budget in perhaps even less than 7 years.

But it is the Republican insistence on a tax cut, it is the Republican insistence on economic growth projections that go way below what we have experienced historically, for at least the last 25 years, that make many of us very skeptical about whether it is achievable in 7 years.

Mr. EXON. Then the Republican charge that I have heard over and over and over again, that the Democrats simply do not want to balance the budget in 7 years, is blown pretty much sky high with the amendment that you have offered on behalf of the minority?

Mr. DASCHLE. Mr. President, the Senator is absolutely correct. This makes it very clear that it is not our desire to oppose a 7-year balanced budget amendment necessarily. What I said this morning holds this evening. It is our desire to ensure that we have to have some better understanding of what we are talking about here.

We will support a 7-year budget resolution if we know that Medicare is not going to be used to pay for tax cuts; if we know that any tax cuts incorporated into the legislation will be targeted to those making less than \$100,000 per year. Those kinds of things are fundamental to our enthusiasm, our level of support for whatever else may have come from the negotiations during reconciliation.

Mr. EXON. If I understand the amendment, then, offered by the Democratic leader, that we just talked about, it provides for balancing the budget by the year 2002; and then second and equally important it says that, if we have a tax cut, that tax cut would be limited to only American families making less than \$100,000 a year? So if you made over \$100,000 a year you would not get any tax cut, if we have one. If we do have a tax cut all of it goes to those making \$100,000 or less, is that correct?

Mr. DASCHLE. The Senator is absolutely correct.

I thank the Senator and I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I have just heard a preposterous argument. The Republicans are saying to the President of the United States: Mr. President, we have been working since the beginning of this year to develop a balanced budget that is real, that the true authenticator of economics, the reliable group that the President told us to work with, says is in balance in the year 2002.

The President does not like our priorities. He does not like to give tax cuts, apparently. And perhaps the Democrats do not want to give any tax cuts. So, we are suggesting that here is a compromise. You do what you want, but we are going to vote on what we want. And we will go to conference with you, Mr. President.

You are not bound to anything. If you do not want any taxes you go to the table and say we do not want any. If you do not want to reduce Medicare savings, you go to the table and say you do not want to. If you want to bring the CPI to the table, you bring it to the table. Whatever it is. We are only asking for a commitment that, in 7 years, you will have a balanced budget using conservative economics. So that we will not be burned again, and think we got a balanced budget only to find that we got a lot of it as a gift from economic assumptions that were too high.

For, as the distinguished occupant of the chair has said, if the Office of Management and Budget, which makes it easier to balance the budget because you do not have to cut so much if you have these exciting high economic assumptions—if they happen to be wrong, you never get a balanced budget. That is not the case if we use the economics we propose. If we happen to be wrong you get a surplus. And what would be wrong with that?

That is one argument. But let me repeat it just slightly—just a different way. We have been hearing from the other side: Do not tell the President what to do. We have been trying to say we are not trying to tell him what to do. All we want is a commitment to a balanced budget in 7 years, using real economics. That is all we want. The priorities are up to you. But we have our priorities. We want a vote on them and we want to send them to the American people and send them to you and you veto them. And all we are saying is, this Congress, with the President who is now in the White House, we get together and our only commitment is to produce a balanced budget in 7 years using real economics. There is no other commitment.

The Democrats tonight are saying wait a minute. We would like to tell you what is going to be in that budget in advance, when they have not had to vote on anything. They have not produced a balanced budget. They have not told us what they would restrain and what they would not restrain—I take it back. Mr. President, 19 have; 19 Democrats put a budget before us.

Incidentally, they used the same economics we used and they got a balanced budget. They did not want to cut taxes so they did not cut taxes. But they produced one. What is the discussion about? Now they want to tell us how to run that budget when they have not voted on anything. They have not voted on what to do in Medicare and Medicaid and taxes. And they would like, now, to tell us: Wait a minute, we would like to tell you in advance what we cannot do.

All we are suggesting is, Mr. President, sit down with us, and your team and some Democrats, and just use one benchmark. Do you want a balanced budget in 7 years using real economics? No other test. That is the only issue.

Now, Mr. President, because the issue has been raised about Medicare, Medicaid and taxes, we must speak to them. So let me refresh everybody's recollection.

The Washington Post today lends real credence to why we should vote this particular amendment down and why the people of this country ought to listen to the rhetoric of the last 15 minutes and be very suspicious of what it is really about. This editorial today, by the Washington Post, called "The Real Default" addresses the demagoguery of the President of the United States and the leading Democrats, who choose to make the case to the senior citizens for them not to worry. We do not have to change anything in Medicare. Everything is rosy. And this calls it what it is.

It will destroy any opportunity to get a balanced budget. It will put us in a position where we are living year by year to see whether the senior citizens have a program of health care. Once again, at this point in my debate, I ask unanimous consent to have this editorial printed in the RECORD. I will merely read one part of it.

We've said some of this before; it gets more serious. If the Democrats play the Medicare card and win, they will have set back for years, for the worst of political reasons, the very cause of rational government in behalf of which they profess to be behaving.

Meaning there will be no chance to fix the budget of the United States.

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

[From the Washington Post, Nov. 16, 1995]

#### THE REAL DEFAULT

The budget deficit is the central problem of the federal government and one from which many of the country's other, most difficult problems flow. The deficit is largely driven in turn by the cost of the great entitlements that go not to small special classes of rich or poor but across the board to almost all Americans in time. The most important of these are the principal social insurance programs for the elderly, Social Security and Medicare. In fiscal terms, Medicare is currently the greatest threat and chief offender.

Bill Clinton and the congressional Democrats were handed an unusual chance this year to deal constructively with the effect of Medicare on the deficit, and they blew it. The chance came in the form of the congressional Republican plan to balance the budget

over seven years. Some other aspects of that plan deserved to be resisted, but the Republican proposal to get at the deficit partly by confronting the cost of Medicare deserved support. The Democrats, led by the president, chose instead to present themselves as Medicare's great protectors. They have shamelessly used the issue, demagogued on it, because they think that's where the votes are and the way to derail the Republican proposals generally. The president was still doing it this week; a Republican proposal to increase Medicare premiums was one of the reasons he alleged for the veto that has shut down the government—and never mind that he himself, in his own budget, would countenance a similar increase.

We've said some of this before; it gets more serious. If the Democrats play the Medicare card and win, they will have set back for years, for the worst of political reasons, the very cause of rational government in behalf of which they profess to be behaving. Politically, they will have helped to lock in place the enormous financial pressure that they themselves are first to deplore on so many other federal programs, not least the programs for the poor. That's the real default that could occur this year. In the end, the Treasury will meet its financial obligations. You can be pretty sure of that. The question is whether the president and the Democrats will meet or flee their obligations of a different kind. On the strength of the record so far, you'd have to bet on flight.

You'll hear the argument from some that this is a phony issue; they content that the deficit isn't that great a problem. The people who make this argument are whistling past a graveyard that they themselves most likely helped to dig. The national debt in 1980 was less than \$1 trillion. That was the sum of all the deficits the government had previously incurred—the whole two centuries' worth. The debt now, a fun-filled 15 years later, is five times that and rising at a rate approaching \$1 trillion a presidential term. Interest costs are a seventh of the budget, by themselves now a quarter of a trillion dollars a year and rising; we are paying not just for the government we have but for the government we had and didn't pay for earlier.

The blamesters, or some of them, will tell you Ronald Reagan did it, and his low-tax, credit-card philosophy of government surely played its part. The Democratic Congresses that ratified his budgets and often went him one better on tax cuts and spending increases played their parts as well. Various sections of the budget are also favorite punching bags, depending who is doing the punching. You will hear it said that someone's taxes ought to be higher (generally someone else's), or that defense should be cut, or welfare, or farm price supports or the cost of the bureaucracy. But even Draconian cuts in any or all of these areas would be insufficient to the problem and, because dwelling on them is a way of pretending the real deficit-generating costs don't exist, beside the point as well.

What you don't hear said in all this talk of which programs should take the hit, since the subject is so much harder politically to confront, is that the principal business of the federal government has become elder-care. Aid to the elderly, principally through Social Security and Medicare, is now a third of all spending and half of all for other than interest on the debt and defense. That aid is one of the major social accomplishments of the past 30 years; the poverty rate for the elderly is now, famously, well below the rate for the society as a society as a whole. It is also an enormous and perhaps unsustainable cost that can only become more so as the baby-boomers shortly begin to retire. How does the society deal with it?

The Republicans stepped up to this as part of their proposal to balance the budget. About a fourth of their spending cuts would come from Medicare. It took guts to propose that. You may remember the time, not that many months ago, when the village wisdom was that, whatever else they proposed, they'd never take on Medicare this way. There were too many votes at stake. We don't mean to suggest by this that their proposal with regard to Medicare is perfect—it most emphatically is not, as we ourselves have said as much at some length in this space. So they ought to be argued with, and ways should be found to take the good of their ideas while rejecting the bad.

But that's not what the president and congressional Democrats have done. They've trashed the whole proposal as destructive, taken to the air waves with a slick scare program about it, championing themselves as noble defenders of those about to be victimized. They—the Republicans—want to take away your Medicare; that's the insistent PR message that Democrats have been drumming into the elderly and the children of the elderly all year. The Democrats used to complain that the Republicans used wedge issues; this is the super wedge. And it's wrong. In the long run, if it succeeds, the tactic will make it harder to achieve not just the right fiscal result but the right social result. The lesson to future politicians will be that you reach out to restructure Medicare at your peril. The result will be to crowd out of the budget other programs for less popular or powerful constituencies—we have in mind the poor—that the Democrats claim they are committed to protect.

There's a way to get the deficit down without doing enormous social harm. It isn't rocket science. You spread the burden as widely as possible. Among much else, that means including the broad and, in some respects, inflated middle-class entitlements in the cuts. That's the direction in which the president ought to be leading and the congressional Democrats following. To do otherwise is to hide, to lull the public and to perpetuate the budget problem they profess to be trying to solve. Let us say it again: If that's what happens, it will be the real default.

Mr. DOMENICI. Having said that, let me make sure those who are listening tonight do not misunderstand a couple of things.

If you want to know what is in our budget it should not come as a surprise to you. It has been sitting on your desk most of the day. So, tomorrow when we vote, here it is, the Congressional Budget Act. If not all day, it is here now. If you are interested there it is. I will tell you what is in it.

Medicare is not cut. Medicare will grow 7.7 percent a year for the next 7 years; 7.7 percent.

Medicaid will grow at the rate of 5.5 percent a year. Medicaid will grow 42 percent. Would anybody have guessed that from what we are hearing here on the floor of the Senate?

Inflation is at about 2.5 percent. Medicare is going to grow at 7.7 percent. In fact, Medicare spending will go from \$178 billion to \$294 billion. Medicaid spending, that is the program for the poor, from \$89 billion to \$127 billion. I do not think either of those, to any Americans listening, are cuts. They are substantial increases and they will suffice and they will have a very valid program for the seniors and the poor

people in health care. We will do it more efficiently with more choice.

Having said that, let us talk a minute about preserving the Medicare trust fund. Mr. President, when the seniors and the other side reads this budget, this Balanced Budget Act of 1995, they are going to find something very, very interesting and very exciting for senior citizens.

We made a conscious decision that we wanted to make the trust fund solvent, not for 5 years, or 7 years, but for 15 to 17 years. And you will read in this that every single penny that is saved in Medicare, not just the hospital trust fund savings, every single penny goes into the trust fund to save the health care program for the senior citizens.

So how can we put it in the trust fund and spend it on tax cuts at the same time? Every penny of it is in the trust fund. Somebody might get up and say, "Are you serious, Senator DOMENICI?" We have never done that before. We have never put savings from the general tax fund, which is what pays for part of this, we have never put it in that trust fund. We decided we would because we want to make it solvent for a long enough period of time for us to work on it, not just until the next election, but for 15 to 17 years. You cannot put it in the trust fund for the seniors and spend it for taxes also.

(Mr. SANTORUM assumed the chair.)

Mr. DOMENICI. Mr. President, having said that, let me suggest that we firmly believe in an annual increase in Medicaid, the program for the poor, of 5.5 percent. If you add to it some flexibility in the delivery of it, it will be an excellent program covering more poor people than are covered today because you will have the flexibility of managed care and other delivery systems, which everyone knows are more efficient.

If that is the case and when we are finished with all our budget work we have an economic dividend, that is, a surplus, what would the Democrats have us do with it? I assume, from hearing here on the floor, that they would have us spend it. For I can draw no other conclusions. They would have us spend it.

Mr. BENNETT. Mr. President, will the Senator yield for a question?

Mr. DOMENICI. Let me just finish this thought. I would submit that, if you balance the budget and if you had been fair by the seniors by putting every single savings in the trust fund so their fund is solvent, if you are giving the poor of America a 5.5-percent increase every year for Medicaid and there is a dividend left over of a surplus, I submit that you have an exact case of Republicans versus Democrats.

For what would they do with it? They would spend it. They would say, put it back in the budget and spend it on this, that, or the other. What do we say? Very simple. We say give it back to the taxpayer. And, as a matter of fact, the old tired, wornout argument that they are giving it back to the rich

instead of the middle-class, middle-income Americans, is not true. Just find the section on taxes and read it. Some \$141 billion of those tax cuts go as tax credits to the American families with children, and no one over \$100,000 of earnings gets one penny.

What is wrong with that? You speak of being profamily, which is rhetoric; but you give them back tax dollars to spend, and you are helping them with their family. The only thing conceivably that is for the rich under their rubric is capital gains, which goes to everyone. And that merely says we want you to invest more in America so you can make it grow and have a better economic life for the future.

I will be pleased to yield to my friend.

Mr. BENNETT. Did I hear the Senator correctly say that the growth of Medicare would be 7.7 percent per year?

Mr. DOMENICI. The Senator is correct.

Mr. BENNETT. Does the Senator recall that under the health care proposal offered by George Mitchell last year the growth rate on Medicare was held to 7.1 percent per year?

Mr. DOMENICI. I believe that is right. It was 7.1 or 7.2.

Mr. BENNETT. Is it the Senator's memory that Senator KENNEDY endorsed the 7.1 percent of the President's health care program?

Mr. DOMENICI. My recollection is that he was wholeheartedly in favor of that program.

Mr. BENNETT. Is it the Senator's memory that Senator DASCHLE endorsed the 7.1 percent of Senator Mitchell's proposal?

Mr. DOMENICI. My recollection is that he wholeheartedly supported it.

Mr. BENNETT. Is it the Senator's recollection that the majority of the Democratic Members of the Senate endorsed the 7.1 percent growth rate in Medicare?

Mr. DOMENICI. I believe that is the case.

Mr. BENNETT. Does the Senator not agree with the Senator from Utah in finding it interesting that since we proposed to allow Medicare to grow more rapidly than the President did, more rapidly than the bill endorsed by a majority of the Members of the Democratic Party in the Senate, that we are now being pilloried as those who would slash Medicare?

Mr. DOMENICI. I believe that is an understatement.

Mr. BENNETT. Perhaps we should choose the 7.1 percent level that they endorsed in the previous Congress when they controlled it and thereby slash Medicare a little more.

Mr. DOMENICI. Maybe we would get their support.

Mr. BENNETT. I am not that optimistic.

I thank the Senator for yielding.

Mr. DOMENICI. Mr. President, I want to read one further sentence out of the Washington Post's analysis of the President's position on this.

Medicare premiums was one of the reasons he alleged for the veto that has shut down the government—and never mind that he himself, in his own budget, would countenance a similar increase.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 5 minutes 30 seconds.

Mr. DOMENICI. I yield the floor.

Mr. WELLSTONE. Mr. President, I voted earlier today for a clean continuing resolution, which simply extended current funding for a couple of weeks, to open up the Government and allow for budget negotiations to move forward. A simple, clean extension of Federal funding, without all the ideological bells and whistles attached, should have sailed through this place and would have been signed by the President lickety split. But that effort failed.

I intend to vote for the pending Daschle substitute amendment as well, because it is a significant improvement over the Republican version, which would have harsh consequences for a host of federal efforts to protect children, the vulnerable elderly, and other Americans who have been caught in the middle of this unnecessary budget showdown. Now that the earlier clean continuing resolution has failed, this substitute is the surest, quickest, fairest way remaining to get the Federal Government up and running, and to ensure that Federal parks are opened, Social Security applications are again taken, Veterans and other benefit checks are sent out, passport offices are opened, FBI law enforcement training is renewed, and other key Federal functions are being performed.

This Daschle substitute provides for additional interim funding at a rate of 90 percent for a host of Federal programs that were wiped out altogether by House versions of appropriations bills, and that would otherwise suffer cuts of 40 percent in the Republican version of this bill. These include the Low Income Energy Assistance Program [LIHEAP], education for disadvantaged kids, Goals 2000, Safe and Drug-Free School efforts, regional economic development programs, homeless assistance, and many others. I don't know about other Senators, but energy assistance in my State has completely run out of money, and people are getting their fuel shut off across my state. This is a real crisis, Mr. President, which I described in greater detail earlier this week on the Senate floor. This substitute will help bring an end to this energy assistance crisis.

The substitute also embodies other important principles for which we have fought. For example, it provides that Medicare and Medicaid savings are not to be used to pay for tax cuts. It provides that should any tax cuts be included in a final budget agreement, they should only go to families with incomes under \$100,000. While I have opposed broad-based tax cuts before we get the budget into balance, I believe

that this provision moves us in the right direction, and will help to ensure that massive Medicare cuts made by the Republicans will not be used to pay for tax breaks for the wealthiest Americans.

Finally, it sets a deadline of December 22, which gives us more time to get our work done: to send to the President the numerous appropriations bills which have been stuck for months in Congress, and to send them to him in a form that he can sign into law.

There is a provision in this substitute that, while it does not have the force of law, suggests that Congress should enact a balanced budget by the year 2002. I have consistently opposed this, observing that since it took us 15 years to get into this mess, starting with the massive Reagan tax cuts and defense build-up of the early 1980's, it will take us more than 7 years to get out of it. The President has also opposed this date, observing rightly that the spending cuts it would require in Medicare, Medicaid, and other areas would be draconian and irresponsible, and would likely destabilize the economy.

I agree. I do not believe that we can get there by 2002 without excessive cuts in Medicare, Medicaid, education, job training, poverty programs, and other key Federal investments in the character, skills, health, and educational opportunities of American families. And we certainly can't do it by then if a majority of my colleagues continue to refuse to scale back defense spending and corporate welfare. But it is true that we must eventually get to balance, and I believe that we can do it; it's just that it will take us 2 or 3 years more than this suggests.

Mr. President, most of us acknowledge that we are here today, in the midst of a Government shutdown, for one major reason: Congress has failed to do its job. Let's do our job tonight, and get this substitute passed and on to the President for his signature. We have so far been able to move only a few appropriations bills to the President this year, and even many of those Republicans in Congress knew would be vetoed.

Let us for a change keep the interests of the American people in mind, get this substitute bill signed into law, and then begin a full and robust debate on the real budget, which slashes Medicare and Medicaid in order to pay for massive tax breaks for Americans wealthiest citizens, starting tomorrow.

I look forward to that debate. I do not believe the extremist proposals put forward by Speaker GINGRICH and his band of merry followers in the House are America's priorities. I do not believe similar proposals contained in the Senate-passed version of the budget bill were America's priorities. I believe this debate, and the elections next year, will bear that out. I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. EXON. Mr. President, I will yield the remainder of our time in a moment to the Senator from California.

I simply thank the chairman of the Budget Committee for finally, at long last, giving us the figures that he has been working on now behind closed doors for weeks, months, if not years, to arrive here—not all day, less than an hour or two ago. We have not had a chance to look at it. But at least tomorrow we will proceed to a debate on this.

I appreciate his giving us the information at least a few hours in advance of the major debate.

I yield the remainder of my time to my colleague from California.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, anyone who believes the Republicans want to protect Medicare just must be living on another planet. I have to tell you. You go back through history, you will see who voted in Medicare. It was the Democrats.

I listened to NEWT GINGRICH from a couple of weeks ago. He wants Medicare to wither on the vine. The majority leader bragged to a group that he led the charge against Medicare.

So, do not be fooled. If they support Medicare, they ought to now support the Daschle resolution. It says balance the budget in 7 years, but protect Medicare and keep the tax cuts for those earning under \$100,000.

They keep saying they love Medicare. They keep saying they want to protect Medicare. They keep saying they want to balance the budget in 7 years. They keep saying they care about the middle class.

This is the moment of truth. Let us come together. I serve on the Budget Committee. I offered some amendments that passed to keep the tax cuts for people earning under \$100,000. We all said we were for Medicare.

What does the Daschle resolution simply say? It simply says we will balance the budget in 7 years, and at the same time we will not use those tax cuts. We will not use the cuts in Medicare to fund those tax cuts.

It is a wonderful and should be a bipartisan effort.

The PRESIDING OFFICER. The Senator's time has expired.

Mrs. BOXER. The Wall Street Journal said the assumptions are wrong. I hope we will support Senator DASCHLE.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I want to leave the floor. I believe the majority leader is en route. He wants to speak for 3 minutes or so. But let me have a few closing remarks.

I say to the Democrats on the other side who have voted to balance the budget in 7 years—and there are 19—I say to them that they ought to vote this down and vote for the Republican resolution which will put the Government back to work and does nothing

more than what they have been for. It says during this Congress we will pass the balanced budget amendment. It will be a 7-year budget, and it will use the economics that they used heretofore in their own approaches.

So I ask them to be consistent tonight, and tonight not join with the demagogry of just because it is Republican we can sell the American people that it is anti-senior citizen, that it is anti-poor people.

Let me repeat. The Social Security trust fund will be solvent under this proposal for 15 to 17 years and not one penny of the savings in any part of Medicare will go to tax cuts. It goes into a trust fund for the seniors of America.

Now, you will not hear that tomorrow, and you do not hear that tonight. But we care about senior citizens, and we want their fund solvent.

We also care about little kids, and maybe we even care more about children that have not been born. And the truth of the matter is, if you listen to that side of the aisle, money grows on trees.

It does not grow on trees. Somebody pays for it. If we do not change things, Mr. President, lo and behold, the money tree will be without money and the children not born will be paying up to 80 percent of their earnings for our bills.

What a wonderful life they will have and how thrilled they will be at the adult leadership of this decade. They will look at us and say: Who were they kidding as they ran around trying to scare seniors while they put America into a bankrupt position where we did not have enough money to pay, so we borrowed it. We were not around when it was paid back so our children and grandchildren have to do it.

Now, I stand pretty proud that after all these years we are on the brink of passing a real balanced budget. But I do not say that the President of the United States must accept that. I say he ought to accept only one thing and so should they, and that is, let us balance this budget. We do not know whose way yet. Maybe half the President's way, half our way. But let us commit ourselves to that, and then let us open Government and let our people go back to work.

How much time do I have remaining?

The PRESIDING OFFICER. The Senator has 1 minute, 50 seconds.

Mr. DOMENICI. Let me close this then, Mr. President.

I remain thoroughly amazed at the President of the United States and his continual day-by-day arguments that the Republicans in the Congress are busy about doing all kinds of actions that will hurt people when we have not seen a balanced budget from him. We have seen everything from a commitment to 5 years, to one that said maybe 10 years, to one with a whole batch of new economics that said maybe 8 years, and yet even tonight he says he will not sign anything that will

harm Americans, that will harm seniors, that will hurt the poor, and yet he tells them, I am for a balanced budget.

It just does not ring true. What would ring true would be a very simple gesture when we send this bill to him if he signed it and if the very next day he set up a team and said, let us get this going.

I do not know which budget is coming out of it. I do not know whose priorities will prevail because, after all, the Congress is Republican and the President is Democrat. But we assume in those meetings we would all be Americans. But we cannot go there not knowing where we are supposed to end up. We cannot just say it will all come out all right. We have been at it for years. It has not come out all right. We have had all kinds of meetings. It has not come out all right.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. DOMENICI. I yield the floor.

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER. The Democratic leader.

Mr. DASCHLE. Mr. President, I will use my leader time for as much time as I may consume.

I did not hear all of the remarks of the distinguished Senator from New Mexico, but let me respond to what I did hear.

I know that the Senator from New Mexico has had the opportunity to serve under many Presidents, and he has seen Republicans and Democrats in the White House. He knows what the record is for the 1980's and early 1990's. Frankly, I think there is a difference between talking and doing.

We heard a lot of talk in the 1980's about the importance of a balanced budget, but the fact is we rolled up a deficit five times what we had prior to the time a Republican President took office in 1981—five times, from \$800 billion now to almost \$6 trillion. So there is a difference between talking and doing.

The Senator from New Mexico did not mention that the United States has the lowest deficit of any country on a per GNP basis, any industrialized country except Norway. We are lower now than every other country. Why? Because the President showed some courage, showed some leadership, was able to convince the Congress in 1993 to take the single biggest step toward deficit reduction that we have seen in decades.

And what happened? We have the best economic growth. We put 7.5 million people to work. We have actually seen a downward trend in the deficit now for 3 years running. That has not happened since the 1940's. So I hope everyone understands what the record is here.

This amendment says we want to continue building on what the President has done for the last 3 years. We recognize that we have to go further. We recognize the job has not been finished. We recognize that we have to set

a time certain, and if you want to insist on 7 years, we have no problem with that necessarily. But we also want to recognize that the fundamental investments that this country has made in better health, in better economic opportunities be protected.

That is all we are saying; that it is not an either/or; that we can balance the budget, but we do not have to do it on the backs of senior citizens who need health care. And if we are going to do a tax cut, we do not have to give it to those who do not need it.

That is really what this amendment is saying. We want to balance the budget. We want to continue to work with our Republican colleagues, even though we did not get much help in 1993 when we committed to that plan. We want to make it work now. But we also strongly believe that it is important to commit to the kind of protection, the kind of security, the kind of opportunity that American people now have had since 1965.

This amendment is very simple, and, frankly, I do not know how people could vote against it. If you support a 7-year budget and if you support this concept of not using Medicare to pay for a tax cut, and if you support tax cuts but recognize the need to ensure some economic equity, then you will want to support this amendment.

I yield the floor.

Mr. DOMENICI. 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. DOMENICI. 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. DOMENICI. Mr. President, I move to table and 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.

The PRESIDING OFFICER. The question occurs on agreeing to the motion to lay on the table amendment No. 3057. The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

Mr. FORD. I announce that the Senator from New York [Mr. MOYNIHAN] and the Senator from Georgia [Mr. NUNN] are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 52 nays 45 as follows:

[Rollcall Vote No. 580 Leg.]

#### YEAS—52

Abraham	Chafee	DeWine
Ashcroft	Coats	Dole
Bennett	Cochran	Domenici
Bond	Cohen	Faircloth
Brown	Coverdell	Frist
Burns	Craig	Gorton
Campbell	D'Amato	Gramm

Grams	Kyl	Shelby
Grassley	Lott	Simpson
Gregg	Lugar	Smith
Hatch	Mack	Snowe
Hatfield	McCain	Stevens
Helms	McConnell	Thomas
Hutchison	Murkowski	Thompson
Inhofe	Nickles	Thurmond
Jeffords	Pressler	Warner
Kassebaum	Roth	
Kempthorne	Santorum	

#### NAYS—45

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

#### NOT VOTING—2

Moynihan

Nunn

So the motion to lay on the table the amendment (No. 3057) was agreed to.

Mr. DOMENICI. Mr. President, I move to reconsider the vote.

Mr. ABRAHAM. Mr. President, I move to lay it on the table.

The motion to lay on the table was agreed to.

Mr. FEINGOLD. Mr. President, I am voting for the House-passed continuing resolution. As we have debated this measure throughout the day, I supported various amendments which have been proposed which I think were perfectly reasonable, but now the question is whether to vote for or against this continuing resolution. The fatal flaws in the previous version have been removed. Thanks to the President's resolve, Medicare beneficiaries do not face a Medicare premium increase, and I hope and expect the President will continue to persevere with regard to the extremist reconciliation bill, which contains even greater increases for Medicare beneficiaries.

Balancing the Federal budget has been my priority since first coming to the Senate, and this resolution commits us to a legislative approach to reaching that goal by 2002. I ran on that issue. I proposed an 82-plus point plan with specific, balanced cuts to achieve a balanced budget in 5 years, and I was proud to support the President's \$600 billion deficit reduction package during the 103d Congress, a package that contained many of the provisions I included in my own plan.

I have also been proud to participate in other deficit reduction efforts, including the bipartisan proposal put together by Senator KERREY (D-Nebraska) and Senator BROWN (R-Colo- rado), and the package developed under the leadership of Senator KERRY (D-Massachusetts).

To me, the language in this continuing resolution means no more and no less than a commitment to achieving a balanced budget by 2002 and it does so without mangling our Constitution. It does not endorse in any way the ex-

tremist reconciliation plan that will be before us shortly, a plan which is not based on the goal of a balanced budget but on the reckless, politically self-serving desire of providing a fiscally irresponsible tax cut—tax cuts apparently scheduled to be mailed to voters only days before the 1996 elections.

I firmly believe there is significant bipartisan support in the Senate for a responsible budget measure that achieves a balanced budget in 7 years, or even sooner. Such a plan would reject the reckless \$245 billion tax cut, make prudent reforms to our Medicare and Medicaid Programs, and would ask all areas of Federal spending to share in the burden of deficit reduction, including our military, and the special interests that benefit from the massive spending done through the Tax Code.

That is the formula for a budget plan that cannot only be enacted into law, but can be sustained over the entire lifetime of the glidepath to a balanced budget. It is very much like the alternative budget plan I supported that was offered by Senator CONRAD (D-North Dakota) during the budget resolution debate last spring, and is a budget I believe the President would sign. I hope we can soon begin to work toward such a budget.

Mr. ROBB. Mr. President, I rise to announce how I will vote on the pending continuing resolution—and why.

Earlier today I voted for the Democratic "clean" continuing resolution because I believe that is the appropriate way to authorize the continued operation of the government, even though I have long supported the 7-year commitment to balance the budget using CBO numbers. The Republican Majority opposed that amendment, and it was defeated, despite the fact that the lapse in agency spending authority was caused by the failure of Congress to pass the 13 appropriations bills on time.

I also voted for the Democratic substitute which would have required a unified balanced budget in 7 years while assuring that Medicare and Medicaid would not be cut to pay for tax breaks and any tax cuts would go only to families making under \$100,000. I supported this amendment even though I have said repeatedly that I do not believe we should pass any new tax cuts at all, no matter how well targeted, until we actually achieve a balanced budget.

But that amendment met the same fate as the first Democratic substitute.

I voted as I did on these Democratic substitutes because I could do so in good faith—and because I wanted to support the President and the minority leader.

But the question before us now is whether to vote for or against a continuing resolution that would end this indefensible partial shutdown of the Federal Government, which has created unnecessary uncertainty for hundreds of thousands of blameless federal workers, generated hardship for countless Americans, disrupted many local

economies, and further eroded confidence in our government and its leaders.

I have always said that achieving fiscal discipline would present tough choices. And this vote presents one of these tough choices. I take the minority leader's opposition to this resolution and the President's expected veto very seriously. I would like to continue to support them tonight as I have on so many other occasions. But fiscal responsibility is at the very core of everything I have ever stood for as a public official. And the conditions attached to this pending resolution incorporate precisely the advice I have urged both privately and publicly.

To be sure, it was Congress that precipitated this government shutdown by failing to pass appropriations bills on time. And it then exacerbated the problem by challenging the President of the United States, a President whom I know for a fact has been fully prepared to negotiate seriously on spending priorities for a long time.

And none of this had to happen.

Even though this situation could—and should—have been avoided, emotions are raw today. Too many American families have suffered needless disruption and uncertainty. Too many hardworking federal employees have been held hostage by our actions and denigrated as non-essential, which diminishes the value of their labor and their service to their country. So while I continue to support the position of the President and many of my Democratic colleagues that a "clean" resolution is the appropriate way to proceed, I cannot in good conscience vote against a measure that reflects the kind of fiscal restraint I believe is necessary and would end the protracted agony of so many of the people I represent.

Mr. DOLE. We are now ready for final passage. I wonder if we might get an agreement on debate on final passage. Maybe 30 minutes equally divided, or we could vote and everybody could talk.

By popular demand we will vote. 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.

The PRESIDING OFFICER. The clerk will read the joint resolution for the third time.

The joint resolution (H.J. Res. 122) was ordered to a third reading, and was read the third time.

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, Shall the joint resolution pass?

The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. FORD. I announce that the Senator from New York [Mr. MOYNIHAN] and the Senator from Georgia [Mr. NUNN] are necessarily absent.

The PRESIDING OFFICER (Mr. ASHCROFT). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 60, nays 37, as follows:

[Rollcall Vote No. 581 Leg.]

#### YEAS—60

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

#### NAYS—37

Akaka	Ford	Leahy
Biden	Glenn	Levin
Bingaman	Graham	Lieberman
Boxer	Harkin	Mikulski
Breaux	Heflin	Murray
Bryan	Hollings	Pell
Bumpers	Inouye	Pryor
Byrd	Johnston	Reid
Conrad	Kennedy	Rockefeller
Daschle	Kerrey	Sarbanes
Dodd	Kerry	Wellstone
Dorgan	Kohl	
Exon	Lautenberg	

#### NOT VOTING—2

Moynihan Nunn

So the joint resolution (H.J. Res. 122) was passed.

Mr. DOLE. Mr. President, I move to reconsider the vote by which the joint resolution was passed.

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

The motion to lay on the table was agreed to.

#### CHANGE OF VOTE

Mr. DODD. Mr. President, I ask unanimous consent that on the previous vote on the motion to table by the Senator from New Mexico—I was recorded as voting "aye"—that my vote be recorded as "no."

That will not change the outcome of the vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

(The foregoing tally has been changed to reflect the above order.)

#### TRIBUTE TO JAN MUIRHEAD

Mr. FRIST. Mr. President, I rise today to commend Jan Muirhead, a fellow Tennessean and a former colleague, for her continuing dedication and commitment to serving others. A cardiovascular clinical nurse specialist and coordinator at the Vanderbilt University Medical Center Heart and Lung Transplant Program, Jan has devoted countless hours and a lifetime of energy to her patients.

These patients of all ages came to Vanderbilt knowing that their future literally depends on the availability of

a compatible and transplantable heart or lung. They knew if that heart or lung is found, they would surely face a difficult operation and a long recovery. But they also knew that Jan Muirhead was there with them through every step—she has been their nurse, their teacher, their supporter, their counselor, and most of all, their friend.

Mr. President, my friend Jan Muirhead is a native of Memphis, TN. The daughter of a prominent pathologist, helping others is in her blood, in her heart, and in her soul.

Jan has been the anchor for the Heart and Lung Transplant Program at Vanderbilt since its inception in 1985, but her career in public service began years before, in 1975, when she graduated with a bachelor of science in nursing from the University of Kentucky. After graduation, she worked as a staff nurse in Vanderbilt's neonatal intensive care unit and in the surgical intensive care unit. She later joined the department of cardiac and thoracic surgery to work with Dr. Harvey Bender. In 1983, Jan moved to Seattle to get her master's degree in nursing from the University of Washington, where she was awarded the CIBA-GEIGY Award for the outstanding cardiovascular nursing pathway master's student.

After completing her degree at the University of Washington, Jan Muirhead returned to Vanderbilt University Medical Center, where she and Dr. Walter Merrill established the heart transplant program. I joined the program 1 year later, and over the subsequent 8 years had the pleasure and the privilege of working daily with Jan. During that time, I witnessed first-hand her tireless energy, her commitment to others, her enthusiasm for her job, her selfless devotion, and above all, the warmth and dedication she showed to the thousands of patients whose lives she touched.

She recently earned certification as an adult nurse practitioner from Vanderbilt's school of nursing—yet another sign of her continuing commitment to providing the best quality care and the most up-to-date advice. In fact, patient education is one of the most important services Jan provides for patients at Vanderbilt. When a transplant patient is admitted to the medical center, Jan sits down with them, discusses their medical condition, explains how donors are matched, and provides details of the surgical procedure they will undergo when that match is found. She diligently directed the entire postoperative course for the transplant patient. The thought of undergoing transplant surgery and enduring a tough recovery is very scary, but for years, Jan has calmed patients' fears.

Mr. President, Jan Muirhead has also been honored by her colleagues. In 1991, she received the Nursing Research Award in Paris, France, from the International Society for Heart and Lung Transplantation. She has served as secretary and a member of the board of