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Senate

(Legislative day of Monday, January 30, 1995)

The Senate met at 9:15 a.m., on the expiration of the recess, and was called to order by the President pro tempore [Mr. THURMOND].

The PRESIDENT pro tempore. Today's prayer will be offered by our guest Chaplain, Rabbi Joshua O. Haberman, of the Washington Hebrew Congregation.

PRAYER

The guest Chaplain, the Rabbi Joshua O. Haberman, offered the following prayer:

Let us pray:

Creator of all the world: Thou who has set limits to the forces of nature to keep all things in balance, help us to cope with the forces of human nature. Help us distinguish the line between right and wrong; between the interest of some and the welfare of many; between instant gain and the larger, lasting good of future years.

Lead us by Thy justice to enact just laws and by Thy mercy to lift up the fallen.

We thank Thee for all men and women who are faithful to their public trust. May they keep America free, strong, and righteous. May the Lord grant strength unto His people. May the Lord bless His people with peace. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The acting majority leader is recognized.

SCHEDULE

Mr. GORTON. Mr. President, this morning the time for the two leaders has been reserved, and there will now be a period for the transaction of morning business until the hour of 9:30 a.m., with Senators permitted to speak for up to 5 minutes each, and with Senator LAUTENBERG to speak for up to 15 minutes.

At the hour of 9:30, the Senate will resume consideration of House Joint Resolution 1, the constitutional balanced budget amendment and the pending amendments thereto.

Under the order entered last night, debate between the hours of 9:30 and 11:30 will be equally divided between the two leaders or their designees. At the hour of 11:30 a.m., Senator DASCHLE will be recognized for 15 minutes, to be followed by Senator DOLE for 15 minutes. At 12 noon today, the majority leader will make a motion to table the Daschle motion to recommit, so all Senators should be aware that there will be a rollcall vote at noon today.

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

The PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business.

THE BALANCED BUDGET AMENDMENT

Mr. PELL. Mr. President, the balanced budget amendment is certainly an appealing idea. I can understand why many believe that it is a necessary procedural reform to ensure fiscal responsibility. I voted for the concept in 1986 when there seemed to be a lack of shared political will, between Congress and the Executive, to impose discipline.

Last year, it seemed to me that the atmosphere had improved dramatically, and I opposed the balanced budget amendment because of the substantial and significant strides which the Clinton administration was then making, and continued to make, to curb expenditures and reduce the deficit.

Now, things appear even more promising for the imposition of fiscal restraint. The new congressional majority has made it a primary objective, and the President remains committed to the idea of smaller and leaner government, although I might add parenthetically that I wish his 1996 budget would have gone a bit further than it does in this direction.

But I am not yet convinced that this apparent convergence of political will power should result in a constitutional amendment that dictates procedure for all time to come.

For one thing, I, like many of my colleagues want to see where it will lead in the immediate future. I want to know the full consequences of a 7-year plan to bring revenues and expenditures into balance.

In particular, I want to know the impact on programs in which I have a deep and abiding interest as a legislator—education programs, foreign aid, support for the United Nations, and support for the arts and humanities.

And I especially need to know if the cumulative loss of Federal aid to the State of Rhode Island over the 7-year period ending in 2002 could indeed be nearly \$1.8 billion as has been predicated, and, if so, how will my small State adjust to such a massive change.

For all of these reasons I joined in cosponsoring the right-to-know amendment offered by our distinguished minority leader, Senator DASCHLE. We not only have a right to know, we have a responsibility to ask.

But even if we succeed in getting all the right answers I still am not sure

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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the case will be made for amending the Constitution.

I am troubled by the reservations which have been expressed—economic, fiscal, and constitutional—as we look more closely beneath the attractive surface of the proposed amendment.

I wonder about the economic impact of rapid withdrawal of some \$1.6 trillion in Federal spending in the arbitrary timeframe of the next 7 years. Some have warned that the resulting fiscal drag could virtually wreck the economy, especially if it should coincide with high interest rates or a recession.

I wonder too about the rigid annual requirement for balance in each fiscal year. Some have called it ritualistic in its disregard for the more random vagaries of economic cycles, precluding the timely operation of automatic stabilizers such as unemployment insurance during downswings when tax receipts may be on the decline.

And on the other side of the ledger, I wonder if the ritual requirement to balance might deter the accumulation of budget surpluses in good years, since the pending amendment might tend to promote unreasoning tax slashes when such opportunities arise.

I wonder if this constitutional amendment will be any more immune to evasion and accounting chicanery than other attempts to put the political process in a straightjacket. I think of the experience of my own State of Rhode Island where, in order to comply with a constitutional mandate and to take advantage of independent financing authority, various categories of expenditures simply have been moved off budget to a number of commissions and authorities.

And finally, Mr. President, I wonder about the wisdom of using our Constitution for the purpose of imposing accounting rules. Will this amendment still be relevant a century from now in the light of now-unforeseen developments in technology, medical science, space exploration, demographic changes, and all intervening natural disasters and climatic variations?

From the perspective of 2095, it may appear rather anomalous that the U.S. Senate spent much of the month of February 1995 trying to mandate for all time that our books should be balanced, down to the last dollar and cent, at the end of each 12-month period.

Having said that, Mr. President, I would only add that if this amendment is not approved, there will be a great burden on us all to get to work with a minimum of recrimination to produce the general result which would have been mandated; namely, a progressive reduction in Government spending and a corresponding alleviation of debt, hopefully at a more measured pace and without resort to troublesome arbitrary time constraints. I pledge my support to the effort.

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

The PRESIDING OFFICER. Does the Senator from Rhode Island withhold his request?

Mr. PELL. Mr. President, I withhold my request.

Mr. BREAUX. Mr. President, are we still in morning business?

The PRESIDING OFFICER. The Senate is conducting morning business until 9:30.

URGE ADOPTION OF RIGHT-TO-KNOW AMENDMENT

Mr. BREAUX. Mr. President, I thank the Chair.

I would like to use just a couple of minutes in morning business to comment on a very important vote that the Senate will engage in, sometime around noon today. That is on the motion which I guess will be made to table the right-to-know amendment or to send it back to committee, and why I think it is very important that this body adopt a right-to-know amendment so that the people back in the respective States, when their legislators have to vote on this very important balanced budget amendment, will know what they are voting on.

I support a balanced budget amendment. I have supported it in the past. I have voted for it in the past. I hope to be able to vote for it again.

The thing that really concerns me is that we would expect that someone who proposes a balanced budget amendment, like our colleagues on the other side of the aisle, one would expect if they propose this, they would have an idea about how they will do it; that they have a plan that allows them to get, in the year 2002, to a balanced budget. Surely, they are not just proposing a balanced budget amendment without any plan, or without any idea as to how they are going to get there.

I have not seen the plan. That is what I think the American people are entitled to. Is there a secret plan on how to balance the budget that they do not want to share with the American people, that they do not want to share with the Governors of the respective States who will have to live by it, as well as us? Is there a secret plan they do not want to tell the members of the legislatures about, because if they see it, it may be so devastating they will not vote for it? Is there a secret plan to reach the year 2002 that cuts Social Security, slashes spending on Medicare, health programs for the elderly? Is there a secret plan, for instance, which wipes out State highway programs?

I do not know. I do not think anybody knows. Surely those who propose a balanced budget must have in their heads an idea of how to get there. The only thing that we are suggesting is that before we send the balanced budget amendment to the States and say, "Vote on it," that we share with them the secret plan. If there is a plan that proposes how we get there, let Members see it.

What is wrong with it? If the balanced budget amendment is a good

thing, and I think it is, certainly how we get to that balanced budget is something that is equally important. It may be that there is a golden secret plan that does not cut defense, that does not have any tax increases, that does not cut Social Security, that does not cut Medicare, that does not cut highway programs, and yet gets to a balanced budget by the year 2002. If there is such a plan, let me see it. Let me show it to the States so that when they vote on it they will know exactly what they are voting on.

I think the bottom line, Mr. President and my colleagues, is that the American people not only have a right to know, but in the real world, they have a need to know. I want my legislators in Louisiana, when they vote on this balanced budget, to say, "Now we know how it will be achieved. Here is what we have to do as a State in order to make it work."

This is a partnership, I say to my colleagues. We are not doing this by ourselves. This is a partnership arrangement between the Congress, the Federal Government, and the States. We all will have to share in it. Maybe States will have to increase taxes. It might be they will have to slash State programs that the Federal Government cannot assist, as in the past, with many of these programs. But the bottom line is that the only protection the American people have is the right to know what we are talking about.

I will say, once again, that surely the people who have proposed a balanced budget have a plan. It should not be a secret plan, it should be a public plan. The only thing that we are asking is that it should be made part of this effort so that when the States are called upon to act on this, they will be able to do it intelligently, and not have to do it in the dark.

WAS CONGRESS IRRESPONSIBLE? THE VOTERS HAVE SAID YES

Mr. HELMS. Mr. President, anyone even remotely familiar with the U.S. Constitution knows that no President can spend a dime of Federal tax money that has not first been authorized and appropriated by Congress—both the House of Representatives and the U.S. Senate.

So when you hear a politician or an editor or a commentator declare that "Reagan ran up the Federal debt" or that "Bush ran it up, bear in mind that the Founding Fathers made it very clear that it is the constitutional duty of Congress to control Federal spending.

The fiscal irresponsibility of Congress has created a Federal debt which stood at \$4,806,972,690,433.20 as of the close of business Tuesday, February 7. Averaged out, every man, woman, and child in America owes a share of this massive debt, and that per capita share is \$18,247.10.