

fight to protect this cherished annual Minnesota event.

The divergence in our two views apparently comes down to this: The junior Senator from Texas apparently believes that the U.S. Fish and Wildlife Service's annual rulemaking process required by current law to open the hunt fits under some exclusion in S. 219 for routine administrative matters. I see no such exclusion.

Presumably, the language in S. 219 that my colleague thinks exempts the annual migratory bird hunting rulemaking from the strictures of the moratorium is found in the section which excludes "any agency action that the head of the agency certifies is limited to repealing, narrowing, or streamlining a rule, regulation, or administrative process, * * * or otherwise reducing regulatory burdens * * *." Clearly, the duck hunting rulemaking does not "repeal[], narrow[], or streamlin[e] * * * [an] administrative process." In my view, reading this language to exempt the duck hunting rulemaking is forced, at best.

I might point out that my colleague is from a southern State, where the normal duck hunting season opens later than it does in Minnesota. If the Fish and Wildlife Service's estimated best-case scenario proves correct, S. 219 would serve to delay the necessary rulemaking, and thus the opening of the season in Minnesota, by no less than 30 days. Since Minnesotans do the majority of their hunting at the local shoot early in the season—beginning around the beginning of October—before the local ducks fly south, such a delay would effectively cancel this part of the season. On the other hand, in Texas the regular duck season opens in mid-to-late November. Therefore, the Texas season may not be as affected by the delay in the rulemaking process.

If S. 219 becomes law without being changed to clearly exempt the 1995 duck hunting rulemaking from the moratorium, here is a possible—perhaps even likely—scenario: The Fish and Wildlife Service proceeds, as it has been, with rulemaking action to open the 1995 season on time. Somebody opposed to duck hunting sues to stop the hunt—that's right, the moratorium bill also allows lawsuits for people adversely affected by an agency violation of the moratorium. The whole thing winds up in court.

Yesterday, I introduced a bill to protect the 1995 hunting season from S. 219's moratorium provision. If the sponsors of S. 219 do not mean to threaten the 1995 duck hunt, then why don't they come on board my bill? I say S. 219 is perfectly clear—it would negatively impact the 1995 season in Minnesota.

So I challenge the sponsors of S. 219 to ask the Governmental Affairs Committee to adopt explicit language exempting the 1995 duck hunting season rulemaking from the moratorium. The language of my bill would do that nicely. If they would just fix the problem

they created in the moratorium bill, then this whole issue would go away. If it is not the intent of the sponsors of S. 219 to impact the 1995 duck hunting season, then surely they should have no objection to my request.

WAS CONGRESS IRRESPONSIBLE? THE VOTERS HAVE SAID YES!

Mr. HELMS. Mr. President, for nearly 3 years I have reported to the Senate the exact total of the Federal debt as of the close of business the previous day.

This debt has been run up by the liberal big-spenders in Congress.

Mr. President, as of the close of business yesterday, Wednesday, February 22, the Federal debt stood at exactly \$4,835,998,510,879.83, meaning that on a per capita basis, every man, woman, and child in America owes \$18,357.53 as his or her share of the Federal debt.

Mr. President, a little over 2 years ago—January 5, 1993—the debt stood at \$4,167,872,986,583.67—\$15,986.56 for every American. During the 103d Congress the Federal debt increased by more than \$6 billion.

The point is that so many politicians talk a good game at home about bringing the Federal debt under control, but support bloated spending bills when they get back to Washington.

TRIBUTE TO FRED DALLIMORE

Mr. REID. Mr. President, it gives me great pleasure to pay tribute, today, to a native son of Nevada, Fred Dallimore. Fred is completing his 26th year, as a baseball coach, at the University of Nevada, Las Vegas. He has served as the head coach for the last 22 years. His career is a distinguished one. Under his guidance, UNLV has made 6 NCAA appearances and has had 16 winning seasons. The 728 career victories he has attained ranks him 36th among the NCAA all-time winningest division I coaches. More than 80 young men, coached by Fred, have advanced to professional baseball. Several have made it to the major leagues including the San Francisco Giants, Matt Williams, a Nevadan from Carson City.

Fred's success at UNLV is the result of dedication, loyalty, and a lot of hard work. Over the years it was not unusual to see Fred out on Roger Barnson Field mowing the grass, dragging and watering the field, and performing every duty necessary to prepare the field for practice and games. The brand new Earl E. Wilson Baseball Stadium at Barnson Field is a state-of-the-art facility made possible by a gift from the Wilson estate. It is also the culmination of a dream come true for Fred.

Fred comes from a long line of native Nevadans. He was born in Reno, NV on October 21, 1944. He attended Reno High School where he was an all around athlete lettering in football and baseball. An All State pitcher, in his senior year, he led Reno to the State AAA

baseball championship. During his 4 years at the University of Nevada, Reno he earned All West Coast and All Far West honors as a left handed pitcher. His 11-1 record his senior year earned him All American honors as chosen by the American Association of Collegiate Baseball Coaches, Player of the Year, as selected by the San Francisco Examiner and the Sierra Nevada Sportswriters and Broadcaster Athlete of the Year. The University of Nevada, Reno honored him in 1982 by inducting him into the UNR Athletic Hall of Fame. In 1994 UNLV honored him by inducting his 1980 baseball team into the UNLV Athletic Hall of Fame.

Fred and his wife Alice are the proud parents of two children, Jamie and Brian.

Fred is a husband, father, teacher, and coach. I am proud to have him as a friend.

COMMENDING THE CENTENNIAL OF THE CHIROPRACTIC PROFESSION

Mr. BRYAN. Mr. President, I rise today to recognize the chiropractic profession which was founded on September 18, 1895, and is celebrating 100 years of providing chiropractic services to Americans across the country.

The chiropractic profession was founded in Davenport, IA, when the first chiropractic adjustment was performed in an office building on a janitor named Harvey Lillard. One hundred years later, the chiropractic profession is now recognized by Congress which included chiropractic care under Medicare and authorized the commissioning of chiropractors as officers in the military.

Today, the chiropractic profession is practiced by doctors throughout the world, including 50,000 chiropractic physicians throughout the United States. As the number of chiropractors continues to grow, so do the standards in chiropractic education, research, and practice. This has led to broadening acceptance of the benefits of chiropractic health care by the public and the health care community.

According to health care experts, as many as 80 percent of Americans will suffer back pain at some point in their lives. Low back problems are the most common health complaints experienced by working Americans today. For this reason, every year millions of Americans choose chiropractic health care for the restoration and maintenance of their health. For many who suffer from pain, chiropractic care is a natural method of alleviation that does not require the use of drugs or surgery. Chiropractors around the country have made and continue to make a significant contribution to the health and welfare of many people whose lives would not be the same without their services.

On March 18, members of the chiropractic profession will gather in Las

Vegas to honor those dedicated to enhancing the quality of life for many people in the Silver State. I would like to extend my thanks and appreciation to the devoted professionals involved in this occupation for their commitment and service. Chiropractors have made many Nevadans' lives better through their practice.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

BALANCED BUDGET AMENDMENT TO THE CONSTITUTION.

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of House Joint Resolution 1, which the clerk will report.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 1) proposing a balanced budget amendment to the Constitution of the United States.

The Senate resumed consideration of the joint resolution.

Mr. WELLSTONE. Mr. President, I know that my colleague, Senator KERREY from Nebraska, has come to the floor to speak.

I ask unanimous consent that, after he speaks, it then be in order to call up a motion.

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

Mr. WELLSTONE. I thank the Chair.

Mr. KERREY addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. KERREY. Mr. President, this debate is about amending the U.S. Constitution. If we approve the proposal as offered by the distinguished Senator from Utah and others—as the House already has—it will be up to the States of this country to ratify or reject what would become the 28th constitutional change in 206 years.

The Constitution of the United States represents the greatest democratic achievement in the history of human civilization. It—and the self-evident truths which are its bases—has guided the decisions and the heroic sacrifices of Americans for two centuries. Its precepts are the guiding light and have been a shining beacon of hope for millions across the globe who hunger for the freedoms that democracy guarantees. It has served not only us, it has served the world, as well.

It is not, Mr. President, a document, therefore, to be amended lightly. Indeed, my strongest objection to this proposal is that it does not belong in our Constitution; it belongs in our law.

In addition to this argument, I also intend to suggest that the political will to enact changes in law to balance our budget—which was missing from many previous Congresses—now appears to be here.

In fact, I wish the time taken to debate this change in our Constitution

was instead spent debating the changes needed in the statutes that dictate current and future spending. This does not mean, Mr. President, I agree with those who have complained about the length of time we have spent on this proposal. This complaint is without merit.

This great document should not be amended in a rush of passion. It is evident from the Constitution itself that its authors intended the process of amendment to be slow, difficult, and laborious. So difficult that it has been attempted with success only 17 times since the Bill of Rights. This document is not meant to be tampered with in a trivial fashion.

As I said, the proposed 28th amendment to the Constitution is intended to affect the behavior of America's congressional representatives. In that regard, it is unique. Except for the 25th amendment, which addresses the issue of transfer of power, other amendments affecting the behavior of all Americans by limiting the power of Government, protecting public freedoms, prohibiting the majority from encroaching on the rights of the minority or regulating the behavior of the States.

This would be the only amendment aimed at regulating the behavior of 535 Americans, who the amendment assumes are incapable of making the difficult decisions without the guidance of the Constitution's hand. That theory is grounded in the assumption that Congress and the public lack the political will to balance the budget.

Specifically, the proposal contains 294 words. It would raise from a simple majority to three-fifths the vote necessary in Congress for deficit spending. It would set a goal of balancing our budget by the year 2002.

The amendment empowers Congress to pass legislation detailing how to enforce that goal, but does not itself specify enforcement measures. The only answer to the question of what will happen if Congress and the President fail to balance the budget is that nobody knows. The only mechanism our country has for enforcing the Constitution is the courts. So the amendment's ambiguity prevents the serious possibility of protracted court battles which give unelected judiciary unwarranted control over budget policy.

The proponents of this amendment sincerely believe our Constitution needs to be changed in order to force Members of Congress to change their behavior, which supporters argue they will not do because they are afraid of offending the citizens who have sent them here in the first place. On that basis there is a long list of constitutional change they should propose, including campaign finance reform, lobbying reform, and term limits, just to name a few.

Mr. President, I support the goal of a balanced budget, and have fought and am fighting and will continue to fight to achieve it. However, desirability of a goal cannot become the only standard to which we hold constitutional

amendments. Constitutional amendments must meet a higher standard.

The Constitution and its 27 amendments express broadly our values as a Nation. The Constitution does not dictate specific policies, fiscal or otherwise. We attempted to use the Constitution for that purpose once, banning alcohol in the 18th amendment, and it proved to be a colossal failure. Fundamentally, we should amend the Constitution to make broad statements of national principle. And most importantly, Mr. President, we should amend the Constitution as an act of last resort when no other means are adequate to reach our goals.

We do so out of reverence for a document we have believed for two centuries should not be changed except in the most extraordinary circumstances. We have used constitutional amendments to express our preference as a Nation for the principles of free speech, the right to vote and the right of each individual to live free.

The question before Members today is whether the need for a balanced budget belongs in such distinguished company. While I oppose this amendment, Mr. President, I understand the arguments for it. I have had the privilege of serving here for 6 years and I am entering my seventh budget cycle as a consequence. Every time the President of either party, since I have been here, has sent a budget to this body it has been greeted with speeches and promises and rhetoric about the need to balance the budget. And each time, those speeches and promises and rhetoric have been greeted with votes in the opposite direction.

Many of those whose judgment I most respect in this body support this amendment, including the senior Senator from Nebraska, whose reputation as a budget cutter needs no expounding by me. I am sympathetic. Clearly something is wrong with a system which so consistently produces deficits so large.

The question for me is not whether something is wrong, but precisely, what is wrong? Do we run a massive deficit because something in the Constitution is broken? Were the Founding Fathers mistaken in assigning the elected representatives of the people the task of setting fiscal and budget policy? And is a constitutional amendment, as opposed to a statute requiring a balanced budget, the only workable solution? If the answers to these questions were yes, then a constitutional amendment in my judgment would be appropriate. But my answer in all three of these questions, is a resounding no.

If, on the other hand, the problem lies in the behavior of the 535 individuals whose actions produce the deficit, as opposed to the document that governs it, then a constitutional amendment is both an inappropriate and ineffective means for balancing the budget. If a simple statute rather than an