

real, fundamental principle is. The fundamental principle about the line-item veto is requiring of a two-thirds majority of both Houses to override a President's veto. Anything less than that is a sham and meaningless.

It is my understanding there is serious consideration being given on the other side of the aisle to a proposal which would require a majority vote in one House in order to override the President's veto. The American people will not be fooled by that facade. The American people will not be cajoled or deluded to believe that a majority vote in one House would be sufficient to override a Presidential veto. It only took a majority vote in one House to put the pork in to start with. What we are seeing here is a reluctance to take the issue head on, but to water it down so it is meaningless.

In the course of negotiations with my friends on this side and on that side, I accepted the separate enrollment. We looked at the expansion to entitlements. We looked at targeted tax benefits. And all of that is negotiable. It is not negotiable to the American people to dilute the two-thirds majority aspect of the line-item veto. Without that this is meaningless.

I understand there are various proposals being considered for an alternative suggested by the Democrats. I strongly recommend that whatever they propose does not drop the two-thirds majority. It is clear on this side of the aisle, because of the internal debate we went through, the overwhelming majority on this side of the aisle will stick to and adhere to a two-thirds majority in order for the President's veto to be overridden. That is the meaning of the word veto. That is what it all is about in the 43 States in America, where Governors have the line-item veto. We will accept nothing less.

If people on the other side of the aisle or anywhere support such a weakening of the line-item veto, I warn them: The American people will not be fooled.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

WASHINGTON POST STORY

Mr. DOLE. Mr. President, an article appeared in today's Washington Post with the catchy, but entirely misleading, headline "Dole Takes 180-Degree Turn on Affirmative Action."

I would like to take a few moments now to set the record straight.

If affirmative action means remedying proven past discrimination against individuals, then I am all for it.

If affirmative action means recruitment of qualified minorities and

women to give them an opportunity to compete, without guaranteeing the results of the competition, then I am for that too.

But if affirmative action means quotas, set-asides, and other preferences that favor individuals simply because they happen to belong to certain groups, then that is where I draw the line.

Of course, those who discriminate ought to be punished, and those individuals who are the victims of discrimination ought to be made whole. But you do not fix one problem by creating another. You don't cure discrimination with more discrimination. As I said when the Senate unanimously adopted the amendment that created the glass ceiling commission: "There is no right or correct number * * * and my opposition to quotas could not be stronger or more deeply felt."

That was during the debate which apparently the reporter did not check into.

Mr. President, I am proud of my civil rights record and I have never shied away from it. I supported the Civil Rights Act of 1964. The Voting Rights Act of 1965. The Americans With Disabilities Act. The compromise leading to the enactment of the Civil Rights Act of 1991.

However, my past record on civil rights does not, and should not, disqualify me from raising legitimate questions about the continuing effectiveness and fairness of affirmative action, particularly when the affirmative action label is used to describe quotas, set-asides and other preferences. In fact, it was precisely because of these questions that I asked the Congressional Research Service last December to prepare a list of all Federal preference laws and regulations.

And, after all, even President Clinton and the chairman of the Democratic Leadership Council are raising these same questions.

They understand, as I do, that no Federal program is writ in stone. And no Federal policy should be immune from congressional scrutiny.

This has been my position in the past. It is my position now. And it will be my position in the future.

If we cannot go back and look at some Executive order or some law that has been passed 5, 10, 15, or 25 years ago without some liberal reporter suggesting that somehow that is a change in position, then I think we are never going to accomplish anything. Things have changed. The programs have failed in some cases. In some cases, maybe they have worked properly. But we have a continuing obligation in the Congress of the United States, regardless of our part, to go back and take a look at programs or Executive orders, whatever it may be on the horizon, regulations that have been in place for a long time and maybe have served no useful purpose.

That is precisely what we intend to do. That is precisely what we will do.

Hearings will be held on a couple of these provisions, one by the distinguished Senator from Missouri, Senator BOND, and one of my other colleagues, the Senator from Kansas, Senator KASSEBAUM, relating to two programs that we think should be examined.

LINE-ITEM VETO

Mr. DOLE. Mr. President, on Monday we are going to move to the line-item veto. I want to congratulate Senators MCCAIN, COATS, DOMENICI, LOTT, STEVENS, and members of my staff and others who have been working trying to bring us together on the Republican side. I think now that we are in fair agreement on this side.

I want to congratulate my colleagues, particularly Senators MCCAIN and COATS, who have been at this year after year after year, for their efforts. They have not given up and they have stuck to it and have hung in there. Now we may be able to pass this legislation.

Just as we had the debate on the balanced budget amendment which lost because six of my colleagues on the other side, who voted for a balanced budget amendment 1 year, voted against the identical—or almost identical—bill the next year.

This line-item veto has the overwhelming support of the American people. It will receive the overwhelming support of Republicans on this side of the aisle. I know that this legislation is opposed by some and by many of my colleagues on the other side of the aisle. I know that they will do what they can within the rules to block passage.

But let me say that the line-item veto, in my view, is a little different than the constitutional amendment for a balanced budget. In the House, it passed by a vote 294 to 134. Strong bipartisan support. It has also been voted on a number of times in the Senate over the past years. We have had support from Republicans and Democrats, including Senator BIDEN, Senator EXON, Senator HEFLIN, Senator HOLLINGS, Senator KENNEDY, Senator LEAHY, Senator NUNN, and Senator PELL.

The bottom line is that here in the Senate a vote will be taken, and the American people will know where we stand. That is how this process works.

But will they know where President Clinton stands? That is the big question. Where does President Clinton stand?

For a long time, it was hard to tell where he stood on the balanced budget amendment. It was not until the final weeks of the debate that he finally did what he could to defeat the amendment, although he continued to say he understood why Americans so strongly supported it. About 80 percent supported it.

As a Governor and a candidate for President, he said on countless occasions that he supported the line-item veto. But lately, the President seems intent on opposing anything that comes out of the Republican Congress.

It is a right he has. It is a right he has, but I am not certain how he explains it to the American people or how he can say in one breath he supports the line-item veto and maybe in another breath say, "Oh, I have doubts about it."

So I guess if given the choice between passing something he has always supported, or denying Republicans a legislative victory, then the line-item veto will probably be sacrificed on the altar of politics.

If that happens, there is not much we can do about it on this side. As long as we furnish the votes to shut off debate—and I think we will have every vote on this side of the aisle, so we only need 6 out of 46.

So I think if the President truly supports the line-item veto, he should not wait any longer and let the American people know. I know he is struggling to be relevant in the process of things. But he can be relevant in this process. He does not have to stand in a schoolyard door or to some school lunch meeting to show how compassionate and how sensitive he is; or how he has, in effect, given up any effort to provide us any leadership in deficit reduction.

I hope the President would let our colleagues on both sides of the aisle know that he feels strongly about the line-item veto, just as strongly as he did when he was running for President and when he was Governor. If he does that, we will have a big, big bipartisan victory. And the President can certainly claim all the credit, he and my colleagues on the other side, and we will be happy to join with them in a celebration for the American people.

We debated this issue time after time after time. We have had hearings time after time after time.

So this is not going to be one of these 20-day procedures in the Senate. This is going to happen, if we can make it happen, next week. We have had plenty of debate on this issue. We do not need 300 amendments from the other side. We are going to do our best to shut off debate. We believe the American people expect us to shut off debate. They are frustrated, our colleagues are frustrated, and I know maybe even it is time the leader gets a little frustrated. Maybe the Democratic leader gets frustrated, too.

But I would just challenge the President. I would say:

Mr. President, you can do this today. You can make this so easy. This bill will disappear next week. It will pass with a big margin, if you really believe what you have been telling the American people you believe for the last 2 years. If you do not believe it, well, tell us that, too. But if you do believe it, Mr. President, now is the time to speak up. Do not wait until the last minute.

Do not wait until next Friday or next Thursday or next Wednesday. Do it this weekend. Make the American people feel good this weekend for a change. Let the American people know that you support what 75 to 80 percent of them support, to give you, Mr. President, not us, but to give you, the authority and the power, Mr. President, that if BOB DOLE or somebody sticks something in a bill that does not belong there, you could take it out.

We are giving the power to a Democratic President, a Republican Congress. Some say we ought to have our heads examined. But we are prepared to do that because we believe it is good policy. It is good policy.

If the Democrats do not trust their President, I cannot help that. If they do not trust a Democratic President, that is their problem.

We are prepared to trust President Clinton with this authority. And if we are defeated by Democrats in the Senate with a Democrat in the White House, that is going to be hard to explain. Now, some liberal media will figure out a way to do it, but not many. That is a hard one. I do not know how I would explain that. I would have to think about it a lot.

So, Mr. President, we are Republicans. We are prepared to give you this authority, but we are afraid, without your strong support, it is not going to happen.

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER. The Democratic leader.

LINE-ITEM VETO

Mr. DASCHLE. Mr. President, I had the opportunity to listen to the remarks made by the distinguished majority leader.

Let me say, I have just come from a meeting with the President—not about this issue, but another issue—and I do not think there is any question that the President is prepared today, tomorrow, or at any time to reiterate what he said all along. He supports the line-item veto. It is that simple. There is no question about it. We do not have to make this a political issue. We do not have to try to put words in his mouth. He does not need that. He can do that for himself. The fact is, President Clinton supports the line-item veto. Period.

The fact is, so do most Democrats. I have supported a line-item veto since coming to the Congress. I did 15 years ago and I do today. I always have. I believe that it is an important aspect of good legislating.

I recognize that 43 States have already done what we would like to do here. Forty-three States have already acknowledged that Governors ought to have an opportunity to review and send back for further review items in legislation. Regardless of how many times it takes, if a Governor, or a President for that matter, thinks that a line item ought to be reviewed, he ought to have

the right to send it back. That is the issue.

Line-item rescission, as it really is properly called in this case, is something an overwhelming majority of Democrats and Republicans support. The trouble is defining what it is we are referring to when we say line-item veto or line-item rescission. That is the issue.

I do not think there is any doubt that Democrats and Republicans could come together this afternoon and agree upon an approach, if you take our past positions and acknowledge that on the Republican as well as the Democratic side there is a consensus about the need for a line-item veto.

Unfortunately, what has happened over the course of the last several days, in spite of the fact that two bills were reported out of committee, in spite of the fact that there has been, as the distinguished majority leader said, a great deal of consideration given to the line-item veto in the past, there has been a backroom deal cut. In the closet somewhere, in the Cloakrooms or in the back rooms, some of our Republican colleagues have decided that whatever versions have been considered in the committees are not good enough; that they wanted to come up with a bill that we have not seen.

I remember so well the complaints raised last year by many of our colleagues on the other side about not having been consulted, about wanting our cooperation, but not having the opportunity to even see a draft of a health bill and, as a result, they said, they vehemently opposed many of the provisions in health bills that were offered time and again on the Senate floor. "We were not consulted," they said. "That is not a good legislative process," they said. "We ought to take the committee process and make it work," they said.

Well, they were making some arguments that, frankly, I shared. In fact, I thought we had consulted, but certainly not to their satisfaction in some cases.

But the point was made over and over that we simply had not reached out adequately to them and for that reason they were unwilling to cooperate with us.

Well, now I hear the majority leader and others say that they hope they can get Democrats to cooperate on this issue; that they can find a way to ensure that we get a number of Democrats to support this version of line-item veto that nobody has seen. It is a line-item veto proposal that, to the best of our knowledge, takes a good idea to the extreme, and, frankly, from a constitutional and a practical point of view, is much in need of consideration and review as we go through the next several days.

Mr. President, I think that just about every Democrat would like to support the bill that was offered originally by the chairman of the Budget Committee