

I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DASCHLE. 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 President, I ask unanimous consent that the order for the quorum call be rescinded.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. DASCHLE. Mr. President, I would like to use the remainder of my leader time for a statement unrelated to the pending legislation.

The PRESIDING OFFICER. The Senator has that right.

The Democratic leader is recognized.

Mr. DASCHLE. I thank the Chair.

(The remarks of Mr. DASCHLE pertaining to the introduction of S. 588 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. FORD addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

#### ORDER OF PROCEDURE

Mr. FORD. Mr. President, I ask unanimous consent that I might proceed for 3 minutes as if in morning business.

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

#### THE RETIREMENT ANNOUNCEMENT OF SENATOR JIM EXON

Mr. FORD. Mr. President, I would like to say just a few words about my good friend and colleague Senator EXON's announcement on Friday that he would be retiring from the Senate.

As soon as Senator EXON announced his decision, the political pundits were predicting who would run in his place, and which party stands to win or lose the most. There will be plenty of time to survey the political fallout. Instead, today we should lament the loss of a dedicated public servant and the factors that led to his decision. Let me underscore the facts that led to his decision.

I believe the entire institution of the Senate loses when a devoted public servant like Senator EXON chooses to leave. But more importantly, his reasons for leaving signify an even greater loss than his singular contributions.

Citing the "ever-increasing vicious polarization of the electorate," Senator EXON said the "us-against-them mentality has all but swept aside the former preponderance of reasonable discussions of the pros and cons of the many legitimate issues," eroding the "essence of democracy" in the process.

Refusing to answer the bell for another race, Senator EXON sent out a warning to the citizens of this country that the democratic process has become seriously flawed—that using the "hate level" in attack ads as the "measurement of a successful campaign," can only mean the deteriora-

tion of the notion of compromise "for the ultimate good of all."

It was a price the statesman in him was no longer willing to pay.

And there can be no doubt that he leaves here a statesman. President Eisenhower once said that "The opportunist thinks of me and today. The statesman thinks of us and tomorrow."

I know Senator EXON came to the Senate looking only to do what was in the best interests of his State and country. He knew that his decisions had to pass the test of time, not simply grab attention on the evening news. He spent each day meeting that test, knowing, as he said last week, that he "never reached a decision that (he) didn't believe to be in the best interests of Nebraska and the United States of America."

So perhaps the pundits will put aside their political score cards for a moment, and will consider that in his decision to leave, Senator EXON the statesman was again thinking of "us and tomorrow."

I certainly hope so, because his intellect, legislative skills, and commitment to service will be sorely missed in the U.S. Senate.

I yield the floor.

#### ORDER OF PROCEDURE

Mr. COATS. Mr. President, I ask unanimous consent to proceed as if in morning business for 5 minutes.

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

The Senator from Indiana is recognized.

Mr. COATS. I thank the Chair.

(The remarks of Mr. COATS pertaining to the introduction of S. 589 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

#### LEGISLATIVE LINE-ITEM VETO ACT

The Senate continued with the consideration of the bill.

AMENDMENT NO. 362 TO AMENDMENT NO. 347

Mr. KOHL. Mr. President, I rise in opposition to the amendment by the junior Senator from Wisconsin. I am unhappy that I have to do so because I have the greatest respect for Senator FEINGOLD and for his dedication to deficit reduction. And though I agree with 99 percent of the substance of this sense-of-the-Senate, I cannot agree with the final statement that "enacting a \* \* \* so-called middle-class tax cut during the 104th Congress would

hinder efforts to reduce the Federal deficit."

I would like to state for the RECORD that I do believe that deficit reduction is this Congress highest priority. If proposals for tax breaks—such as the \$200 billion in tax breaks moving through the House—get in the way of further progress in reducing the deficit, I will oppose them. However, I believe it is possible to both make the Tax Code fairer to low- and middle-income working families and significantly reduce the deficit.

For example, Congress could engage in wholesale tax reform, lowering rates for middle and lower income taxpayers while eliminating wasteful tax loopholes that benefit the rich. Such reform could be designed to reduce the deficit and make the Tax Code more equitable. I do not think the Senate should go on record right now with a sense-of-the-Senate that implies such reform is out of the question.

Though this Congress has discussed in great detail the problems with our Federal budget, we have yet to start the debate on the fiscal year 1996 budget plan. At this early point in the debate, I do not believe it wise to start ruling out options—such as providing some tax relief to working families. Therefore, I will reluctantly oppose the pending sense-of-the-Senate.

AMENDMENT NO. 403

Mr. KOHL. Mr. President, I rise today to support the amendment offered by my colleague from New Jersey. If adopted, the Bradley amendment will allow the President to eliminate tax loopholes that benefit special interests at the expense of the American people. And while the tax expenditure language in the Dole substitute is a good first step in the right direction, the amendment offered by Senator BRADLEY offers definitive protection against future wasteful tax spending.

Mr. President, when it comes to creative spending, the Federal Government is second to none. And one of the most creative ways that Washington spends money is through special breaks and hidden expenditures in the Tax Code. The Tax Code contains loopholes large and small that benefit every type of special interest, including, among others, an exclusion of income for rentals of 2 weeks or less and deferrals of income of foreign-controlled corporations.

Mr. President, there is not enough time this morning to go through the entire list of loopholes that permeates our tax laws, but you may be assured that there is a credit, break, or write-off for every conceivable purpose. There may have been a time when our country could afford these expenditures, but that time is over. Today, we have the opportunity to begin the process of eliminating this hidden spending if we adopt the clear and unambiguous language offered by my colleague from New Jersey.

Mr. President, we are at a critical time in our Nation's history: We can act now to balance our Federal budget or we can pass the buck to our children and leave them a legacy of debt, depression, and continued economic decline. In order to regain control of our financial situation, we need to make tough choices, and the time has arrived for the special interests to pay their dues along with the rest of us. Mr. President, at a time when we are asking the American people to accept sacrifices in the areas of housing, school lunches, and education, I believe we in Congress need to subject tax spending to the same level of scrutiny. So I urge my colleagues to support the Bradley amendment and I yield the floor.

VOTE ON MOTION TO TABLE AMENDMENT NO. 403

The PRESIDING OFFICER. The hour of 2 p.m. having arrived, under the previous order, the question now occurs on the motion to table amendment No. 403, offered by the Senator from New Jersey [Mr. BRADLEY].

The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Alabama [Mr. SHELBY] is necessarily absent.

Mr. FORD. I announce that the Senator from Alabama [Mr. HEFLIN] is necessarily absent.

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

The result was announced—yeas 50, nays 48, as follows:

[Rollcall Vote No. 109 Leg.]

#### YEAS—50

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

#### NAYS—48

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

NOT VOTING—2

Heflin Shelby

So the motion to lay on the table the amendment (No. 403) was agreed to.

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

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

The PRESIDING OFFICER. The motion to lay on the table was agreed to.

VOTE ON MOTION TO TABLE AMENDMENT NO. 362

Mr. COATS. Mr. President, I move to table the pending amendment No. 362 offered by Senator FEINGOLD 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.

Mr. COATS. Mr. President, I ask that the next two votes be 10-minute votes.

The PRESIDING OFFICER. The question is on agreeing to the motion to table amendment No. 362 offered by the Senator from Wisconsin [Mr. FEINGOLD]. The clerk will call the roll.

The legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Alabama [Mr. SHELBY] is necessarily absent.

Mr. FORD. I announce that the Senator from Alabama [Mr. HEFLIN] is necessarily absent.

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

The result was announced—yeas 54, nays 44, as follows:

[Rollcall Vote No. 110 Leg.]

#### YEAS—54

|           |            |             |
|-----------|------------|-------------|
| Abraham   | Frist      | Lugar       |
| Ashcroft  | Gorton     | Mack        |
| Baucus    | Gramm      | McCain      |
| Bennett   | Grams      | McConnell   |
| Biden     | Grassley   | Murkowski   |
| Bond      | Gregg      | Nickles     |
| Bradley   | Hatch      | Pressler    |
| Brown     | Hatfield   | Rockefeller |
| Burns     | Helms      | Roth        |
| Coats     | Hutchison  | Santorum    |
| Cochran   | Inhofe     | Simpson     |
| Coverdell | Kempthorne | Smith       |
| Craig     | Kennedy    | Snowe       |
| D'Amato   | Kohl       | Stevens     |
| DeWine    | Kyl        | Thomas      |
| Dole      | Lautenberg | Thompson    |
| Domenici  | Lieberman  | Thurmond    |
| Faircloth | Lott       | Warner      |

#### NAYS—44

|          |           |               |
|----------|-----------|---------------|
| Akaka    | Feingold  | Mikulski      |
| Bingaman | Feinstein | Moseley-Braun |
| Boxer    | Ford      | Moynihan      |
| Breaux   | Glenn     | Murray        |
| Bryan    | Graham    | Nunn          |
| Bumpers  | Harkin    | Packwood      |
| Byrd     | Hollings  | Pell          |
| Campbell | Inouye    | Pryor         |
| Chafee   | Jeffords  | Reid          |
| Cohen    | Johnston  | Robb          |
| Conrad   | Kassebaum | Sarbanes      |
| Daschle  | Kerrey    | Simon         |
| Dodd     | Kerry     | Specter       |
| Dorgan   | Leahy     | Wellstone     |
| Exon     | Levin     |               |

NOT VOTING—2

Heflin Shelby

So the motion to lay on the table the amendment (No. 362) was agreed to.

Mr. COATS. Mr. President, I move to reconsider the vote by which the motion was agreed to, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

VOTE ON MOTION TO TABLE AMENDMENT NO. 404

Mr. COATS. Mr. President, I move to table the pending amendment No. 404 offered by Senator HOLLINGS and 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 question occurs on agreeing to the motion to table amendment No. 404 offered by the Senator from South Carolina [Mr. HOLLINGS]. The yeas and nays have been ordered.

The Chair will advise Senators that this is a 10-minute vote.

The clerk will call the roll.

The bill clerk called the roll.

Mr. LOTT. I announce that the Senator from Alabama [Mr. SHELBY] is necessarily absent.

Mr. FORD. I announce that the Senator from Alabama [Mr. HEFLIN] is necessarily absent.

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

The result was announced—yeas 52, nays 46, as follows:

[Rollcall Vote No. 111 Leg.]

#### YEAS—52

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

#### NAYS—46

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

NOT VOTING—2

Heflin Shelby

The motion to table the amendment (No. 404) was agreed to.

Mr. EXON addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. EXON. Mr. President, I ask unanimous consent that the pending amendment be temporarily set aside.

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

AMENDMENT NO. 373 TO AMENDMENT NO. 347

(Purpose: To include in the definition of "targeted tax benefits" provisions that worsen the deficit in periods beyond those covered by the budget resolution)

Mr. EXON. Mr. President, I call up amendment No. 373, which the clerk has at the desk. I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nebraska [Mr. EXON], for himself and Mr. DASCHLE, proposes an amendment numbered 373 to amendment No. 347.

Mr. EXON. 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:

On page 5, strike lines 14 through 17 and insert:

"(A) estimated by the Joint Committee on Taxation as losing revenue for any one of the three following periods—

"(1) the first fiscal year covered by the most recently adopted concurrent resolution on the budget;

"(2) the period of the 5 fiscal years covered by the most recently adopted concurrent resolution on the budget; or

"(3) the period of the 5 fiscal years following the first 5 years covered by the most recently adopted concurrent resolution on the budget; and".

Mr. EXON. Mr. President, we have debated this amendment already so I will be very, very brief. This amendment would apply the line-item veto to tax loopholes that lost money in the 6th through the 10th years. I believe there is broad bipartisan support for this amendment and I urge its adoption.

The PRESIDING OFFICER. Is there further debate on the amendment? If there be no further debate, the question is on agreeing to the amendment.

The amendment (No. 373) was agreed to.

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

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

The motion to lay on the table was agreed to.

Mr. EXON. Mr. President, I wish to inquire of the distinguished majority manager if he is ready to proceed with the Feingold amendment regarding emergency spending that I understand has been cleared on both sides. Is that correct?

Mr. MCCAIN. Mr. President, I would say to my friend, we are just about there. I think in about 1 or 2 more minutes. I think the Senator from South Carolina was waiting to make remarks and I think we will be ready by the time he is finished with his remarks.

Mr. EXON. I thank the Chair. I yield the floor.

Mr. MCCAIN. Mr. President, I thank the Senator from Nebraska for his amendment. I think it helps the bill. I am glad we were able to agree on it.

Mr. EXON. I thank my friend from Arizona. I appreciate his cooperation.

Mr. THURMOND addressed the Chair. The PRESIDING OFFICER. The Senator from South Carolina.

Mr. THURMOND. Mr. President, I thank the able Senators, and the managers of the bill.

Mr. President, I rise in support of the Line-Item Veto Act, which is presently

before this body. For many years, I have been a supporter of giving authority to the President to disapprove specific items of appropriation presented to him. On the first legislative day of this Congress, I introduced Senate Joint Resolution 2, proposing a constitutional amendment to give the President line-item veto authority.

Presidential authority for a line-item veto is a significant fiscal tool which would provide a valuable means to reduce and restrain excessive appropriations. This proposal will give the President the opportunity to approve or disapprove individual items of appropriation which have passed the Congress. It does not grant power to simply reduce the dollar amount legislated by the Congress.

Mr. President, 43 Governors currently have constitutional authority to reduce or eliminate items or provisions in appropriation measures. My home State of South Carolina provides this authority, and I found it most useful during my service as Governor in the late 1940's. Surely the President should have authority that 43 Governors now have to check unbridled spending.

It is widely recognized that Federal spending is out of control. The Federal budget has been balanced only once in the last 34 years. Over the past 20 years, Federal receipts, in current dollars, have grown from \$279 billion to nearly \$1.3 trillion, an increase of \$978 billion. In the meantime, Federal outlays have grown from \$332 billion in 1975, to over \$1.4 trillion last year, an increase of over \$1.1 trillion. The annual budget deficits have risen to over \$200 billion each year, with the national debt growing to over \$4.8 trillion.

Mr. President, it is clear that neither the Congress nor the President are effectively dealing with the budget crisis. The President continues to submit budgets which contain little spending reform and project annual deficits of nearly \$200 billion. I am hopeful that this year Congress will undertake serious efforts to restrain Federal spending by reducing or eliminating funding of ineffective programs.

If we are to have sustained economic growth, Government spending must be significantly reduced. A balanced budget amendment and line-item veto authority would do much to bring about fiscal responsibility. I regret that earlier this year the Senate failed to pass the balanced budget amendment.

Mr. President, it would be a mistake to fail to pass this measure. It is my hope that this Congress will swiftly approve the line-item veto and send a clear message to the American people that we are making a serious effort to get our Nation's fiscal house in order. Finally, Mr. President, we must get on with the serious business of reducing spending. I thank the Chair.

Mr. EXON addressed the Chair.

The PRESIDING OFFICER (Mr. ABRAHAM). The Senator from Nebraska.

## ORDER OF PROCEDURE

Mr. EXON. Mr. President, I ask unanimous consent that we proceed as if in morning business for a short period of time to accommodate the Senator from New Jersey.

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

## CRIME IN AMERICA

Mr. LAUTENBERG. Mr. President, I thank my friend from Nebraska for yielding the time, and particularly the distinguished Senator from Indiana for interrupting the flow of the discussion, because there are matters of great importance that are under review.

But I would like to talk for a minute about an incident that took place in the last couple of days that has been across the newspapers in this country and through all means of communication—television, radio, and so forth. It is about an incident in Montclair, NJ, which is where my home has been since 1968. My children were brought up in this community, all four of them, and there is still a Lautenberg house in the town. The community is shocked by the turn of events—four people killed, four innocent people, two who worked in the post office, long-time employees, and two residents of the community, one I am told, 38 years of age, and one 59 years of age, customers of the post office. They were on an innocent piece of business, and suddenly carnage broke out. It is established that a 9 mm weapon was used, and the culprit has been captured and is now in custody. This afternoon, the U.S. attorney and other law enforcement people will be making a full statement.

Mr. President, we have seen violence all over this country ourselves, gun violence, people shot randomly. As a matter of fact, unless it gets to be in your neighborhood or your community, or you know someone who is the victim, it is almost greeted with a yawn. We watch the incredible spectacle of Colin Ferguson, the man who murdered and assaulted people on the Long Island Railroad, make a fool out of the system, and he is ready now perhaps this day for sentencing.

But I watched in shock as some of the victims' families addressed this individual, trying to describe their pain and their anguish, including one person that I know, also from New Jersey, a man named Jake LaCicero, who lost his daughter, Amy, on that train. She was in her late twenties, innocently traveling back and forth to work from where she then lived, and she died needlessly.

And not too long ago, at a post office in Richwood, NJ, a quiet, high-income community, principally commuters, people who took pride in their community and people who believed so deeply in America and the American way—the town that I am talking about now, Montclair, NJ, is a fairly high-income