

toll by gunshot in New York City. Last week, 6 people lost their lives to bullet wounds in New York City, bringing this year's total to 27.

THE APPOINTMENT OF MARGARET FLEMING TO THE WHITE HOUSE CONFERENCE ON AGING

Mr. BAUCUS. Mr. President, today I rise to inform the Senate that I have chosen Margaret Fleming from Butte, MT, to represent our State at the White House Conference on Aging in May. While Margaret is proud to be a senior citizen, anybody who knows her also knows that she adds meaning to the saying that you will never grow old if you are young at heart. Her energy, her hard work and sense of public service are an inspiration to me and so many other Montanans.

From May 2d through the 5th, several of our Nation's top senior citizens will meet in Washington, DC, to discuss issues that are important to the aging community. This year's theme, "America Now and Into the 21st Century: Generations Aging Together With Independence, Opportunity, and Dignity," focuses not only on the current aging population, but future generations as well. The issues to be discussed impact all Americans. They include comprehensive health care, including long-term care, economic security, housing, and quality of life.

Throughout her career, Margaret Fleming has earned the greatest respect and admiration. But her activities in retired life are just as commendable. She has been president of the Montana chapter of the National Association of Retired Federal Employees, and before was president of Butte's local chapter. Currently, Margaret is president of the Legacy Legislature, a congress of seniors that meets annually in Helena. And as if that isn't enough, she is president of the Lady of the Rockies, a group responsible for youth group tours and the construction of a chapter near the Lady on the Hill in Butte. Last year, the Montana Soroptimist Club honored her with the Women of Distinction Award. Of course, Margaret's toughest job of all is baby-sitting her grandchildren on the weekends.

In a recent letter to me, Margaret remarked:

The needs of our Nation are so great. I'm sure you know that I believe a health care plan like your Health Montana is so important. However, the problems with poverty, educational opportunities and a myriad of other issues are equally important. I only hope the participants unite, and think of America's future, as well as our immediate needs.

The honor of representing Montana could not go to a more dedicated, deserving, and accomplished person. I congratulate Margaret Fleming and wish her well at the White House conference on Aging.

BUDGET SCOREKEEPING REPORT

Mr. DOMENICI. Mr. President, I hereby submit to the Senate the budget scorekeeping report prepared by the Congressional Budget Office under section 308(b) and in aid of section 311 of the Congressional Budget Act of 1974, as amended. This report meets the requirements for Senate scorekeeping of section 5 of Senate Concurrent Resolution 32, the first concurrent resolution on the budget for 1986.

This report shows the effects of congressional action on the budget through January 13, 1995. The estimates of budget authority, outlays, and revenues, which are consistent with the technical and economic assumptions of the concurrent resolution on the budget (H. Con. Res. 218), show that current level spending is below the budget resolution by \$2.3 billion in budget authority and \$0.4 billion in outlays. Current level is \$0.8 billion over the revenue floor in 1995 and below by \$8.2 billion over the 5 years 1995-99. The current estimate of the deficit for purposes of calculating the maximum deficit amount is \$238.7 billion, \$2.3 billion below the maximum deficit amount for 1995 of \$241.0 billion.

Since my last report, dated January 4, 1995, there has been no action that affects the current level of budget authority, outlays, or revenues.

The report follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, January 17, 1995.

Hon. PETE DOMENICI,
Chairman, Committee on the Budget, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The attached report for fiscal year 1995 shows the effects of Congressional action on the 1995 budget and is current through January 13, 1995. The estimates of budget authority, outlays and revenues are consistent with the technical and economic assumptions of the 1995 Concurrent Resolution on the Budget (H. Con. Res. 218). This report is submitted under Section 308(b) and in aid of Section 311 of the Congressional Budget Act, as amended, and meets the requirements of Senate scorekeeping of Section 5 of S. Con. Res. 32, the 1986 First Concurrent Resolution on the Budget.

Since my last report, dated January 4, 1995, there has been no action that affects the current level of budget authority, outlays, or revenues.

Sincerely,

ROBERT D. REISCHAUER,
Director.

THE CURRENT LEVEL REPORT FOR THE U.S. SENATE, FISCAL YEAR 1995, 104TH CONGRESS, 1ST SESSION, AS OF CLOSE OF BUSINESS JANUARY 13, 1994

[In billions of dollars]

	Budget resolution (H. Con. Res. 218) ¹	Current level ²	Current level over/under resolution
ON-BUDGET			
Budget authority	1,238.7	1,236.5	-2.3
Outlays	1,217.6	1,217.2	-0.4
Revenues:			
1995	977.7	978.5	0.8
1995-99 ³	5,415.2	5,407.0	-8.2
Maximum deficit amount	241.0	238.7	-2.3
Debt subject to limit	4,965.1	4,718.8	-246.3
OFF-BUDGET			
Social Security outlays:			
1995	287.6	287.5	-0.1

THE CURRENT LEVEL REPORT FOR THE U.S. SENATE, FISCAL YEAR 1995, 104TH CONGRESS, 1ST SESSION, AS OF CLOSE OF BUSINESS JANUARY 13, 1994—Continued

[In billions of dollars]

	Budget resolution (H. Con. Res. 218) ¹	Current level ²	Current level over/under resolution
1995-99	1,562.6	1,562.6	40
Social Security revenues:			
1995	360.5	360.3	-0.2
1995-99	1,998.4	1,998.2	-0.2

¹ Reflects revised allocation under section 9(g) of H. Con. Res. 64 for the Deficit-Neutral reserve fund.

² Current level represents the estimated revenue and direct spending effects of all legislation that Congress has enacted or sent to the President for his approval. In addition, full-year funding estimates under current law are included for entitlement and mandatory programs requiring annual appropriations even if the appropriations have not been made. The current level of debt subject to limit reflects the latest U.S. Treasury information on public debt transactions.

³ Includes effects, beginning in fiscal year 1996, of the International Anti-trust Enforcement Act of 1994 (P.L. 103-438).

⁴ Less than \$50 million.

Note.—Detail may not add due to rounding.

THE ON-BUDGET CURRENT LEVEL REPORT FOR THE U.S. SENATE, 104TH CONGRESS, 1ST SESSION, SENATE SUPPORTING DETAIL FOR FISCAL YEAR 1995, AS OF CLOSE OF BUSINESS JANUARY 13, 1994

[In millions of dollars]

	Budget authority	Outlays	Revenues
ENACTED IN PREVIOUS SESSIONS			
Revenues			978,466
Permanents and other spending legislation	750,307	706,236	
Appropriation legislation	738,096	757,783	
Offsetting receipts	(250,027)	(250,027)	
Total previously enacted	1,238,376	1,213,992	978,466
ENTITLEMENTS AND MANDATORIES			
Budget resolution baseline estimates of appropriated entitlements and other mandatory programs not yet enacted	(1,887)	3,189	
Total current level ¹	1,236,489	1,217,181	978,466
Total budget resolution	1,238,744	1,217,605	977,700
Amount remaining:			
Under budget resolution	2,255	424	
Over budget resolution			766

¹ In accordance with the Budget Enforcement Act, the total does not include \$1,212 million in budget authority and \$6,360 million in outlays in funding for emergencies that have been designated as such by the President and the Congress, and \$1,027 million in budget authority and \$1,041 million in outlays for emergencies that would be available only upon an official budget request from the President designating the entire amount requested as an emergency requirement.

Notes.—Numbers in parentheses are negative. Detail may not add due to rounding.

WAS CONGRESS IRRESPONSIBLE? THE VOTERS SAID "YES"

Mr. HELMS. Mr. President, the incredibly enormous Federal debt is like the weather—everybody talks about it but up to now hardly anybody has undertaken the responsibility of doing anything about it. The Congress now had better get cracking—time's a-wasting and the debt is mushrooming.

In the past, a lot of politicians talked a good game—when they were back home—about bringing Federal deficits and the Federal debt under control. But many of these same politicians regularly voted in support of bloated spending bills that rolled through the Senate. The American people took note of that on November 8.

As of Friday, January 13, at the close of business, the Federal debt stood—down to the penny—at exactly

\$4,808,661,268,393.04. This debt, remember, was run up by the Congress of the United States.

The Founding Fathers decreed that the big-spending bureaucrats in the executive branch of the U.S. Government should never be able to spend even a dime unless and until the spending had been authorized and appropriated by the U.S. Congress.

The U.S. Constitution is quite specific about that, as every schoolboy is supposed to know.

And do not be misled by declarations by politicians that the Federal debt was run up by some previous President or another, depending on party affiliation. Sometimes you hear false claims that Ronald Reagan ran it up; sometimes they play hit and run with George Bush.

These buckpassing declarations are false, as I said earlier, because the Congress of the United States is the culprit. The Senate and the House of Representatives are the big spenders.

Mr. President, most citizens cannot conceive of a billion of anything, let alone a trillion. It may provide a bit of perspective to bear in mind that a billion seconds ago, Mr. President, the Cuban missile crisis was in progress. A billion minutes ago, the crucifixion of Jesus Christ had occurred not long before.

Which sort of puts it in perspective, does it not, that Congress has run up this incredible Federal debt totaling 4,808 of those billions—of dollars. In other words, the Federal debt, as I said earlier, stood this morning at 4 trillion, 808 billion, 661 million, 268 thousand, 393 dollars and 04 cents. It will be even greater at closing time today.

TRIBUTE TO AVIATION PIONEER BEN R. RICH

Mr. DOLE. Mr. President, I would like to take a moment to note with deep sadness, the passing of a legend in the aviation industry. I was just recently informed that Ben R. Rich, former president of the Lockheed Skunk Works passed away after a long illness. Best known as the Father of the F-117 Stealth fighter aircraft, his passing is a sad moment for several Senators and the many staffers that Ben has had contact with in the Senate over the years.

Perhaps his finest hour came during Operation Desert Storm, with the deployment of the F-117 to the gulf. As many will recall, the F-117 destroyed 40 percent of all strategic targets, yet represented only 2 percent of the allied forces tactical aircraft, and it was the only aircraft to attack the heavily defended Baghdad area. This aircraft uniquely reduced the cost of war by enabling strike missions to be accomplished with fewer attack and supporting aircraft, thereby putting fewer combat pilots at risk. Utilizing this aircraft further minimized collateral damage and civilian casualties. Indeed, Ben's vision and genius throughout the

design and development of the F-117 have revolutionized air warfare as we know it.

Ben Rich's many achievements have been recognized throughout the aerospace industry. Just last May, Secretary of Defense William J. Perry honored Ben by presenting him with the Distinguished Public Service Award. At the time, some in the media had proclaimed Perry to be the Father of Stealth. However, at the presentation ceremony, Secretary Perry said it was Rich who provided the intellectual and spiritual leadership and that the title of "Father of Stealth really belongs to Ben Rich."

Mr. President, this was only one in a long line of accomplishments in Ben's 40 years of distinguished service in the aviation industry. He played a leadership role in the design and development of the F-104, U-2, A-12, and the famous SR-71 Blackbird—the latter still holds the world's flight records for speed and altitude. In addition, he also led the development and production of the YF-22A advanced tactical fighter program until his retirement in January 1991.

For his accomplishments, Ben was a Corecipient of the Collier Trophy presented by the National Aeronautic Association; selected as a Wright Brothers lecturer by the American Institute for the Advancement of Engineering; an elected member of the National Academy of Engineering and a nominee for the 1994 Wright Brothers Memorial Trophy.

To the many who knew him, he will be remembered as a colorful character—for his sparkling wit and enthusiasm. To some, he was a gifted teacher who could explain in the clearest terms some of the more complicated technical aspects of aviation. To others, he was a forceful advocate for innovative ideas and futuristic solutions to problems in aviation design. To all, he was a patriot.

To Ben's wife, Hilda, to his family and his many friends and coworkers, we send our deepest condolences. And from this Nation, a heartfelt debt of gratitude to Ben Rich.

WALTER SHERIDAN

Mr. HATCH. Mr. President, I rise to say a few words about Walter Sheridan, a long-time Senate investigator and friend who passed away last Friday morning.

Walter—he hated for anyone to call him "Mr." Sheridan—first made his mark on the national scene in the mid-1950's, when he went to work on the Senate Permanent Investigations Subcommittee as an investigator for Chief Counsel Robert Kennedy in the subcommittee's probe of organized crime and labor racketeering. As Attorney General, Robert Kennedy took Walter with him to the Justice Department, where Walter headed the unit that successfully prosecuted Teamsters Union President James Hoffa. During those days, Walter attained a well-deserved

reputation as a resourceful and tenacious investigator.

I came to know and admire Walter Sheridan later in his career, when he came back to the Hill in the 1970's to work as chief investigator for my friend Senator EDWARD KENNEDY, first on the Judiciary Committee and later on the Labor and Human Resources Committee. In these roles, Walter was the chief staffer on hearings that led to significant improvements in the operation of the Food and Drug Administration, the Mine Health and Safety Agency, and other Federal offices.

When we were on opposite sides of issues, as our philosophies and politics often dictated, I found Walter to be a tough but honorable adversary. When our interests coincided, as they did on a number of oversight issues, I found him to be a strong and dependable ally. He was a man of integrity, foresight, and, always, good humor.

My warmest sympathies go out to Mrs. Sheridan and the family. Walter Sheridan was a man, operating mostly behind the scenes, who made a difference in the performance of Government. His work will be carried on by a whole generation of investigators, on both sides of the aisle, who benefited from their association with Walter Sheridan. His professionalism set a high standard for public service for all of us to follow.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

UNFUNDED MANDATE REFORM ACT

The PRESIDING OFFICER. Under the previous order, the hour of 9:30 having arrived, the Senate will resume consideration of S. 1, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1) to curb the practice of imposing unfunded Federal mandates on States and local governments; to strengthen the partnership between the Federal Government and State, local and tribal governments; to end the imposition, in the absence of full consideration by Congress, of Federal mandates on State, local, and tribal governments without adequate funding, in a manner that may displace other essential governmental priorities; and to ensure that the Federal Government pays the costs incurred by those governments in complying with certain requirements under Federal statutes and regulations, and for other purposes.

The Senate resumed consideration of the bill.

Pending:

Committee amendment number 9, beginning on page 15, line 6, to modify language relating to reports on Federal mandates.

Mr. KEMPTHORNE. Mr. President, today the Senate will resume debate on Senate bill No. 1, the Unfunded Mandate Reform Act of 1995. We began debate on this issue last week. I believe

we had thoughtful discussion about this bill. We also made progress on the consideration of several committee amendments and two amendments to those committee amendments.

We have stated continually, and I will do so again, that we will take what time is necessary for us to complete the thoughtful and thorough discussion of Senate bill No. 1 and any amendments that may be offered by any Members of this body. My hope is that we will complete work on this bill this week.

There have been a number of encouraging developments, also, Mr. President, that have occurred since the bill came on the Senate floor. I would like to reference a few letters that I have received. This one I received from the American Farm Bureau Federation, which represents 4.4 million families.

They say:

We believe that Federal mandates to State and local governments must provide complete and continuous funding. It is our hope that information on the costs to the private and public sectors of proposed regulations and legislation will lead Congress to stop imposing burdens it is unwilling to fund.

S. 1, the Unfunded Mandate Reform Act of 1995, will require the Congressional Budget Office to estimate and report the public and private sector cost, and any Federal effort to ameliorate that cost of proposed legislation.

That is from Dean Kleckner, the president of the American Farm Bureau Federation.

He says:

The provision requiring this information is important if lawmakers and the voters they represent are to make judgments regarding the cost and benefits of proposed legislation.

Farm Bureau supports the Unfunded Mandate Reform Act of 1995 and will work to ensure its passage.

I received a letter from the Public Securities Association.

They state:

PSA supports legislation to provide relief from unfunded Federal mandates imposed on State and local governments. PSA is the association of banks and brokerage firms that underwrite, trade and sell municipal securities, U.S. Government and Federal agency securities, mortgage-backed securities and money market instruments. PSA's members account for over 95 percent of municipal securities market activity.

We support S. 1, the Unfunded Mandate Reform Act of 1995, and congratulate the swift action taken by the jurisdictional committees.

That is from John Vogt, vice president, external affairs.

Then I received a letter from the city of El Monte.

The letter states:

On behalf of the El Monte City Council, we wholeheartedly support your aggressive efforts in sponsoring legislation to stop unfunded Federal mandates. This noble effort is especially appreciated by cities in California, who are facing the negative impacts of the recession along with the State's revenue raids on local government.

The City of El Monte has raised new revenues and has cut back on spending for the past 3 years to be reliant on other levels of government. However, with the continuation of Federal mandates on cities, it has become

very difficult to fund even the most essential services to our residents and businesses.

That is from Patricia A. Wallach, the mayor of El Monte.

Then there is a letter from the Petroleum Marketers Association of America.

On behalf of the Petroleum Marketers Association of America (PMAA), I would like to express our strong support for the passage of S. 1, legislation which would curtail the passage of legislation implementing unfunded mandates. The PMAA represents over 10,000 marketers of petroleum products nationwide. Collectively, these marketers sell nearly half the gasoline, over 60 percent of the diesel fuel and approximately 85 percent of the home hearing oil consumed in the U.S. annually.

PMAA favors passage of the "unfunded mandates" legislation as a necessary step to help stem the increasing cost of federal regulations to state and local government, as well as to provide industry. * * *

The financial burden of federal regulations in reaching critical levels with estimates nearing \$581 billion annually. * * *

Please vote in favor of S. 1 and oppose any efforts to weaken the legislation by removing the private sector language. Thank you for your consideration.

Mr. President, I ask unanimous consent that these letters be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

AMERICAN FARM
BUREAU FEDERATION,

Washington, DC, January 5, 1995.

Hon. DIRK KEMPTHORNE,
U.S. Senate,
Washington, DC.

DEAR SENATOR KEMPTHORNE: On behalf of the 4.4 million families represented by the American Farm Bureau Federation, I want to thank you for your leadership in addressing the serious problem of unfunded federal mandates. We believe that federal mandates to state and local governments must provide complete and continuous funding. It is our hope that information on the costs to the private and public sectors of proposed regulations and legislation will lead Congress to stop imposing burdens it is unwilling to fund.

S. 1, The Unfunded Mandate Reform Act of 1995, will require the Congressional Budget Office to estimate and report the public and private and private sector cost, and any federal effort to ameliorate that cost of proposed legislation. It will further require the Congress to vote for a waiver of its rules before passing any legislation that has not been subject to this analysis, or if the cost of implementation of any proposed unfunded obligations exceeds \$50 million.

In addition, federal departments will be required to analyze the impact of proposed regulations on the economy, and to report those findings through the normal rulemaking process by publication in the Federal Register.

The provision requiring this information is important if lawmakers and the voters they represent are to make judgments regarding the cost and benefits of proposed legislation. We at the Farm Bureau look forward to building on this legislation to help reform the rulemaking and legislative processes.

Farm Bureau supports the Unfunded Mandate Reform Act of 1995 and will work to ensure its passage.

Sincerely yours,

DEAN R. KLECKNER,
President.

PUBLIC SECURITIES ASSOCIATION,
Washington, DC, January 12, 1995.

Hon. DIRK KEMPTHORNE,
U.S. Senate,
Washington, DC.

DEAR SENATOR KEMPTHORNE: We applaud your leadership on the issue of unfunded federal mandates. PSA supports legislation to provide relief from unfunded federal mandates imposed on state and local governments. PSA is the association of banks and brokerage firms that underwrite, trade and sell municipal securities, U.S. government and federal agency securities, mortgage-backed securities and money market instruments. PSA's members account for over 95 percent of municipal securities market activity.

We support S. 1, The Unfunded Mandate Reform Act of 1995, and congratulate the swift action taken by the jurisdictional committees. However, S. 1 is applicable only to prospective laws and regulations. PSA believe that municipal bonds could play a significant role in the battle against existing unfunded mandates by providing leveraged financing for currently mandated requirements and developing creative ways to deal with unfunded mandates in a responsible manner. The federal government provides substantial assistance to state and local governments to support their borrowing in the form of the federal tax-exemption on municipal bond interest. Because interest earned by investors on municipal bonds is exempt from federal taxation, states and localities pay much lower costs of capital than they would otherwise face.

PSA proposes creation of Mandatory Infrastructure Facility (MIF) Bonds to assist state and local governments in financing current federally mandated infrastructure improvements. MIF bonds would be used for the construction, acquisition, rehabilitation or renovation of infrastructure facilities that are mandated by the federal government or required in order to comply with a federal mandate. The MIF bonds would be categorized as public purpose rather than private activity bonds, regardless of the level of private participation in the financed project and would be exempt from some other restrictions on municipal securities. While it would be inappropriate to attempt to add MIFs to S. 1, we hope to pursue this issue in the context of future legislation such as budget reconciliation.

We have enclosed for your review the report of the PSA Economic Advisory Committee and draw to your attention the concerns expressed in the report where it notes that "economic gains from reducing the federal deficit could prove illusory if federal programs are cut, but replaced by unfunded mandates upon state and local governments."

We welcome the opportunity to work with you on issues concerning unfunded mandates. Please do not hesitate to call if there is any further information we can provide.

Sincerely,

JOHN R. VOGT,
Vice President, External Affairs.

CITY OF EL MONTE,
El Monte, CA, January 4, 1995.

Re unfunded Federal mandates.

Hon. DIRK KEMPTHORNE,
U.S. Senate,
Washington, DC.

DEAR SENATOR KEMPTHORNE: On behalf of the El Monte City Council, we wholeheartedly support your aggressive efforts in sponsoring legislation to stop unfunded federal mandates. This noble effort is especially appreciated by cities in California, who are facing the negative impacts of the recession

along with the State's revenue raids on local government. Also, your leadership in providing legislation to stop unfunded mandates will have an impact at the State level, whereby State mandates have also created economic problems for cities.

The City of El Monte has raised new revenues and has cut back on spending for the past three years to be less reliant on other levels of government. However, with the continuation of federal mandates on cities, it has become very difficult to fund even the most essential services to our residents and businesses.

We are fortunate to have your support in sponsoring this legislation and our appreciation and gratitude for your fine efforts in understanding the needs of cities.

Sincerely yours,

EL MONTE CITY
COUNCIL,
PATRICIA A. WALLACH,
Mayor.

PETROLEUM MARKETERS
ASSOCIATION OF AMERICA,
Arlington, VA, January 11, 1995.

Hon. DIRK KEMPTHORNE,
U.S. Senate,
Washington, DC.

DEAR SENATOR KEMPTHORNE: On behalf of the Petroleum Marketers Association of America (PMAA), I would like to express our strong support for the passage of S. 1, legislation which would curtail the passage of legislation implementing unfunded mandates. The PMAA represents over 10,000 marketers of petroleum products nationwide. Collectively, these marketers sell nearly half the gasoline, over 60 percent of the diesel fuel and approximately 85% of the home heating oil consumed in the U.S. annually.

PMAA favors passage of the "unfunded mandates" legislation as a necessary step to help stem the increasing cost of federal regulations to state and local government, as well as to private industry.

As you know, S. 1 would require the Congressional Budget Office to conduct a cost impact analysis (or be ruled out of order) whenever Congress wants to impose an unfunded mandate of more than \$200 million on the private sector. Federal agencies would have to analyze and report the effects that proposed regulations would have on the nation's economy, productivity and international competitiveness.

Petroleum marketers have been especially hard hit by the financial burdens placed upon them by federal and state regulations. The financial burden of federal regulations is reaching critical levels with estimates nearing \$581 billion annually. Providing relief from federal unfunded mandates is crucial to the future livelihood of the business community and the economy in general.

Please vote in favor of S. 1 and oppose any efforts to weaken the legislation by removing the private sector coverage language. Thank you for your consideration.

Sincerely,

PHILLIP R. CHISHOLM,
Executive Vice President.

Mr. KEMPTHORNE. Mr. President, I believe this demonstrates again, whether we are talking to farm families about the act, whether we are talking to local governments such as El Monte City Council, or whether we are talking to the private sector as represented by the Petroleum Marketers Association of America, all of them strongly support this legislation. And this week, again, we hope to be able to move forward on this legislation so that we can enact what our partners in

both the public and private sectors have been asking for.

Mr. President, with that being said, and in the spirit of trying to move forward now on the progress of dealing with the issues before us, I ask unanimous consent that the remaining committee amendments be considered en bloc, agreed to en bloc, and the motion to reconsider be laid upon the table, with the following exceptions: The amendment on page 25, the amendment on page 27, and the amendment on page 33; I further ask unanimous consent that all adopted committee amendments be considered as original text for the purpose of further amendments.

The PRESIDING OFFICER (Mr. THOMAS). Is there objection?

Mr. GLENN. Mr. President, reserving the right to object, and I will object, not for myself, but I believe we do have another Senator who wants to come to the floor and speak on this. So I would object until he can be here and express his views on this. I think he wanted to object to the unanimous-consent agreement, so, on his behalf, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. KEMPTHORNE. 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. GLENN. 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. GLENN. Mr. President, I ask unanimous consent that it be in order, while we are waiting for the Senator to come to the floor to express his views on this, that I be given permission to speak with regard to the bill until he arrives on the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. GLENN. Mr. President, the Washington Post this morning has an editorial titled "More on the Mandates Issue." The Washington Post has editorialized on this before, and they very properly, in this lead editorial this morning, point out the difference between the House bill and the Senate bill.

I want to make sure that some of our colleagues who are trying to make up their minds on support for this legislation, that they not get confused between the two bills. This is not a long editorial, but I would like to read it so that everyone will understand exactly what the issue is. The title is "More on the Mandates Issue."

House Republicans partly disarmed critics of their unfunded mandates bill by keeping a promise and quietly fixing one defect last week in committee. They should fix another when the bill comes to the floor, perhaps this week.

The mandates bill could well be the first major building block of the Republican congressional agenda to pass. The Senate's version is on the floor as well, and the president

has said while avoiding details that he too favors such a measure.

Mr. President, I would add that I entered the President's letter to us into the RECORD last week.

The Republicans look upon it in part as the key to achieving other goals such as a balanced budget amendment to the Constitution and perhaps welfare reform. Governors and other state and local officials are fearful of being stranded by the spending cuts implicit in both of these and conceivably could block them. The promise that at the same time they will get relief from federal mandates is meant to assuage them.

In fact, the legislation doesn't ban unfunded mandates as so much of surrounding rhetoric on both sides would suggest. It would merely create a parliamentary presumption against them and require explicit majority votes in both houses to impose them. That's the right approach.

Mr. President, I see our distinguished colleague, Senator BYRD, is on the floor. I know he has some comments to make on this.

I ask unanimous consent that the editorial out of the Washington Post be printed in the RECORD in its entirety, and I yield the floor.

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

[From the Washington Post, Jan. 17, 1995]

MORE ON THE MANDATES ISSUE

House Republicans partly disarmed the critics of their unfunded mandates bill by keeping a promise and quietly fixing one defect last week in committee. They should fix another when the bill comes to the floor, perhaps this week.

The mandates bill could well be the first major building block of the Republican congressional agenda to pass. The Senate's version is on the floor as well, and the president has said while avoiding details that he too favors such a measure. The Republicans look upon it in part as the key to achieving other goals such as a balanced budget amendment to the Constitution and perhaps welfare reform. Governors and other state and local officials are fearful of being stranded by the spending cuts implicit in both of these and conceivably could block them. The promise that at the same time they will get relief from federal mandates is meant to assuage them.

In fact, the legislation doesn't ban unfunded mandates as so much of surrounding rhetoric on both sides would suggest. It would merely create a parliamentary presumption against them and require explicit majority votes in both houses to impose them. That's the right approach. Though there is a genuine problem that needs fixing here, not all unfunded mandates are unjustified, nor are state and local governments, which receive a quarter trillion dollars a year in federal aid, always the victims they portray themselves to be in the federal relationship. What would happen is simply that future bills imposing mandates without the funds to carry them out would be subject to a point of order. A member could raise the point of order, another would move to waive it and there would be a vote. That works in the Senate. The problem in the House was that the rules would not have allowed a waiver motion. A single member, raising a point of order that the chair would have been obliged to sustain, would have been enough to kill a bill. The Rules Committee found a way around that rock last week. The bill now provides expressly for the majority

votes that the sponsors say are its main point.

The other problem involves judicial review. The Senate bill would rightly bar appeals to the courts by state and local officials or others on grounds the terms of the bill had been ignored, the theory being that is mainly an internal matter—Congress agreeing to change its own future behavior—and a political accommodation of the sort that courts should have no role in. The House bill contains no similar ban, in part because a section would require the executive branch to do certain studies before issuing regulations and the sponsors, or some of them, want that to be judicially enforceable. But Congress has power enough to enforce these requirements itself; it needn't turn to the courts. The Republicans rightly say in other contexts that there is already too much resort to the courts in this country. They ought to stick to that position. In fact, because the House bill is silent on the matter, it isn't clear whether it would permit resort to the courts or not. The House should say not.

Mr. KEMPTHORNE addressed the Chair.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. KEMPTHORNE. Mr. President, I have an inquiry, and that is, am I correct that the amendment that is currently before us is a committee amendment that is found on page 15, lines 6, 7, 8, and 9?

The PRESIDING OFFICER. The Senator is correct.

Mr. KEMPTHORNE. Mr. President, in light of the objection to the prior unanimous-consent agreement, I would like to ask the Senator from West Virginia if he wishes to debate the committee amendment found on page 15, beginning on line 6. I would like to make that inquiry without losing the floor. And I ask this with all due respect to the Senator from West Virginia, who has been forthright with me in communicating his concerns. So I just wanted to try to establish a process so that we can proceed.

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

Mr. BYRD. Mr. President, I thank the able Senator, who is manager of the bill, for his courtesies extended to me. I want to assure him that it is not my desire to frustrate him. He is trying diligently to move this bill forward, and the bill, of course, will move forward.

I am not in a position at this point to accede to the unanimous-consent request. I do not have any particular amendment in mind, may I say in response to the able Senator's question.

I do not want to accede to the request. For one thing, I do not want to agree to the adoption of committee amendments en bloc and that they be considered as original text for further amendment. Committee amendments that are in place as they are now, as long as they are in place can be amended by second-degree amendments. They are open to an amendment in the second degree. And it may be that some Senators would want to offer second-degree amendments and not have their

amendments topped with an amendment.

Once the committee amendments are adopted en bloc, then, of course, they are open to amendments in two degrees. I have no particular amendment in mind at this point. I just feel that there are some areas of the bill that we need to understand. I probably will, in the final analysis, vote for this bill if there are certain amendments adopted thereto. I do not say at the moment that I will do that exactly for sure, but I may very well vote for the bill. But for now, I do not choose to agree to the request. I may agree to it at a later point. I do not have any particular question with respect to a specific amendment. That will be for others on the committee who understand the bill better than I do to more clearly explain.

Mr. KEMPTHORNE. Mr. President, would the Senator yield?

Mr. BYRD. Mr. President, I yield.

Mr. KEMPTHORNE. Mr. President, I appreciate that.

To the Senator from West Virginia I would point out that the amendment that is before the Senate was unanimously agreed to by the Budget Committee, and with this amendment properly being before the Senate now as our item of business, if the Senator from West Virginia does not feel compelled to debate the particular specifics of that amendment then I would seek or ask the Chair to put the question on the committee amendment before the body.

Again, I want to assert, because of my respect for the Senator from West Virginia, if the Senator has a desire to debate that issue; if not, I would like to put that question before the Chair so that we can proceed.

Mr. BYRD. Mr. President, the Senator is certainly within his rights to hope the Chair will put the question, and I can understand that. I fully appreciate his desire to do that. The Chair is not only entitled to put the question but the Chair is required to put the question if no Senator seeks recognition.

Mr. KEMPTHORNE. Based on that, Mr. President, I ask the Chair to put the question on committee amendment No. 9.

The PRESIDING OFFICER. Is there further debate on the amendment? Hearing none, the question is on agreeing to the amendment.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, as I have indicated to my friend, the distinguished Senator from Idaho, I have no particular thoughts with respect to this specific amendment, but I do want to say a few things in regard to the bill and other matters.

Mr. President, first on another matter. There is an adage among computer users that says "garbage in, garbage out." What that means, of course, is that if unreliable or incomplete infor-

mation is put into a computer, then unreliable or incomplete information will come out of that computer. Although "garbage in, garbage out" comes from the world of computers, the basic theory applies to other disciplines as well.

For example, consider the question: "Do you support or oppose a constitutional amendment to require a balanced Federal budget?" As of January 4, 1995, 80 percent, we are told, 80 percent of the American people say that they support such an amendment. My source is an article in the Friday, January 6, edition of the Washington Post.

According to a poll taken for the Washington Post and ABC news, that overwhelming percentage buys on to the concept of a balanced budget amendment. Amazing, one would think that on the face of it, this extremely popular idea would have nearly no opponents. On the surface, if one went solely by that overwhelming percentage, one could say that this surely is an idea whose time has come.

What is wrong with this Congress that it has not already passed this fabulous balanced budget amendment? How can anyone question its wisdom? That is the problem with simplistic questions. They usually provoke equally simplistic answers. But there is nothing simple about the constitutional amendment to balance the Federal budget. If one looks a little closer at the same poll, the problem with any balanced budget amendment becomes glaringly apparent. There exists no consensus as to how actually to get to a balance of the budget.

Of those who support a balanced budget amendment in the poll, the further question was asked: "Would you still support a constitutional amendment to require a balanced Federal budget if it meant cuts in Federal spending on welfare, or public assistance, for the poor?" Fifty-nine percent said yes, they would. Now, this is not 59 percent of the 100 percent. It is not 59 percent of the total number of persons who are included in the poll. It is 59 percent of those who support a balanced budget amendment.

In other words, it is 59 percent of the 80 percent of those who say they support a balanced budget amendment.

Then the same supporters were asked if they would support the amendment if it meant cutting national defense or the military budget. Fifty-six percent said yes, they would. Again, that is not 56 percent of the total. That is 56 percent of the 80 percent who support a balanced budget amendment.

Then the same supporters were asked if they still would support the amendment if we had to cut Federal funds for education. Only 37 percent said yes, they would. Now, that is not 37 percent of the 100 percent. That is not 37 percent of all those who were polled. That is 37 percent of the 80 percent who support a constitutional amendment. That makes a difference.

Then the same supporters were asked if they were still on board if we had to cut Social Security; only 34 percent said they would. We will say there are 100 apples on the table here and that the 100 apples represent the total number of persons who were polled on the various questions. Eighty percent support, that would mean 80 of the 100 apples taken off the table. They all support the balanced budget amendment.

But if Social Security is increased, of those who support a balanced budget amendment, only 34 percent then would support the amendment. So if Social Security is included, only 34 percent of the 80 apples, or approximately 27 percent of the whole number favor the amendment.

So that would mean less than 34 percent of the 100 percent; in other words, only approximately 27 or 28 percent of the whole number would then support the balanced budget amendment.

I ask the rhetorical question, are we beginning to see a pattern emerge here? There is vast agreement on a goal; in other words, balancing the Federal budget, but virtually no agreement on how to achieve that goal among the general public.

Let us understand one thing, if Congress passed the amendment today and we had to start moving toward that goal, virtually all talk of tax cuts would have to be abandoned. If Congress passed the amendment today and we had to start moving toward that goal, virtually all talk of tax cuts would have to be abandoned.

There is a lot of talk about tax cuts in the air. Both Republicans and Democrats seem—according to what I have read—to be racing toward the finish line to see who can get there first with a tax cut. And there may be a bidding war on that subject in due time.

But this Senator from West Virginia thinks it is absolute folly—folly—to talk about a tax cut at a time when we are talking about passing a constitutional amendment to balance the Federal budget.

We seem to be going in two different directions all at once, and we are going to meet ourselves head on. If we have a tax cut and then if the constitutional amendment on the balanced budget is adopted, we may have to increase taxes to balance that budget. It cannot be ruled out.

So what is going on here? We cut taxes one day and raise them the next. It is going to be much more difficult to raise taxes than it will be to cut them.

I think we ought to stay on the course we are on; that being to attempt to balance the budget. And we have had two good efforts in 1990 and 1993, in both of which years Congress passed legislation that reduced the rates by which the deficits were growing and actually made reductions over a period in the deficits. That is the course we ought to stay on, and that is not an easy course.

But now to forsake that course and say, "Well, let's have a tax cut," that

is flying in the face of the strong efforts that have been made in 1990 and 1993 to bring about a reduction in the deficits and to move on a glide path toward a balanced budget. It does not make sense. We ought to be thinking of our children and grandchildren. No, we want to cut taxes now for political purposes, cut taxes now, do something for ourselves, forget about the kids, forget about the children down the road; let us shift this burden over on them, shift it over to them; let us have the tax cut now, though; let our children, and grandchildren and their children worry about it.

That seems to me to be very shortsighted, very shortsighted.

I would rather see the President and the Democratic Party stay on the course we were on of balancing the budget, of reducing the deficits. I think it is not only poor judgment but it is wrong to talk about a tax cut now. It is easy to cut taxes. Nobody likes to vote to increase taxes. I do not like to vote to increase taxes, but I am not going to join in the rush to cut taxes at a time when we have budget deficits in the \$200 billion range and a national debt that is \$4.5 trillion. Talk about declaration of rights, petition of rights, bills of rights, and all these things, I think we might better focus on a petition of rights, declaration of rights or bill of rights for our children's children and their children. I would not think that a tax cut for those of us in our generation would be wise. It certainly would not be a part of my declaration of rights for posterity.

We should not have a tax cut at this time, in my view, and we certainly should forgo that idea if Congress adopts a balanced budget amendment. Now, if we did that, if we abandoned all thoughts of a tax cut, we would still need to cut spending or raise taxes from projected levels by more than \$1 trillion over 7 years, according to the Congressional Budget Office, in order to balance the budget.

We could go ahead and cut welfare. That seems to be popular, but it would not be nearly enough. We could go ahead and slash defense spending. That also seems to have a fair amount of support among balanced budget enthusiasts, but that would not get us to balance without massive tax increases either. How popular does anyone within the sound of my voice think massive tax increases are?

My point is that no one area of cuts would get us anywhere near a balance by the year 2002. The cuts would have to hit most all of the extremely popular Federal programs and those cuts would have to be severe.

It is obvious on its face from the results of the ABC poll that the American people have no real understanding of what passing this amendment means in reality. The conventional wisdom around here is that the balanced budget amendment is a forgone conclusion; that its adoption is foreordained. Mr. President, it may be that a constitu-

tional amendment to balance the budget will be adopted. It may be, but I am not going to concede that yet.

We heard that same thing last year being said. It was said last year that the balanced budget amendment would be adopted, but it was not. The constitutional amendment to balance the budget may or may not be adopted. That is something that will be decided as we go down the road.

I am not going to join in the stampede to adopt a constitutional amendment to balance the budget. I am in favor of balancing the budget from time to time when we can, but I do not think that can be done every year in the normal course of things, for fiscal reasons, cyclical and countercyclical fiscal reasons.

I am not in favor of a constitutional amendment on the balanced budget. That is not news to anyone. But let me just say again that I do not concede at this point that such an amendment is going to be riveted into the Constitution. Perhaps it will be. We shall see.

We in the Congress have not adequately educated our people about what the amendment really means. It means enormous changes in the lifestyles and in the opportunities available to every man, woman, and child in this Nation. Furthermore, if the economy goes into a recession, which simultaneously increases spending on programs such as unemployment compensation and decreases revenues coming into the Treasury because of poorer performance in the private sector, spending cuts will have to be steeper and the tax increases will have to be larger than anticipated. Any first-year economic student knows that raising taxes or cutting spending during a recession is a recipe for plunging the economy into a depression.

It is the height of irresponsibility to avoid speaking very plainly to the American people about what is at stake here. We have to form a consensus about how to continue to reduce the Federal deficit rather than pass a constitutional amendment that would place our Nation's economic policy in a straitjacket. There has to be a national debate about the available options and their consequences. Honesty and integrity demand it.

I have heard it said that we were sent a message with this most recent congressional election. I believe that is a true statement. The message was: Involve the American people. Involve the American people in decisions that affect their lives and their livelihoods. The message was: Do not dictate to us, the people, from on high anymore. That Washington crowd must stop trying to tell us, the American people, what is best for us to do, what is always best. That is one of the reasons why we have this bill on the floor. The American people are tired of being bossed around from Washington, told what to do, when to do it, how much to do.

When I was in the State legislature 49 years ago, my feeling as to my associates in the legislature was—and I think it was a consensus among the West Virginia legislators in the House at that time and also in the West Virginia Senate where I later served—those fellows up in Washington, we do not need them to tell us what to do. We do not even want our Senators, who were Democrats like most of us were in the legislature, we do not want them telling us legislators at the State level what to do. They have enough to do. We will take care of our work here.

Well, that just applied to the members of the legislature. But the American people generally are tired of the heavy hand of Washington. They do not want to be dictated to anymore. They are tired of it. They are fed up to the earlobes with being told from Washington how to plant, when to plant, and how much to plant. And here we are caught in a headlong rush to pass, to adopt, a balanced budget amendment, rivet it into the Constitution.

Now we have a bill before the Senate that deals with unfunded mandates, and it is going to pass the Senate. As I say, my vote may be one of the votes that helps it to pass. But the balanced budget amendment will be the largest unfunded Federal mandate of all time—the largest Federal unfunded mandate of all time. A constitutional amendment to balance the budget would dump huge new responsibilities on the States because of massive and precipitous cuts in Federal dollars. At virtually the same moment in time when we are poised to pass legislation curtailing the Federal Government's ability to enact unfunded Federal mandates on the States, here we are hot and bothered about passing a constitutional amendment to balance the Federal budget without a hint as to how we will actually bring the budget into balance.

"Oh," they say, "well, let's get the amendment into the Constitution and then we will talk about that." Well, then it is too late. Once that amendment is in the Constitution, it will take some years—it will not be a matter of days or weeks or months to remove that constitutional amendment, but it will take some years to remove that amendment from the Constitution if it develops, as I think it very well may be develop, that the amendment proves to be unpopular with the American people in the long run.

It is arrogant, Mr. President, it is the acme of arrogance for us as Members of the Senate and the House of Representatives to put forward a constitutional amendment to balance the budget without laying on the table, so that the American people can see what it is, the plan by which we expect to achieve that balanced budget by the year 2002.

It has been said, "Oh, well, we must not do that. If the American people know the details, we will never get that amendment adopted around here." Well, that is the height of arrogance—

arrogance. If we let the American people know what is good, what is bad about balancing the budget under a constitutional amendment to balance the budget, we let them know, we will not pass it. We will not have the votes to adopt the amendment. In other words, do not let the American people know. Keep them in the dark as to where the pain will be, keep them in the dark as to where the cuts will have to be made, keep the American people in the dark as to what tax increases will have to be made, because if the American people are told that, the 80 percent of those who answered the polls to which I earlier alluded will dwindle away. We will not have the votes even here in the Senate to adopt that amendment, because the American people will rise up. They will be disturbed. They will become excited. And they will contact their Senators and House Members and tell them to slow down, slow down. So, "We do not want to tell them that. They are just like children." That argument assumes the attitude that the American people are children; they should not be told the truth, if the truth hurts. It takes the attitude that the American people do not have a right to know what the problems will be, what their burdens will be, where the cuts will be applied, where the taxes will be increased if a constitutional amendment to balance the budget passes.

That is superarrogance, on the part of those of us who are not willing to lay out the course which the American people will have to follow in order to balance that budget. That is being superarrogant.

Mr. KEMPTHORNE. Will the Senator yield?

Mr. BYRD. Yes.

Mr. KEMPTHORNE. I would like to just note and acknowledge what the Senator from West Virginia stated, in the fact that he has been a State legislator. I think as State legislators across the United States realize that he has sat in their very circumstances, he has an empathy for what they are trying to do in establishing their priorities, I think they take courage in knowing that we have another champion who has been in their shoes, whom we hope will help champion this unfunded mandate legislation.

I would like to make an inquiry then. Because we are having this discussion—and I point out that there are points the Senator has made which I agree with and I appreciate the Senator has stated them—since we are having this discussion as this amendment is pending, would the Senator be willing to enter into a time agreement so we could have some sense as to how long we would have discussion before we would put this amendment to a vote?

Mr. BYRD. Mr. President, that is a legitimate question. I would not be willing to do so at this point.

May I make it clear to my friend and to all who are listening and viewing

what is going on here, I am not out to kill this bill. I may vote for it. And I am in no position to know—I am in no position to say how soon we will pass this bill. It may be today, it may be tomorrow, it may be Friday. I do not know.

Others who are on the committees that were involved, the Governmental Affairs Committee and the Budget Committee, are very much closer to the facts and to the problems that are being addressed than I am. I am not a member of either of those committees.

But, first of all—and I hate to say this again, but sometimes repetition bears being repeated—I was a bit astonished and taken aback when both committees, the Governmental Affairs Committee and the Budget Committee in the Senate, by rollcall votes declined to submit committee reports. I was, in a manner, offended as a Senator, as a Senator who has been here many years, who is accustomed to having committee reports on major bills, as a Senator who has always stood for the rights of the minority. I have always stood for the rights of the minority in this body. I felt that the rights of the minority were being trampled underfoot by the rejection in both committees of minority requests that there be committee reports, and the minorities in both committees were refused. That was not in accordance with my views as to what the minority has a right to expect here. I understand that the votes were party-line votes.

Mr. GLENN. Yes, that is correct.

Mr. BYRD. By denying the minority, the American people were likewise denied. Again, this is arrogance, arrogance, to deny the minority the right to present its individual and minority views in a committee report.

I thought that was what the American people, in part, were sending us a message about. They are tired of this arrogance: "They know it all, in Washington. They know it all." No, there was such a hurry, such a big rush. "We have a Contract With America. It has to be accepted within 100 days." That seems to be the big rush. Up to this point I have been remonstrating and protesting that kind of procedure in the committees. I hope it will not be done again.

I am not saying that the same thing may not have happened in times gone by. I would never be one to defend the trampling of a minority's rights in this respect on a major bill, a bill which may be controversial. I think that my colleagues on this side of the aisle deserve to have some time to study the committee report. We finally received the committee reports and over the weekend I have had an opportunity to read them.

I am not a major player on this bill at all. But I just think we ought to slow down and take a little while to study what this is all about and know what is in the bill. I can best understand the pros and cons by reading the committee reports. That is why we

have committee reports—one reason why we have committee reports. I cannot just read the bill and understand it fully. I need to read the committee reports. I need to see what the minority thinks. I always—always look to see what the minority is saying in a committee report because if there are problems with the bill, with a given bill, the minority is likely to raise those problems, give them visibility. So that, by way of explanation, again, is why I have become involved here. I want to hear what my colleagues on this side of the aisle have to say about this bill. I will probably hear a little of that, or some explanation in the conference that is coming up.

But I do not propose to be rushed. I may be run over by the steamroller, but I do not propose to get out of its way or just jump upon it and ride along with it, necessarily, at least. There may be some parts of the Contract With America that I will support. Mr. President, I do not put it on the level however, with the Federal Constitution. I do not put it on a level with the Declaration of Independence. I do not put that document—I have not read it, as I say. I have never read a Democratic platform. Why should I read this Contract With America? I did not have anything to do with it. I am not a part of it. I do not put it on a level with the Federalist Papers. So it does not have all of that aura of holiness about it or reference that I would accord to some other documents.

I say to my friend from Idaho that he is doing what he thinks is right. I assume that he believes in all particulars of the bill. Or he may not. He may not believe in every particular. And the Senate will have its opportunity to work its will on that bill. I fully recognize the need to do something about unfunded mandates. I recognize that need. We have gone down that path too far in many instances.

I just have a little more to say on this particular subject, and then I will talk a little about the matter before the Senate.

But here we all are hot and bothered about passing a constitutional amendment to balance the Federal budget without a hint as to how we will actually bring the budget into balance. Furthermore, there are those in this body who are completely unwilling, as I have said, to share the details of any plan to balance the budget with the people before we pass the amendment. Now I ask Senators. How does that comport with the so-called "message" that we just got in the November election? How is this bringing Government back to the people? How is this putting vital decisions back into the hands of the voters of America?

A member of the other body's leadership was quoted in the newspaper last week as admitting that, if the details of getting to a balanced budget by the year 2002 were public, there would be virtually no possibility—no possibility—of passing the amendment. Is it all

that bad? In other words, for Heaven's sake, do not tell the people what we are about to do to them. Do not tell them. Keep them in the dark. They want the amendment. Eighty percent said so in that poll. Keep them in the dark. Let us give it to them. They do not need to know what getting to balance entails. They do not need to know that. They do not need to be bothered with that.

If we exempt further tax increases or cuts in Social Security and defense, then what are we left with? In fiscal year 1995, the current fiscal year, Federal expenditures will total slightly more than \$1.53 trillion. Excepting Social Security at \$334 billion, defense at \$270 billion, and of course, interest on the national debt of \$235 billion, any cuts required to balance the budget would have to come out of the remaining \$692 billion. It has been estimated, with a fiscal year 1995 budget deficit of \$175 billion, those cuts would have to total 25.4 percent across the board on that \$692 billion. And in fiscal year 2002, using the same assumptions, those cuts would have to equal 28 percent in order to eliminate a projected deficit of \$322 billion.

Not discussing the options with the American people is like a suitor telling his prospective bride, "Marry me and I will make you happy." But when she asks what he has in mind, he simply answers, "Trust me, baby. You don't need to know the details. Trust me baby, you don't need to know the details." Talk about a pig in a poke; that is a hog in a rucksack.

This is big, arrogant Government going completely hog wild. This is us big guys, we big guys in Washington, saying to the American public, "We refuse to give you any idea of how we are going to enact over \$1 trillion of spending cuts and tax increases over the next 7 years." Note carefully that the 7-year period puts many of us in this body safely through the next election, by the way. It puts us safely through the next election. If this constitutional amendment is going to be sent out to the people, why do we not amend it; instead of having 7 years, make it 5. Make it 5 years. That is not customary. But there is no reason why it cannot be done. Make it 5 years so that the chickens will come to hatch during the terms of those of us who are here now who were elected in the past election, and they will certainly come to hatch during the terms of those who will be running next year, those who will be reelected or those who will be elected. It does not have to be a 7-year period. Make it a 5-year period. The 7 years puts us all safely through the next election.

Any plan to do that kind of violence to the Federal budget and to the national economy simply must be shared with the American people before we take an action that mandates that the violence be done. Let us not be a party to trying to pull the wool over the eyes of the people who sent us here. We do

not allow it in other matters. We do not expect anyone to buy a used car without knowing whether or not that car has defects. We do not expect anyone to buy a house without knowing if the roof leaks. We could not allow anyone to take out a mortgage on that house without requiring the lending agency to fully disclose the terms of the loan. Mr. President, we have truth-in-advertising statutes in this country. We have truth-in-lending requirements. Why, then, should the American people be expected to accept the constitutional balanced budget amendment that would lock this Government into a rigid and unforgiving economic straitjacket without knowing precisely what that means?

Mr. President, in August 1993, the Congress passed a reconciliation bill that accomplished well in excess of \$450 billion of deficit reduction, certainly well in excess of \$400 billion. Every single dollar of spending cuts and every single dollar of revenue increases were laid out in plain language for Members and the American public to see. Obviously, those cuts were difficult to vote for. The revenue increases were difficult to vote for. But that package is something that needed to be enacted then, and it is something that needs to be enacted now.

Most importantly, Mr. President, that deficit reduction was passed without a balanced budget amendment in the Constitution.

Mr. President, if those who have signed on to the Contract With America are so sure that they have the necessary 67 votes to pass the balanced budget constitutional amendment, then they should lay down a plan that will actually balance the budget. If they have 67 votes to pass the constitutional amendment on a balanced budget in both Houses, they should not have any concern that their budget plan would not pass. After all, a budget resolution requires only 51 votes, only a simple majority—16 votes less than would be required for a constitutional amendment, if all Members were present and voting.

So why not accomplish through a statute a plan which can begin to take effect immediately, instead of waiting for the year 2002? If they can produce 67 votes for a constitutional amendment, they can produce 51 votes to pass the tough legislation required to achieve that balanced budget. Why do they not do it?

Let us not undermine the Constitution of the United States and the people's faith in that Constitution by putting off the bitter medicine that will surely come if a constitutional amendment to balance the budget passes in the House and Senate and is ratified at the State level. There will have to be some tough, tough decisions. Well, why not make those tough decisions now? We do not need a constitutional amendment, if there are 67 votes in this body now. And if two-thirds of the 435 Members of the other body can