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Senate

The 3d day of January being the day prescribed by the Constitution of the United States for the annual meeting of the Congress, the 2d session of the 104th Congress commenced this day at 12 noon.

The Senate assembled in its Chamber at the Capitol.

The Senate was called to order by the President pro tempore [Mr. THURMOND].

The PRESIDENT pro tempore. The hour of 12 noon on January 3 having arrived, pursuant to the Constitution of the United States, the 1st session of the Senate in the 104th Congress has come to an end and the 2d session commences.

The majority leader addressed the Chair.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

MORNING BUSINESS

Mr. DOLE. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business with Senators permitted to speak therein for up to 5 minutes each.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DOLE. I think leader time was reserved.

The PRESIDENT pro tempore. The majority leader is correct.

A REVIEW OF THE 1ST SESSION OF THE 104TH CONGRESS

Mr. DOLE. Mr. President, I wanted to quickly review the historic 1st session of the 104th Congress, the first Republican Congress in 40 years.

On January 3, 1995, I spoke from this podium and outlined the agenda the Republican Senate would be advancing.

Exactly 1 year has now passed since that day, and as we begin the second session of this Congress, I would now like to offer a progress report to the American people—detailing the promises we kept in 1995, and the work we hope to complete in 1996.

As I said on the first day of this session, the primary goal of this Congress would not be to pass unnecessary new laws—but instead to remember a timeless one—the 10th amendment to our Constitution.

That, of course, is the amendment that sets out the principle of federalism, stating that “The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States, respectively, or to the people.”

Shifting power out of Washington, and returning it to our States, our cities, our neighborhoods, and to the American people. That’s what the 10th amendment is all about.

And that is exactly what the 104th Congress has been about since day one—and since Senate bill 1—which put an end to unfunded Federal mandates.

That is what we were about when we passed landmark welfare reform legislation that will give our States the flexibility to design programs that best meet the needs of their citizens.

And that is what we have been about these past few weeks, as we continue our fight for a balanced budget that will ensure a brighter future for our children and grandchildren.

As budget negotiations continue, it is important to note that for as much as this Congress has accomplished in giving Government back to the American people, there is more we could have accomplished—had President Clinton not time and again stood in the way of fundamental change.

In fact, it was President Clinton’s active opposition that prevented the Senate by just one vote from joining the House in sending a balanced budget

amendment to our States for approval. And it was his veto of the Balanced Budget Act of 1995 that put us in the situation we are now in.

Had President Clinton not chosen to engage on a campaign to scare the American people, America’s seniors would be beginning 1996 secure in the knowledge that Medicare was solvent.

It seems to me that we have made some progress, but we need to make more, and whether or not that can be done will be determined, I assume, in the next very few days.

It is also worth noting that President Clinton’s misguided insistence on the status quo has prevented the enactment of much-needed regulatory reform legislation which would ease the burden of Government redtape and regulations on America’s small business men and women.

Let me make it clear that although we are very frustrated with the President’s actions, we have not given up on a balanced budget or on regulatory reform.

Something else we have not given up on is doing everything we can to help law-abiding Americans in the fight against crime and drugs.

In the wake of the terrible tragedy in Oklahoma City, the Senate moved quickly to pass antiterrorism legislation. And at our insistence, this legislation included historic habeas corpus reform, which would put a limit on frivolous lawsuits that convicted felons use to clog our courts and delay justice.

Republicans also included a number of tough anticrime provisions in the Commerce, State, Justice Department appropriations bill. Unfortunately, President Clinton vetoed the bill.

I know that the distinguished chair of the Judiciary Committee, Senator HATCH, will continue to look for ways in which Congress can provide the leadership in the fight against crime that has been missing at the White House.

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



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We took steps to do that just last month, when Speaker GINGRICH and I announced the formation of a congressional task force on national drug policy.

A series of national surveys have shown a very disturbing increase in drug use among America's youth. Drug use among young people was down—way down—in the 1980's, when Presidents Reagan and Bush made the war on drugs a national priority. And these surveys show what has happened now that the Clinton administration has all but declared a cease-fire.

The Speaker and I have charged this task force with convening the Nation's top experts, and coming up with an antidrug action plan which we can implement in the coming year.

Earlier this year, the Speaker and I also asked Jack Kemp to chair a 14-member blue-ribbon national commission on economic growth and tax reform.

We asked the commission to start with a blank piece of paper, and to design a tax system that is flatter, fairer, and simpler—one that strengthens families, and one that encourages savings, investments, strong economic growth, and greater opportunity for all our people.

The Kemp commission will issue its report next week, and I anticipate their recommendations will significantly advance the tax reform debate. Hopefully, these recommendations will lead us to a new system so we can end the IRS as we know it.

We also made substantial progress this past year in our efforts to pass a line-item veto, to bring much-needed reform to America's telecommunications industry, and to restore some common sense to our civil justice system. With our House colleagues, we hope to put the finishing touches on both of these important issues early this year. That is still in conference. It is our hope, perhaps, if there should be a budget agreement, that might become part of the budget agreement. The Senator from Arizona, Senator MCCAIN, and Senator COATS, on this side, have worked on this for years, as have many other of my colleagues, too.

We have not given up on regulatory reform. We are just shy of the 60 votes we need; we have 58. We are working with our colleagues on the other side of the aisle because this area affects real people. It costs the average American family about \$6,000 per year. We believe in this case it should not be a partisan debate. So I hope we can come together on that.

I also say with pride that just as this Republican Congress has insisted on returning power to the people, we also have made clear that Congress is not a ruling class that is above the people.

While we were in the minority, Republicans fought for legislation that would subject Congress to the same laws we impose on everybody else. And once we were in the majority, we were able to do just that by passing the Congressional Accountability Act.

With Republicans in the majority, Congress was able to enact into law legislation that will shine additional sunlight into the lobbying process, and we also placed a strict limit on gifts that Members of Congress and Senators can receive.

And with Republicans in the majority, we were able to cut more than \$200 million from the congressional budget—the largest cut in 40 years.

One thing we did not cut, however, was America's national security. Over the past few years, the Clinton administration has come dangerously close to gutting our national security budget, and this Congress reversed that ill-advised course.

Let me conclude, Mr. President, by thanking all Senators on both sides of the aisle. Our first session was a lengthy one, and at times, the debates have been contentious.

But I believe that all of us can take great pride in the fact that history will reflect we were all part of a truly revolutionary U.S. Congress:

A Congress that kept its promises.

A Congress that fought to change the status quo.

A Congress that succeeded in bringing fundamental change to Washington, DC.

A Congress that, above all, remembered the 10th amendment by returning power to our States and to the American people.

Also, again, I trust that in this session, as it says in the 10th amendment, we will return power to the people.

CONTINUED BUDGET MEETINGS

Mr. DOLE. Mr. President, we will meet again, as the Democratic leader knows, at 3 o'clock, with the President to talk about whether or not we can come together on a balanced budget amendment over the next 7 years, using CBO numbers. I hope that can be accomplished. I think we are, again, serious in what we are attempting. Whether or not it will happen, we will have to wait and see.

We have honored, as far as I know, the so-called blackout. I think we make a lot more progress when none of us are talking to the media. They are all good people, do not misunderstand me, but I think in order to accomplish this very difficult task, we better have an understanding of what it is before it becomes public—not just for our sake, but for the sake of the American people, for the sake of our colleagues on both sides of the aisle. They are going to have to vote on it up or down when and if we reach that point.

I yield the floor.

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER (Mr. WARNER). The Democratic leader is recognized.

THE 1ST SESSION OF THE 104TH CONGRESS IN REVIEW

Mr. DASCHLE. Mr. President, let me commend the distinguished majority

leader for his leadership in the 1st session of the 104th Congress.

Let me also repeat what I said a year ago, when this Congress began: Democrats are willing to work with our Republican colleagues where we can—but we will oppose them where we have to. That is the principle that guided Senate Democrats last year, and the principle we will use again this year.

We all wish we were beginning this new session under better circumstances. Instead, the Federal Government remains closed for the 19th consecutive day. Hundreds of thousands of Federal employees are being forced to go without pay, and millions of taxpayers are being denied services for which they have already paid.

The American people deserve better than this, Mr. President, and this Congress is capable of better. We proved that on a number of occasions last year. We proved that we could work together—Democrats and Republicans, Senate and House—to accomplish something worthwhile.

Today, as we begin the second session of this Congress, I think it is worth reviewing those occasions on which we were able to achieve broad consensus last year.

Second, let's look at the successes we achieved in this Senate when we were able to replace extremism with reason.

Third, let's remember the opportunities we lost last session when we could not work together to do what the American people sent us here to do. In each case, I believe we can learn something that may help us in this session.

One area in which this Congress was able to achieve broad consensus is congressional reform. Democrats fought in the 103d Congress for a Congressional Accountability Act to hold Congress to the same standards we demand of other employers. We fought for lobbying disclosure and a real gift ban. And we fought to put an end to the irresponsible practice of unfunded Federal mandates. We were grateful that our Republican colleagues finally joined us last year in supporting these proposals and passing them into law.

Another important area in which Democrats and Republicans worked together successfully was in helping to secure the chances for peace in Bosnia the right way—by strengthening the NATO alliance rather than shattering it. While the results of our decision cannot be determined immediately, I am hopeful that as a result of our continued cooperation, we can work with the administration to see that our efforts in Bosnia remain a success.

In other areas, we achieved success with smaller—but still bipartisan—margins. These were issues on which Democratic Senators, joined by a few of our moderate Republican colleagues, were able to temper the extremism of certain proposals sent over from the House. Through that effort, we avoided deep cuts in school lunch programs, and we preserved the rights of ordinary citizens to know what kinds of toxic