

unselfish. Without Guy's immediate reaction, a 9-month-old infant may not have survived. I am proud to call Guy Young one of New Hampshire's special citizens. He has truly made us all very proud of him. Congratulations Guy, on a job well done!•

#### ORDER OF PROCEDURE

Mr. DORGAN. Mr. President, I understand the majority leader will be here to make unanimous-consent requests. While waiting for the majority leader to come to the floor, I would like to make a couple of comments.

#### THE 104TH CONGRESS

Mr. DORGAN. Mr. President, today, as is the case on most days when the Senate is in session, we have seen in morning business a block of time offered to those who come to the floor to describe what is wrong with the Senate, what is wrong with the President, and why the revolution that was offered at the start of the 104th Congress has failed to achieve its goals. In fact, today one of the speakers said, well, the reason the Senate is still in session is because the people on this side of the aisle—the Democrats—are keeping the Senate in session for political purposes, apparently, not letting those who want to go home to go home.

I listened to that. I thought to myself, this is a very curious statement from someone who is a Member of the Senate. Anyone who is a Member of the Senate would probably know that we have not done our work. We are supposed to pass appropriations bills. That is what funds the functions of Government. The fact is, the largest appropriations bill that we passed in the year has not been completed. Four appropriations bills will likely now be rolled into a continuing resolution—I guess five appropriations bills rolled into a continuing resolution—and not adopted by this Congress at all. The requirement is that is supposed to be done by September 30. It will not be done. The Congress will not have done its work. The Congress will not have followed the requirements in law.

So we will pass what is called a continuing resolution, which is defined as a legislative failure because the Congress didn't do the job it was supposed to do. We are still here because the Congress has not completed its work. That is not rocket science. If the Congress does not get its job done, it ought not go home.

Well, this has been a remarkable Congress by any measurement. I understand why some want to go home. In fact, the very people who want to go home quickly now are the people who couldn't wait to get here at the start of the Congress to begin the revolution—a rather curious, unusual revolution that said we want to serve in Government because we do not like Government; what we would like to do is provide a very large tax cut. Much of that

will go to upper-income Americans and pay for it by cutting the Medicare Program, most of which helps lower-income Americans.

And they said we have a new economic plan for America as well. Let me describe it to you—not in my words, but in the words of a former Republican, a columnist who described it this way. He said:

Their economic plan proposed that you take the 20 percent of the people with the lowest incomes, and say to those people, "You are now going to bear the burden of 80 percent of the spending cuts that we propose in Government."

The same economic plan would say to those who have 20 percent of the highest incomes in America, you should smile because you are going to receive 80 percent of the benefit of our tax cuts.

A curious economic program, one that when the American people got onto it they did not like very much. And so the 104th Congress which started with almost a coronation is now kind of limping to a conclusion with the folks who were so anxious to get here now wanting to leave.

I was reading last evening again a book that was written by a colleague of ours, Senator BYRD from West Virginia, a book that is compilations of some presentations he has made in this Chamber. And in part of the book he is discussing the old Roman Senate and a lot of historical references in the book that are quite interesting, one of them about Hannibal which I mentioned to our caucus the other day, Hannibal crossing the Alps. All of us studied in school about Hannibal. What a remarkable achievement. This man took, I believe, 36 elephants and crossed the Alps with these elephants, and, of course, that is what we read about in our history books—Hannibal crossed the Alps with his elephants. Quite remarkable.

Hannibal, in fact, was quite a masterful tactician and strategist and had quite an interesting record as a commander, military strategist. But what you do not remember and what Senator BYRD described in his book is the end stage of Hannibal. Hannibal lost an eye. All but one of his elephants died, of course. There was one remaining emaciated elephant, and the last vision as I read last evening in the book is of this one-eyed Carthaginian soldier named Hannibal riding the last of his emaciated elephants across the plains of Italy. I thought to myself, you know, that reminds me a little bit of the way the 104th Congress is ending up—the last emaciated elephant being ridden across the plains of Italy.

We have a responsibility in Congress to do what the people expect us to do on behalf of this country, and I think this Congress has done some things that are commendable but we have not nearly scratched the surface on the menu of things that most people would want us to deal with.

Education. How do we move our country in a direction that assures us

we are going to have the best education system in the world? That ought to be our country's goal. In every corner of America it ought to be our goal to build our education system that is the finest in the world.

Jobs. Our goal ought to be to find a way to provide more economic growth, an expanded economy, a trade balance that is not in deep deficit but one that is in reasonable balance with jobs staying here, not moving overseas.

Crime. Dealing with the epidemic of crime in America in a thoughtful way, a manner in which maybe both parties would agree dealing with the epidemic of violent crime is in the interest of all Americans.

And the environment. In 20 years we have doubled the use of energy in America, and at the end of 20 years doubling the use of energy we have cleaner air and cleaner water. No one 20 years ago would have predicted that possible. Improving on that record as well.

Mr. President, I see my colleague from Mississippi, the majority leader, Senator LOTT, is here to make unanimous-consent requests. Let me not delay him and the Senate further. I would be happy to yield the floor for the unanimous-consent request.

The PRESIDING OFFICER. The majority leader is recognized.

#### UNANIMOUS-CONSENT REQUEST

Mr. LOTT. I thank the Senator from North Dakota.

I know he is going to be staying so we can go through these consent requests that we have. I would like to begin, Mr. President, by asking unanimous consent that when the Senate receives from the House a joint resolution making continuing appropriations for fiscal year 1997, the joint resolution be placed on the calendar and the Senate proceed to consider the joint resolution on Tuesday, September 24, or any day thereafter after consultation with the Democratic leader and it be considered under the following agreement: 1 hour equally divided on the joint resolution, third reading and adoption of the joint resolution occurring no later than 9 p.m. Wednesday, September 25.

The PRESIDING OFFICER. Without objection—

Mr. DORGAN. Reserving the right to object—Mr. President, reserving the right to object—

The PRESIDING OFFICER. Is there objection?

Mr. DORGAN. Reserving the right to object—

Mr. LOTT. I thought the Chair did a very good job.

Mr. DORGAN.—And I shall object, I would observe this is one of the fastest Presiding Officers I have seen in some while in the Senate.

Mr. LOTT. I was just commending him.

Mr. DORGAN. As I understand the Senator from Mississippi, he suggests we agree to a piece of legislation not

yet written, agree to offer no amendments to a bill, the provisions of which we are not yet sure might or might not need amending, and agree to it at a time not yet certain. Is that the sum and substance of the proposal?

Mr. LOTT. Mr. President, if I could comment on that, I would like to begin by reminding my colleagues that one week from Monday, this coming Monday, is the end of the fiscal year. We have a job to do. We are working with the administration and with the appropriators on both sides of the aisle to get agreement on numbers and on language that would go in a bill that would be necessary to keep all of the various departments working, assuming we cannot get all the appropriations bills completed in advance of that date. And it appears we will not, although work is still being done on some of them.

I believe the VA-HUD appropriations bill, for instance, will be ready. Everybody understands and expects that Labor-HHS and Education, Commerce-Justice-State Department, and Interior and probably Treasury-Postal, at least those four would be in a continuing resolution.

Having said that, with that deadline, the end of the fiscal year is one week from Monday. This coming Monday is a Jewish holiday. That leaves Tuesday, Wednesday, Thursday, Friday, Saturday, Sunday, Monday, and the fiscal year is over.

We can stand around and wait for chaos and we will create it. We need a safety net under our military men and women and for our people that have had fires and disasters and for our children and our schools. We need to make sure that safety net is there and in place through a continuing resolution. In order to get that done, we have to get started.

I have offered to the leadership in the Senate, Senator DASCHLE in particular, the Democratic leader, and have communicated these various ideas to a number of Senators, the appropriations chairmen, ranking Members in the House, a number of options how we could do this. Senator DASCHLE and I have spent a lot of time talking it through. I think he wants us to find a way to do it, but the problem is we have to do it. We have to find a way to do it. So I suggested that we would call the CR up and we will have available on Tuesday the basis of the CR that we could go forward with. The committees are coming to closure now. CJS—Commerce, Justice, State—I think they are about ready. Interior is making good progress. We are going to have it by Tuesday.

So I said to Senator DASCHLE, why don't we call this up on Tuesday and let us get an agreement that we will have 6 amendments in order on each side, a total of 12 amendments, but that we would complete the debate on amendments and pass it by Wednesday night.

He had some concerns about that. He said, I don't know about trying to limit

it to six. Of course, we would all have to try to find some way of agreeing on our side and your side what the six would be, and that would probably befall your lot to try to help your side.

He was not comfortable with that. I said how about plan B. Let's begin Tuesday. Let's not have any limit on amendments, any limit on time. Let's get started. We offer an amendment; you offer an amendment, second degrees, sort of a jungle route, no limitations. Let's get started. Let's finish our work. But we would finish it Wednesday night at 9 o'clock.

I think Senator DASCHLE would like to do that but apparently there was an objection on that side. I do not quite understand why.

Another option is that we bring this over attached to the Department of Defense appropriations bill. To be perfectly honest, there are some potential problems with that.

But, I mean, remember now, we are proceeding on the assumption that we are going to be basically in agreement. Basically, on numbers and language, we are coming together, and we think we are going to get an agreement. The problem is, how do we, mechanically, get it done?

What is magic about 9 o'clock Wednesday night? Once we do our work here in the Senate on that, on the CR, and get it done Wednesday night, then it has to go to conference. It will take, I am sure—no matter what happens, there is going to be a little difference between the House and the Senate. That has to go to conference. Should we not give them at least a day, Thursday, maybe until Friday morning, to get the conference agreement?

Then we would have to take the conference agreement up Friday afternoon or Saturday or Sunday. In order to get our work done, we would have to complete it, I presume, sometime Friday night or Saturday so it could go to the President and he could sign it, and, you know, everything would be under control.

If we do not get started Tuesday, if we do not complete it Wednesday, when does it go to conference? Does it go to conference Thursday? Are they going to take all day Friday? Are they going to be in conference over the weekend? Are we going to, then, go home 3 days before the end of the fiscal year and see our constituents while we are on the verge of running out of time on the fiscal year? I am not sure that is smart.

So here is what I am trying to say. I am flexible. I will work with you. Give me an idea. But I want to make it abundantly clear that, as majority leader, I am committed to getting this work done and that I am offering multiple avenues to get there to the Democratic leadership. But at some point we are going to have to get an agreement.

So, I just wanted to go through that. If this is not an acceptable arrangement, we need some kind of an agreement. I thought this was a good one to get started, that there be some time,

equally divided time; we have amendments that could be offered. But there is going to be objection. We are going to get started on Tuesday morning—Tuesday—on this issue. We will just go forward. If we cannot get it done Wednesday, maybe we will get it done Thursday. But I want to make it clear to the American people that I am worried about making sure we have a safety net under our people so that we do not get into this game at the end of trying to squeeze one last drop of additional spending out of the Federal Government and have a potential problem next Monday at the end of the fiscal year.

So, I am agreeable to work with the Democratic leadership, but this is a way to get it started, and that is why I made the request.

Mr. DORGAN. Mr. President, continuing the reservation to object, and I shall object here, the Senator from Mississippi, of course, knew that there is not an agreement here and that we are constrained to object at this moment. I might say that the House of Representatives indicates to our appropriations staff that they intend to be going to the Rules Committee on Thursday and taking up the bill on Friday. And you are proposing a unanimous-consent request that we bring up a House product that apparently is not going to be done until Friday on the floor of the Senate on Tuesday.

Mr. LOTT. Will the Senator yield on that point?

Mr. DORGAN. I will be happy to yield.

Mr. LOTT. I just double checked on that. They will have a document ready on Tuesday, and my information is they will be done with this by Wednesday. Maybe just physically it may be later, but there is nothing rare about the Senate going ahead and getting started, provided we do not complete it before they do their work. But we can do a lot of work while they are working and complete it after they finish.

Mr. DORGAN. I understand. But my point is, we do not have any intention of delaying. By the same token, a unanimous-consent request that says, "By the way, let us take something that is not yet created and agree to bring it up on Tuesday at a point when it won't be done," suggests that none of us will be able to offer any amendments to what likely will be an enormously bloated product, not necessarily with things that will get vetoed, but with things that those in a position to stick them in do stick into this particular piece of legislation.

So we want to work with the majority leader. I think Senator DASCHLE and you have talked a great deal on this. We have no interest in delaying the business of the Senate. By the same token, we have no interest in agreeing to a process that will not allow an opportunity to amend circumstances in this piece of legislation that may well cry out for amendment.

So I am constrained to object to the unanimous-consent request the Senator is now offering.

The PRESIDING OFFICER. Objection is heard.

#### MEASURE READ THE FIRST TIME—S. 2100

Mr. LOTT. Mr. President, I understand that S. 2100, introduced today by Senator HATCH, is at the desk. I ask for its first reading.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 2100) to provide for the extension of certain authority for the Marshal of the Supreme Court and the Supreme Court police.

Mr. LOTT. I now ask for a second reading and would object to my own request on behalf of Senators on the Democratic side of the aisle.

The PRESIDING OFFICER. Objection is heard.

#### HEALTH CENTERS CONSOLIDATION ACT OF 1995

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 279, S. 1044.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1044) to amend title III of the Public Health Service Act to consolidate and reauthorize provisions relating to health centers, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Human Resources, with amendments; as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italic.)

S. 1044

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Health Centers Consolidation Act of 1995".

#### SEC. 2. CONSOLIDATION AND REAUTHORIZATION OF PROVISIONS.

Subpart I of part D of title III of the Public Health Service Act (42 U.S.C. 254b et seq.) is amended to read as follows:

"Subpart I—Health Centers

#### "SEC. 330. HEALTH CENTERS.

"(a) DEFINITION OF HEALTH CENTER.—

"(1) IN GENERAL.—For purposes of this section, the term 'health center' means an entity that serves a population that is medically underserved, or a special medically underserved population comprised of migratory and seasonal agricultural workers, the homeless, and residents of public housing, by providing, either through the staff and supporting resources of the center or through contracts or cooperative arrangements—

"(A) required primary health services (as defined in subsection (b)(1)); and

"(B) as may be appropriate for particular centers, additional health services (as defined in subsection (b)(2)) necessary for the adequate support of the primary health services required under subparagraph (A);

for all residents of the area served by the center (hereafter referred to in this section as the 'catchment area').

"(2) LIMITATION.—The requirement in paragraph (1) to provide services for all residents within a catchment area shall not apply in the case of a health center receiving a grant only under subsection (f), (g), or (h).

"(b) DEFINITIONS.—For purposes of this section:

"(1) REQUIRED PRIMARY HEALTH SERVICES.—

"(A) IN GENERAL.—The term 'required primary health services' means—

"(i) basic health services which, for purposes of this section, shall consist of—

"(I) health services related to family medicine, internal medicine, pediatrics, obstetrics, or gynecology that are furnished by physicians and where appropriate, physician assistants, nurse practitioners, and nurse midwives;

"(II) diagnostic laboratory and radiologic services;

"(III) preventive health services, including—

"(aa) prenatal and perinatal services;

"(bb) screening for breast and cervical cancer;

"(cc) well-child services;

"(dd) immunizations against vaccine-preventable diseases;

"(ee) screenings for elevated blood lead levels, communicable diseases, and cholesterol;

"(ff) pediatric eye, ear, and dental screenings to determine the need for vision and hearing correction and dental care;

"(gg) voluntary family planning services; and

"(hh) preventive dental services;

"(IV) emergency medical services; and

"(V) pharmaceutical services as may be appropriate for particular centers;

"(ii) referrals to providers of medical services and other health-related services (including substance abuse and mental health services);

"(iii) patient case management services (including counseling, referral, and follow-up services) and other services designed to assist health center patients in establishing eligibility for and gaining access to Federal, State, and local programs that provide or financially support the provision of medical, social, educational, or other related services;

"(iv) services that enable individuals to use the services of the health center (including outreach and transportation services and, if a substantial number of the individuals in the population served by a center are of limited English-speaking ability, the services of appropriate personnel fluent in the language spoken by a predominant number of such individuals); and

"(v) education of patients and the general population served by the health center regarding the availability and proper use of health services.

"(B) EXCEPTION.—With respect to a health center that receives a grant only under subsection (f), the Secretary, upon a showing of good cause, shall—

"(i) waive the requirement that the center provide all required primary health services under this paragraph; and

"(ii) approve, as appropriate, the provision of certain required primary health services only during certain periods of the year.

"(2) ADDITIONAL HEALTH SERVICES.—The term 'additional health services' means serv-

ices that are not included as required primary health services and that are appropriate to meet the health needs of the population served by the health center involved. Such term may include—

"(A) environmental health services, including—

"(i) the detection and alleviation of unhealthful conditions associated with water supply;

"(ii) sewage treatment;

"(iii) solid waste disposal;

"(iv) rodent and parasitic infestation;

"(v) field sanitation;

"(vi) housing; and

"(vii) other environmental factors related to health; and

"(B) in the case of health centers receiving grants under subsection (f), special occupation-related health services for migratory and seasonal agricultural workers, including—

"(i) screening for and control of infectious diseases, including parasitic diseases; and

"(ii) injury prevention programs, including prevention of exposure to unsafe levels of agricultural chemicals including pesticides.

"(3) MEDICALLY UNDERSERVED POPULATIONS.—

"(A) IN GENERAL.—The term 'medically underserved population' means the population of an urban or rural area designated by the Secretary as an area with a shortage of personal health services or a population group designated by the Secretary as having a shortage of such services.

"(B) CRITERIA.—In carrying out subparagraph (A), the Secretary shall prescribe criteria for determining the specific shortages of personal health services of an area or population group. Such criteria shall—

"(i) take into account comments received by the Secretary from the chief executive officer of a State and local officials in a State; and

"(ii) include factors indicative of the health status of a population group or residents of an area, the ability of the residents of an area or of a population group to pay for health services and their accessibility to them, and the availability of health professionals to residents of an area or to a population group.

"(C) LIMITATION.—The Secretary may not designate a medically underserved population in a State or terminate the designation of such a population unless, prior to such designation or termination, the Secretary provides reasonable notice and opportunity for comment and consults with—

"(i) the chief executive officer of such State;

"(ii) local officials in such State; and

"(iii) the organization, if any, which represents a majority of health centers in such State.

"(D) PERMISSIBLE DESIGNATION.—The Secretary may designate a medically underserved population that does not meet the criteria established under subparagraph (B) if the chief executive officer of the State in which such population is located and local officials of such State recommend the designation of such population based on unusual local conditions which are a barrier to access to or the availability of personal health services.

"(c) PLANNING GRANTS.—

"(1) IN GENERAL.—

"(A) CENTERS.—The Secretary may make grants to public and nonprofit private entities for projects to plan and develop health centers which will serve medically underserved populations. A project for which a grant may be made under this subsection