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Senate

The Senate met at 9 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Gracious God, the deepest longing of our hearts is to know You. We echo the yearning of the psalmist when he said, "With my whole heart I have sought You; oh, let me not wander from Your commandments! Your word I have hidden in my heart, that I might not sin against You."—Psalm 119:10-12.

Father, help us live today with a sense of accountability to You. So often we live our lives on the horizontal level, thinking only of our wins and losses in our human struggles. There are people we want to please and others we want to defeat. Awaken us to the reality that every word we speak and every action we do is open to Your review. Make us sensitive to our sins against You and Your absolutes for faithful living and responsible leader-

ship. Help us to have Your word, Your will and way, be the mandate in the hidden, inner sanctuary of our souls. Give us courage to remove any idols of our hearts and be true in our commitment to worship only You. Make us fearless, decisive, and unreserved in our desire to be obedient to what You reveal to us today. Through our Lord and Savior. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The able majority leader, Senator LOTT of Mississippi, is recognized.

Mr. LOTT. Thank you very much, Mr. President.

SCHEDULE

Mr. LOTT. Mr. President, for the information of all Senators, this morning the Senate will immediately begin debate on the veto message to accompany the partial-birth abortion ban bill.

There is no time agreement with respect to the debate, unfortunately, at this time at least, but it is hoped the Senate can proceed to a vote on the veto override early in the afternoon. Following disposition of the veto message, the Senate may be asked to turn to consideration of any of the following items: The immigration conference report, the Presidio parks bill conference report, the NIH reauthorization bill and the pipeline safety bill.

In addition, the Senate can also expect to begin, if available, the omnibus appropriations bill making continuing appropriations for fiscal year 1997. Therefore, rollcall votes can be expected throughout the day, and Senators should be prepared for late nights for the remainder of the session. I have tried very hard to avoid going late into the night where possible, and we will always cooperate with the Democratic leadership in trying to have an understanding of what the schedule will be and when we will have votes, even if

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WILLIAM M. THOMAS, *Chairman*.

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they are late at night. But tonight, while I know there are conflicting events, we have to keep open the option of having votes perhaps later on in the night in order to complete our work, if we are going to be able to complete our work before the end of the fiscal year, which, of course, is Monday.

MEASURE PLACED ON THE CALENDAR—H.R. 4134

Mr. LOTT. Mr. President, I understand there is a bill at the desk which is due for its second reading.

The PRESIDING OFFICER (Mr. SMITH). The clerk will read the bill for the second time.

The assistant legislative clerk read as follows:

A bill (H.R. 4134) to amend the Immigration and Nationality Act to authorize States to deny public education benefits to aliens not lawfully present in the United States who are not enrolled in public schools during the period beginning September 1, 1996, and ending July 1, 1997.

Mr. LOTT. Mr. President, I object to further proceedings on this matter at this time.

The PRESIDING OFFICER. Objection is heard. Under rule XIV, the bill will be placed on the calendar.

SCHEDULE

Mr. LOTT. Mr. President, if I can seek further recognition for comment on our schedule, I know Senators are wondering what is happening to the various bills. The pipeline safety bill has basically been completed, but it still has one incomplete nongermane matter being discussed actively. Hopefully, some resolution can be reached on that, and maybe we can pass the bill on a voice vote.

With regard to NIH reauthorization, it had been my full intent to call it up yesterday. We thought we had all the problems worked out. A new issue arose at the last minute, and we were not able to get it resolved as we went into the night last night. We should not leave without the NIH reauthorization. We will make one more effort today. I will today at some point call that up. If a Senator or Senators have objections, they need to be prepared to come to the floor and actually object.

There is some concern here about how these holds and objections work. I do sometimes get concerned that Senators are not available but they send word over to put on a hold and will not let it be removed without their presence, and then their presence cannot be required. Again, this is not directed to the other side of the aisle. It happens on both sides of the aisle. It is a poor way to do business. Be prepared to object. If you want to object, you have to come and do it.

With regard to the immigration conference report, that bill and the Presidio conference report bill are classic examples of why we have problems developing trust between the Congress

and the administration. For weeks, we have been told the problem with the illegal immigration bill was the so-called Gallegly amendment which would have allowed States like California not to have to continue to spend endlessly \$2 billion a year for the education of 380,000 or more illegal immigrants' children.

We realized that was a problem. The President made it very clear that with the Gallegly amendment attached, he would veto it. We had a threatened filibuster. So we proceeded to work out a compromise agreement or perhaps even take the Gallegly amendment off the illegal immigration bill.

Eventually, and finally, in an effort to try to have cooperation and to attach the illegal immigration bill to the continuing resolution, the Gallegly amendment was removed. So we were prepared to go ahead with the laboriously developed illegal immigration bill that has been worked on literally for years, not just months, with tremendous effort by the Senator from Wyoming, Senator SIMPSON, Congressman SMITH of Texas, Senator DEWINE, and a wide variety of other Senators and Congressmen. But then when Gallegly was taken off and the bill was ready to go, all of a sudden the administration shows up and says, "Oh, gee, by the way, we don't like the provisions that might be applicable to legal immigrants in this bill, so if you don't remove title V, we will object to its being put in the continuing resolution, or if it comes to the floor, we will object to unanimous consent. We may even insist on having the bill read in its entirety." Absolute, total dilatory tactics, insisting we read aloud the entire bill.

The truth of the matter is, the Gallegly amendment had been used as a mask to cover the opposition of the administration to any real illegal immigration reform legislation. That is really what is going on here. So I am at a loss. We might even say, "Well, OK, in a good-faith effort, we'll remove title V." You know what I think they will do? They will come and say, "By the way, we have this problem or that problem." It is an endless thing.

The American people overwhelmingly expect and want us to pass illegal immigration reform. At some point, I am going to move it forward. If there is objection heard, we will try to go on from there. If they insist on reading, we will just have to have a process to make it clear the Democrats are killing illegal immigration, even without the supposedly controversial Gallegly amendment.

The next step: the Presidio parks bill, a bill that has been in the making not months, not 2 years, but at least 4 years, a bill that has 41 States affected by preservation and parks and conservation. Is it perfect? I am sure it is not. I am sure there is some project or two Senators would like to have in there or some provisions maybe the administration may not like. This is not

the end of the world. This is an authorization bill. The administration is in charge of the Park Service. They still have to get appropriations. If there is a problem, they don't have to support the funding.

Again, we were told, well, there are problems with the Tongass language dealing with Alaska, there is a problem with the boundary waters in Minnesota. There were four or five provisions singled out as being veto bait.

To the credit of the chairman and Members on both sides of the Capitol, and both parties, they said, "We will take these controversial provisions out."

Now we have an omnibus parks bill, important for the preservation of the future. There is tremendous support for the Presidio bill. We can move this bill. We were ready to go. It was already passed overwhelmingly in the House, and it is in the Senate. Then word comes up, down—whatever—from the White House, "Oh, gee, we have these other little problems." Not one, not two, not three, not four. "We have these other problems."

I think our colleagues on the other side of the aisle were stunned. As a matter of fact, this bill has the support of the Senators from California. I believe, who attended a press conference.

Mrs. BOXER. Will the Senator yield?

Mr. LOTT. I will be glad to yield.

Mrs. BOXER. The majority leader is correct that we are anxious for this bill. We were pleased, Senator FEINSTEIN and I, to go to the press conference, but we had not read the 700 pages of the bill. But we do hope very much, as I know you do, that we can work all these problems out. And we do stand ready.

I would say to the majority leader, on behalf of my leadership, we are ready to enter a time agreement on this veto message override. We were hoping to start probably at 9 and finish probably at 12. We have had many colleagues come over for the last 2 days in morning business, as I am sure my colleague is aware, to speak about this issue. We think in 3 hours, the time equally divided, we could have voted at noon. The problem we had on your side was they did not want a vote at noon. So I just want to make it clear that there is a great willingness to work with the majority leader to get this done and to move on. I share his hope that we can work out our problems. I certainly stand ready, as a Senator from California who has much at stake on both of these bills that my colleague referred to.

Mr. LOTT. If I could respond, Mr. President.

I would like for us to see if we could reach a time agreement. If I could go back to a little history, there were those who wanted 6 or 7 or 8 hours today. I said, we have had time to talk about this. We need to go ahead and have a final vote; it is a very important issue, but wrap it up. There was a little problem in that you and your leadership have a luncheon-type rally with