

do not anticipate votes for the next couple of weeks. The next week and the week following are weeks within which votes will not be likely.

#### TRIBUTE TO CONGRESSMAN MIKE SYNAR

Mr. DASCHLE. The majority leader talked about someone for whom I feel a great deal of affection. Mike Synar and I came to the Congress together in 1978. He was the very first person I met in the House of Representatives. He was the first Member of Congress I accompanied to his district. He was the first Member of Congress I brought to South Dakota. We got to be very, very close friends. Over the years that friendship grew, and our affection for one another grew with it.

As most people remember, Mike Synar was awarded the Profiles In Courage Award just last year for the remarkable display of courage he demonstrated on a whole range of issues. Whether one agreed with him or not, one would have to say that when it came to standing up for his convictions, when it came to his belief that you either come to Congress to do something or be something, he chose to do something. You could not deny that that is exactly what he was here to do, to make what he could out of an opportunity to be a Member of Congress from a conservative district in the State of Oklahoma.

Mike Synar stood up for what he believed. The antithesis of the perception of a modern-day politician, he stood up to the special interests. Whether you agreed with him or not, he stood up and fought for everything he could in the time he was here—campaign finance reform, grazing fee reform, tobacco issues that span the spectrum, a whole range of issues that he felt and cared very deeply about.

So, Mr. President, America has lost a fine public statesman today. America has lost somebody who came here for all the right reasons. America has lost somebody who I was fortunate to call a very close and special friend.

We will miss him. Along with Senator DOLE, I send my condolences to his family, and to all of those who have had the good fortune to know him, to love him, and to count him as their friend, too.

#### THE PRESIDENT'S VETO OF THE WELFARE REFORM BILL

Mr. DASCHLE. The majority leader talked about his disappointment at the decision of the President to veto the welfare bill. Let me say, Mr. President, that I am very pleased with the action taken by the President yesterday.

The majority leader characterized the conference report as virtually similar to the Senate-passed bill. The majority leader did not note that the President said he could support the Senate-passed bill prior to the time it went to conference. He did not mention

that there was a significant level of bipartisan support for that bill as it left the Senate, controversial in many ways as it was.

We all recognize the need for reform. We all recognize that we have to build upon the reforms that we enacted over the last 10 years. We all recognize that we want to find ways to make work pay. But we also ought to recognize that we should not be punishing children as we attempt to do that. We also ought to recognize that in the name of flexibility we should not simply give carte blanche to States to renege on the responsibilities that every State must have to ensure that there is a welfare system that works.

No mention was made in the majority leader's remarks of the fact that there was no requirement in the conference report on welfare for the States to actually use for welfare purposes the Federal dollars that they are being provided for welfare. Under the provisions in the conference report, if they wanted to use them for infrastructure, they would be able to do that. If they wanted to use them for any other purpose they might have in their State budgets, there would be no prohibition on doing that.

You can talk about maintenance of effort. We actually reduced the level of maintenance of effort with no other requirement. By maintenance of effort we are simply asking the States, in coming years, to live up to the level of benefits they now provide.

Not only are they not required to live up to 100 percent of the benefits that they are now providing, the help that they are providing in whatever ways to children, the people who are attempting to break out of poverty, out of welfare, but the conference report would actually give them a license to drop from 100 percent down to 25 percent with no expectation in the future of how they will meet the requirements that they already have noted and have accumulated in their welfare budgets today.

There is no requirement in the conference-passed version of the bill to tell a welfare recipient who is waiting for some form of assistance that they will be receiving assistance at a certain time. In current law that time limit is 45 days. A State or county has to respond within 45 days. There is no such requirement in the current bill.

A prospective recipient of some form of assistance would have to wait 6 months, maybe have to wait 9 months, a year, 2 years. There is no limit on the extent to which recipients would have to wait for help.

So there are a significant number of very major differences between what we proposed in the work-first legislation, what we even passed in the U.S. Senate, and what came back as a conference report.

We want to make work pay. We want to ensure that children are not punished. We want to ensure that there is adequate funding for the kinds of

things that we know we must do. Frankly, the higher we go in welfare savings, the more concerned I am that all we are really doing is creating the pool of resources necessary to pay for the huge tax cut that Republicans continue to insist be a part of any budget.

I do not know how we can do more in all the areas that we have agreed upon in the budget negotiations, whether it is in child care, whether it is in providing adequate nutrition, whether it is in providing real skilled opportunities for those who are on welfare today, job skills and training skills and the things that would make them more employable, how we can do all of that, and still save \$60 billion, which coincidentally just happens to be an amount that would be very helpful in creating the pool necessary to make the tax cut work in current budget deliberations.

So, Mr. President, what the President vetoed is a far cry from what Democrats had proposed. It is a significant departure from what the Senate had gone on record in support of. I must say, were we to bring the bill back in its current form, we would have more than enough votes necessary to sustain the veto the President demonstrated yesterday.

So we are prepared—because we are not satisfied with the status quo either—to go back to work to find ways to address the significant deficiencies that currently exist in this bill. Let us make sure that we can find a bipartisan way to address welfare reform prior to the end of the year. But let us do it right. Let us ensure that the guarantees for children are there. Let us ensure that we find a way to make work pay. Let us ensure that we are able to provide the child care necessary so that parents can leave their homes for work. Let us ensure that—as much as we want to provide flexibility to the States—that they are not going to renege on their responsibility they have to make sure we have the infrastructure in place to ensure that this is more than just a piece of paper that we all feel good about on the day we vote again.

I yield the floor.

#### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business until 12:30 p.m., with Senators permitted to speak therein for not to exceed 5 minutes.

Mr. MOYNIHAN addressed the Chair. The PRESIDING OFFICER. The Senator from New York.

#### THE PRESIDENT'S VETO OF H.R. 4

Mr. MOYNIHAN. Mr. President, as he had indicated he would do, the President has now vetoed H.R. 4, the Personal Responsibility and Work Opportunity Act of 1995. As the bill passed the Senate, December 22, 1995, with a margin of only 5 votes, 52-47, there can

be no question of a veto override. Hence, the judgment of Robert Pear of the New York Times that "The President's action concludes a 4-year drama that began when Mr. Clinton, as a Presidential candidate in 1992, promised to 'end welfare as we know it.'"

Last September 19, essentially the same bill, indeed H.R. 4, passed the Senate 87-12, with only 11 Democrats opposed. In the interval Elizabeth Shogren of the Los Angeles Times and Judith Havemann and Ann Devroy of the Washington Post reported that the Department of Health and Human Services had submitted an analysis of the bill to the White House. Owing largely to the 5-year time limit, it would throw some 1.5 million children into poverty. No one could have wished this, and Democrats were especially bound to take into account this assessment of a Democratic administration. And so, in the end, 45 of 46 Democrats voted against the measure, Republican Senators CAMPBELL and HATFIELD joined us.

On the day of the final Senate vote, the 11 Democratic Senators who had been opposed from the first, wrote President Clinton to warn against including any "broad welfare measure \* \* \* in the end of session budget agreement." This was not something, we judged, to be concluded in a matter of days by a small group under great pressure.

However, we now learn that on Saturday, January 6, as part of a balanced budget proposal offered by the President in those talks, a section "Welfare Reform Savings"—\$46 billion over 7 years—includes this:

Cash Assistance: AFDC would be terminated and replaced by a new conditional entitlement of limited duration. There would be a 5-year maximum time limit with a state option for vouchers at the end of that period to assist children.

Thus, the administration seemingly proposes to deliver the same 1.5 million children into poverty.

Why is this happening? I can think of two partial explanations.

First, it is widely assumed that AFDC is a Federal entitlement that the Federal Government can restrain without relinquishing. It is not. There is no Federal entitlement to welfare for individuals. Each State devises its own program. The Federal Government provides a matching grant. Abolish the matching grant and you can reasonably expect a race to the bottom.

Second, even as we deplore welfare dependency, we do not seem to grasp just how serious it really is. A quarter—24 percent—of American youth just turned 18 have been on AFDC. Half—46 percent—of the children in Chicago will be on AFDC in the course of a single year. Of children on AFDC, three-quarters are there for more than 5 years. Hence, a 5-year limit invites chaos and ruin.

In particular, liberal-minded persons must proceed with care. For decades now there has been a liberal tendency

to understate, even to deny the welfare problem. Now, of a sudden, a liberal administration proposes a repeal measure that would have been unthinkable just a few years back. Both positions have the common fault of underestimating how serious and dangerous this problem really is.

Even so, let us all be ready for a careful, bipartisan exploration of the issue in the 105th Congress. It was, I think, a close call. But as Churchill remarked, there is nothing so exhilarating as to be shot at and missed.

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

#### THE BUDGET NEGOTIATIONS

Mr. SPECTER. Mr. President, I compliment the distinguished majority leader, Senator DOLE, and all parties to the budget negotiations and urge them to continue their talks after hopefully only a brief suspension. It seems to me likely that an agreement can be reached since the parties are reportedly \$100 billion apart. While that is a large sum of money in absolute terms, it is relatively a small percentage of the more than \$12 trillion of a 7-year budget. It is eight-tenths of 1 percent. If an agreement cannot be reached, it is my strong view that the Government should not be closed because of gridlock. We should not try to run Government by blackmail. If an agreement cannot be reached, I suggest, as strongly as I can, that we should keep the Government running and crystallize the issues and present them to the American people for their decision in the 1996 Presidential and congressional elections.

During the first week of the shutdown—actually, on the second day, back on November 14 of last year, I urged this course of action. It is a fundamental principle of U.S. constitutional government that the Congress and the President are partners, really equal partners, unless each House of Congress has a two-thirds majority to override a Presidential veto. And if we can get a two-thirds majority by appealing to the centrists on both sides of the aisle, then we can structure a budget agreement without the President and without closing the Government. But, absent that, it is my strong view that we ought to keep the Government running and crystallize the issue for the 1996 election.

I understand those in my party who seek to enact our agenda through the political pressure of gridlock and shutdown. I agree with the majority leader, Senator DOLE, who has rejected that approach. I remain totally committed to a balanced budget within 7 years with genuine Congressional Budget Office figures. Since my first vote for the balanced budget amendment in 1983, I have stood fast for this important principle. But it is time to acknowledge that it is a failure with the American people to try political pressure through

gridlock and shutdown. It is like Supreme Court Justice Potter Stewart said about obscenity, that he could not define it, but he knew it when he saw it. The American people, similarly, know the difference between Government by blackmail and legitimate political pressure.

Had there been any doubt about the difference, it was reduced to plain arithmetic by last night's NBC poll, which showed that 50 percent of the American people approved the President's handling of the budget crisis with 46 percent against, compared with 22 percent who support the Republican handling of the budget crisis with some 78 percent against.

One further word on blackmail versus legitimate political pressure. I urge my colleagues not to try to use the debt ceiling to bludgeon the settlement on the budget dispute. I personally have grave legal reservations about the procedures currently being used by the administration to avoid exceeding the debt limit, and I have said that directly to the Deputy Secretary of the Treasury. If they have violated the law by keeping the Government running without raising the debt limit, let them be impeached or subjected to other appropriate legal procedures.

When Treasury Secretary Jim Baker borrowed from the Social Security trust fund in the mid-1980's, I spoke up on this floor and objected to the conversion of trust funds for an unintended purpose. If any other person violated the trust fund, they would be subjected to criminal prosecution for fraudulent conversion. But I suggest that is a fundamentally different proposition for Congress to use that kind of a nuclear weapon in the budget battle. It is not proportionate and I suggest it is not proper.

The full faith and credit of the United States would be damaged worldwide. So I hope my colleagues will reject that approach.

#### EXTENSION OF MORNING BUSINESS

Mr. LOTT. Mr. President, I ask unanimous consent that the period for morning business be extended until the hour of 1:30 p.m. with Senators permitted to speak therein for not more than 10 minutes.

The PRESIDING OFFICER. Is there objection?

Mr. FORD. Reserving the right to object. At 1:30, do you intend on going out?

Mr. LOTT. It is the leader's intent to go out at that time.

Mr. FORD. I have no objection.

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

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, with the time extended, I ask consent to speak for 2 additional minutes.