

We hear this trite old expression that makes me ill: "Guns do not kill people, people kill people." Well, how do people get the ability to kill other people? I never heard of a drive-by knifing.

Mr. President, one of these days, we are going to have to come to our senses about gun ownership, the proliferation of guns. I have legislation that I introduced the other day to reduce, on a Federal level, purchases of guns more than once a month. One gun a month, 12 guns a year. That does not sound like much of a restriction. But we have a fight on our hands. Maryland just passed it in one of the bodies of legislature there, in their Senate. It is predicted that it will go through with dispatch. Virginia has a one-gun-a-month program. Because Virginia has a limit of 1 gun a month—can you imagine, 12 guns a year are able to be purchased? They have reduced the gun presence in the Northeast of guns coming from the State of Virginia by 60-some percent by restricting gun purchases to one gun a month. The madness of it all. In order to protect those who demand an arsenal, they can buy 12 guns a year. It does not seem like that is a necessary thing to me.

But I am willing to take whatever steps I can to reduce the proliferation of guns in our society. I have become friends with Sarah and Jim Brady. I would not have before Jim was shot because we were in different parties and of different political or philosophical persuasions, because I never belonged to a gun organization. But Jim Brady was a good friend of the National Rifle Association, until someone attempted to kill President Reagan and shot Jim Brady in the attack. Jim Brady, who has been physically disabled, wheelchair bound since that time, has turned the opposite way, and so did his wife, when they saw what a terrible thing a gun could do. There are others I have met who used to support the National Rifle Association agenda, and when they suddenly see violence in their homes, they are opposed to gun ownership as randomly as it exists in this country.

I have also introduced legislation that says that anyone convicted of even a misdemeanor on domestic violence charges should not be able to own a gun. Right now, someone who has indicated that their rage is so impossible to control that they can come home and beat up their wife or kids and get convicted and stand in front of a judge in Baltimore County, and he says, "I cannot assign criminal penalties to someone who is not a criminal," after the man killed his wife. He gave him community service and, I think, 5 months in jail after he killed his wife. He does not call it a criminal act.

Now, Mr. President, we cannot do the job by simply building more jails. There was an editorial piece, an op-ed piece, in the New York Times the other day—and that is not gospel, but it was reporting facts—written by Anthony Lewis. He said that the biggest pro-

gram for building in California was the building of jails. While the number of students per teacher increases, meaning less attention to the students' needs, jails are being built. I think criminals ought to be punished and punished hard. But I think we also ought to look at what it is that drives all these people to criminality with all of the penalties that we impose, each of them getting longer and larger and tougher. That has not curbed the violence problem. Maybe we ought to say, hey, perhaps there is a different way to do this and examine the alternative. I hope that we will, Mr. President.

If I sound agitated, I am. I think about this young woman, a devoted parent and teacher, a teacher of the type that we all respect and want in our schools. She was murdered by some young punk who decides he wants her car. He was encouraged by what he sees on television and what he sees in gun ownership. She is threatened by a gun and did not even know that it existed, but she knows when someone says they have a gun, very often that is the case.

I hope we will learn from this courageous woman's death, and many other murders around the country, that we ought to do something differently. I hope that police departments across the country will start to prepare some advisory so that women can protect themselves. I have heard—and I do not know whether this is true; I state it secondhand—that a woman is better off to resist in a public place than to permit herself to be taken out of the public limelight. I do not know whether it is true, but I hope police departments—I would like to see police departments across the country prescribe actions in response to an attack of that type, to do something to protect themselves, to thwart the intentions of somebody who wants to take their lives, or take their property first and, typically, then their lives, and often whether or not the property is gained.

Mr. President, I hope we do not have to keep on discussing these kinds of things in the U.S. Senate, or in the Congress, or in our Government, and that we can look forward to a more peaceful time within our society. We are all shocked and horrified by the prospect of military engagement in Bosnia and in other parts of the world, and we look with horror upon the period in Vietnam when so many of our young people fought bravely and gallantly against a bad policy decision. We lost 50,000 people in the period of years that the Vietnam war went on. Now we lose over 15,000 people a year in this country to gun murders. Unfortunately, it does not get a lot of attention.

Mr. President, I yield the floor.

#### CORRECTION OF THE RECORD

Mr. BYRD. Mr. President, I believe it was on March 21 that I spoke on this floor in reference to Senator SAM NUNN and the late Senator Richard B. Rus-

sell and their fine work on the Armed Services Committee of the Senate. I made a comparison in the course of those remarks of Mr. NUNN to Marshal Michael Ney, who was one of the top officers in Napoleon's army. I referred to Marshal Ney's having been separated from the army of Napoleon, but having fought his way back to join the army. He fought through thousands of cossacks and had come to the river Dnieper, D-n-i-e-p-e-r. He had lost all of his guns, but he crossed the river and rejoined the main forces of Napoleon's army.

I stated that Napoleon was overjoyed when he heard that Marshal Ney had escaped and rejoined the army. And he made the comment to other officers at that point—he said, "I have more than 400 million francs in the cellars," c-e-l-l-a-r-s, "of the Tuileries," T-u-i-l-e-r-i-e-s. "I would gladly have given them all for the ransom of my old companion in arms."

Well, I suppose I was talking like I had my mouth full of turnips, and the official reporter did not get the name of the river correctly spelled—D-n-i-e-p-e-r—Dnieper; the reporter substituted the name of the river Niemen, N-i-e-m-e-n. It was a river in White Russia. When I saw that name I thought, "My, I never heard of the name of such a river." So I went to Webster's dictionary and I found there, indeed, the name of a river called the Niemen River. So it sounded very much like the Dnieper River.

I make these remarks today, Mr. President, just to call attention to the error which was inadvertent on the part of the reporter and was really my fault. I ask unanimous consent that the permanent RECORD be shown to state that it was the Dnieper River, D-n-i-e-p-e-r, not the Niemen River, to which I referred in my remarks. I yield back the balance of my time.

#### UNANIMOUS-CONSENT AGREEMENT—H.J. RES. 170

Mr. GRAHAM addressed the Chair.  
The PRESIDING OFFICER. The Senator from Florida is recognized.

#### THE CONTINUING RESOLUTION

Mr. GRAHAM. Mr. President, a little more than an hour ago, the Senate voted for the 12th time in this 6 months of the 1996 fiscal year for a short-term continuing resolution for many of our most important Federal agencies.

Mr. President, I voted for that continuing resolution as I have for its predecessors out of a sense of frustration and the absence of any other reasonable alternative. But, Mr. President, I am taking this occasion to announce that will be my last vote for such a continuing resolution because I believe that we are acting in a highly irresponsible and embarrassing—and adverse to the interests of the people of this Nation—manner by the way in which we are conducting the fiscal affairs of this great Nation.

When the Congress, or any other entity responsible for spending funds, sets out to enact a budget, one of those important goals of such enactment is to chart the future. The essence of budgeting is to carry out a plan with certain objectives and destinations. Budgets should be the means by which that plan is given life.

In a cruel irony, however, Mr. President, a perverse Washington twice has turned budgeting upside down. The current budget process frustrates—even prevents—effective planning and implementation. Instead of reducing uncertainty about the future, our current budget process—the one that we have followed for the last 6 months—enhances uncertainty.

How, we would ask, did this happen? We are in the 6th month of the Federal fiscal year, but we have still not approved a budget for nine of the most important departments of the Federal Government and numerous other Federal agencies. Instead of approving an annual budget for these nine Cabinet departments and Federal agencies, Congress has passed now 12 separate continuing resolutions to operate parts of the Government at 75 percent of funding levels for brief periods of time.

Mr. President, this is Band-Aid budgeting, and it is a Band-Aid that hurts. These Band-Aid budgets are hurting the very people our Government is trying to help. And just as important, our failure to pass a final—a real—budget for 1996 makes planning difficult, if not impossible, for those charged with carrying out the mission of assisting our people through or with the financial support of the Federal Government.

To that lament, some might say, "So what?" So what if Government is inconvenienced by an uncertain budget process. So what if bureaucrats have to survive with a certain amount of anxiety, uncertainty, and closely bitten nails. To those who say "So what," I offer the simple truth that the way we are doing business with these Band-Aid budgets is bad business.

When managers cannot plan, when contracts cannot be honored, when commitments cannot be fulfilled, that, Mr. President, is bad business.

Today I want to highlight just a few examples of the impact of our Band-Aid budgeting. In my State of Florida, we are on the verge of shutting down substance abuse programs.

Let me repeat that. If we do not straighten out this budget mess within the State of Florida, there will be a termination of substance abuse programs.

It is ironic that possibly in the next few weeks we may be considering the question of whether the United States should punish through decertification certain countries that we consider to be inadequate in their commitment to the fight against the supply of drugs coming into the United States. The irony is that those same countries look north, and they say the reason that there is this supply of drugs is because

the United States of America is such an overwhelming and inordinate user of drugs; it creates such an enormous demand for these illegal substances. If we were to send the message to these countries that we are now about to cut off our programs that are intended to deal with the prevention and treatment of substance abuse, they might be inclined to say they should decertify us because we were not using our full efforts in order to deal with this scourge.

What is it going to mean in Florida for 150 agencies which are providing substance abuse services—150 agencies and nonprofit groups which depend in whole or in part on Federal funds for their ability to provide these services?

The range of services which will be terminated include detoxification, drug rehabilitation for children, adolescents, and adults, in-jail services, and substance abuse prevention.

In Florida, 27,000 people a year are referred to detoxification centers. The typical per-day cost of these facilities is \$123. If we shut down the detoxification centers, we would have some options—more expensive options. We could send these people to jail. We could send these people to a hospital. If we sent them to a hospital, the average per-day cost is \$450 for detoxification services.

One way we deal with heroin addiction in this society is methadone treatment. Many people on methadone are able to live a reasonably normal life and hold down a self-sustaining job. What happens when you shut down the methadone programs? People go into withdrawal. The odds go up that these expensive, negative results will occur. There will be a relapse to heroin or other drugs. There will be the use of dirty needles that spread HIV. Jobs will end, and crime will begin.

Mr. President, those are some of the consequences in the area of substance abuse treatment, education, and prevention that is about to occur because of the Band-Aid budgeting in which we are engaged.

The problem does not, however, end with substance abuse. What about education? In Dade County, Miami, FL, our educators are so uncertain about the next year's school budget that they do not know whether they should retain some 1,000 teachers and aides who are currently providing educational services.

What is the reason for this uncertainty? The reason is that these teaching positions are funded by title I Federal grant dollars. These are funds which are used to provide educational services to the most at-risk and to the most at-need children.

Dade County received approximately \$59 million in title I funding last year. How much will Dade County schools receive next year? Mr. President, your guess is as good as mine because we still do not have a budget.

In Fort Myers, I recently visited the Salvation Army. The Salvation Army in Fort Myers, as its counterparts

across the country, performs a wide variety of valuable services. In southwest Florida, these services include feeding and housing the homeless, operating a minimum security prison, a small hospital, and offering drug and alcohol treatment programs.

To provide these services, the Salvation Army in Fort Myers relies on the Federal Government for up to 35 percent of its budget.

Let me give you one example of a problem Salvation Army officials are facing in Fort Myers, FL.

In an ordinary year, the Salvation Army will receive emergency food and shelter funds from the Federal Emergency Management Agency in October. As you are aware, Mr. President, this October was no ordinary October. This has been no ordinary year.

As a result of the budget impasse, the emergency funds for food and shelter to the Salvation Army did not arrive in Fort Myers in October. The funds did not arrive in November either. December came and passed; there were no funds—and January. It was not until February that the Salvation Army received the first allotment of its funds which were supposed to have arrived in October.

Now the Salvation Army is waiting once again to receive the remainder of its funds for a fiscal year that is now halfway over. Without this money, the services provided by the good people at the Salvation Army in Fort Myers will be severely hampered and the organization may experience a major deficit.

In many instances, organizations have not only had to reduce services, but they have had to suspend them altogether.

Let me give you another example. This situation was experienced by the Florida Division of Vocational Rehabilitation. The division of vocational rehabilitation awards contracts to nonprofit organizations to provide rehabilitative services to the disabled. For many individuals, these services offer the only chance to become skilled, productive, independent citizens. Due to the Government shutdown, two organizations in Florida which provide these rehabilitative services for disabled citizens, Goodwill and Easter Seals, had to close their doors to the disabled.

Let me repeat that, Mr. President. The shutdown caused Goodwill and Easter Seals to close their doors to people who are striving to better themselves so that they can find gainful employment. These are the practical effects to human beings in the communities, consequences of the Band-Aid budgeting in which we have been engaged.

Mr. President, I say enough is enough. Twelve times in six months is enough for us to limp along day to day, week to week. This process is having severe, embarrassing, and hurtful consequences on innocent people. Twelve times we have resorted to these short-term extensions. Enough, Mr. President, is enough.

Let us commit ourselves to the completion of the 1996 budget at the earliest possible date. Then let us recommend ourselves not to repeat anything like this in 1997 or ever again.

Mr. President, enough is enough.

#### PROVIDING FOR AN ADJOURNMENT OR RECESS OF THE TWO HOUSES

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator in New Mexico.

Mr. DOMENICI. I have been asked by the leader to make this unanimous-consent request. It has been cleared on the other side.

I ask unanimous consent that the Senate proceed to the immediate consideration of House Concurrent Resolution 157 just received from the House.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

A concurrent resolution (H. Con. Res. 157) providing for an adjournment or recess of the two Houses.

Mr. DOMENICI. I ask unanimous consent that the resolution be considered and agreed to and the motion to reconsider be laid upon the table.

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

The concurrent resolution (H. Con. Res. 157) was agreed to.

Mr. DOMENICI. Mr. President, I will speak for just a few moments. I understand there is still another Senator who wishes to speak, but I will not take very long.

#### MEDICARE FINANCING CRISIS

Mr. DOMENICI. Mr. President, I wish to speak for a moment about the Medicare Program which our senior citizens are very concerned about and most Americans are very concerned about.

Last year, the Medicare trustees told the President and the Congress that the Medicare Program is in financial crisis. Specifically, they said, and I quote, "The Federal hospital insurance trust fund which pays inpatient hospital expenses will be able to pay benefits for only about 7 years and is severely out of financial balance in the long run."

The Medicare trustees were even more blunt. "The Medicare Program is clearly unsustainable in its present form," they said. "The hospital insurance trust fund continues to be severely out of financial balance and is projected to be exhausted in 7 years."

That is what they said last year—7 years. In 1995, the trustees were telling us we have 7 years before the part A trust fund ran out of money. Last year's report projected that this fund would be insolvent in the year 2002. Based on the same data, I made a more precise prediction that bankruptcy would occur in early February 2002.

Very soon, we are going to receive from the Medicare trustees an annual

update to this report. I have looked at the data that the trustees used to generate their report, and I can say now that last year's projections were too optimistic. This year's report will show that the hospital trust fund is going bankrupt in the year 2001—not 2002. The projections were too optimistic last year.

A year ago my colleagues and I were urging the Senate and the President to follow the trustees' recommendation and address the Medicare financing crisis. This is why the reforms in Medicare were proposed last year. This Congress had a choice in 1995, and the choice was to address the Medicare financing crisis, restructure Medicare for the next century by providing seniors with more choices and containing costs to providers, or to ignore the crisis and let the problem languish for another year.

This Congress chose to act to try to save Medicare from the pending bankruptcy. When we made the choice, we had a 7-year window available to us and to the American people—7 years before part A would be bankrupt, without sufficient money to pay its bills.

Mr. President and fellow Senators, that is now down to 5 years. We spent a year trying to reform Medicare, only to have the reform fail and to have the President veto the reform measures. And we will soon officially hear from the trustees that we lost another year.

Last year we were told that we had until 2002. Now we will learn that we have until 2001. The Medicare part A problem is now worse than it was a year ago. Based on the data the trustees will be using in their annual report, which we have now had an opportunity to review, I can predict for the Senate and for those who are interested, the seniors across America, that the Medicare part A trust fund will be without sufficient funds to pay its bills in late May of 2001. Essentially, it will be bankrupt in May of 2001 instead of 2002. This is 5 years and 2 months from now—5 years and 2 months, not 7 years.

It is important to remember that while attention has focused on the impending bankruptcy of part A, the hospital plan, the underlying problem is the uncontrolled spending and the growth of the entire program.

Last year, the Congressional Budget Office projections showed that Medicare part A spending was growing at 8 percent a year, and it showed that part B spending was growing at 14 percent a year. There is no question that if we can slow the growth by reform, if we can make both part A and part B more streamlined and in touch and in tune with the modern delivery of health care, we can slow the growth. Our present spending is just not sustainable. Simply put, the trust fund will be bankrupt in 5 years and 2 months. The remainder is growing at 14 percent a year.

When we pursue that goal of making it sustainable, of slowing Medicare spending, one result will be that we

will save the part A trust fund, the hospital trust fund. The Balanced Budget Act passed this year by Congress—that is last year, in this year's cycle—and vetoed by the President, would have extended the life of part A past the year 2010. That same Medicare reform took the necessary steps toward addressing our long-term entitlement problem. Unfortunately, it, too, was vetoed when the Balanced Budget Act was vetoed.

I do not relish being the bearer of bad news. No one likes to hear that a program as valuable and as important as Medicare is in financial trouble. But we cannot simply bury our heads and hope that the problem will go away. It will not. We spent a year trying to address a problem here in the Congress, and now it appears that that effort may fall victim to a Presidential election. If we wait another year to address Medicare, we will be 4 years, if not shorter, from bankruptcy. I am concerned that 1 year from now I will be standing here on the floor of the Senate, reporting on the impending bankruptcy of the part A trust fund, and we will have spent a year doing nothing to address it.

I hope that is not the case. But I hope that more Senators and more leadership in this country will understand that if we do not change some things about the program there will be no program—not for the younger generation, but for seniors who are on the program right now. Because there are many senior citizens who are on the program right now who will still need hospitalization in the year 2001, 5 years from now. Unless we choose to do something now, it will not be available to them. We will have spent the money in the trust fund and the bills will be coming in faster than the revenue, and that equals bankruptcy.

So, I thought, today, after a careful study of the facts, that I would share this news, bring it to the floor and share it right now. I thought, as soon as I had it, I ought to share it with everyone. I believe what I am saying is correct. I believe I am slightly ahead of the trustees, but I know the information they have, and their experts, for that is shared information. There is no question in my mind the fund is going bankrupt faster than was estimated last year, and we are now 5 years and 2 months away from the fund not having money to pay the bills of senior citizens who are in hospitals.

I yield the floor.

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER (Mr. BURNS). The Senator from Massachusetts.

Mr. KENNEDY. Are we in morning business at this time?

The PRESIDING OFFICER. We are.

Mr. KENNEDY. I ask unanimous consent I might be able to proceed in morning business.

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