

other programs for the elderly, LIHEAP fuel assistance, community and migrant health centers, Ryan White on AIDS, maternal and child health substance abuse, railroad retirement benefits and many, many others.

Now, that is simply an intolerable situation. What the Senator from Massachusetts may be intending to do here is to get momentum to have more money in education. I have already suggested that I believe that is counterproductive because I would favor that as a matter of principle, but cannot support this amendment. There are other Senators I know who would also favor it as a matter of principle. So if you take a look at the number of Senators who are going to vote in favor of this amendment, it is not going to be representative of those who would like to have more funding in education.

Mr. NICKLES. Will the Senator yield for a question?

Mr. SPECTER. Mr. President, I yield to Senator NICKLES.

Mr. NICKLES. I ask my colleague from Pennsylvania, is it not correct that the House has finished their business, and if we amend this, we jeopardize—or have the possibility of having another Government shutdown because of this amendment?

Mr. SPECTER. That is correct. That argument was made earlier. It led to the counterargument of should we have to defer because the House is not in session? I am somewhat unwilling to base action on the House not being in session. But the Senator from Oklahoma is correct that the House is not in session and that the practical reality would be that there would be no continuing resolution. I had said earlier to the Senator from Illinois that, as much as the funding is in jeopardy in Illinois and Pennsylvania and Oklahoma, it would be more so if we shut down the Government.

I have relied principally on the substantive arguments that this amendment simply takes too much away from Peter to pay Paul, and that the resolution is going to have to come with the subcommittee bill and with the reallocation of funds. I think there will be more funds, Mr. President. There have been signals given that there will be an additional \$5 billion on a number of programs, which will have to be shared with the Environmental Protection Agency and the Veterans Administration. But I expect a significant amount of money to be added as a result of the negotiations to the subcommittee which has jurisdiction over education.

That concludes my argument. I will allow my colleague from Massachusetts to take his last minute, and then I will seek to regain the floor before formally yielding the remainder of the time before making a point of order under section 311 of the Budget Act.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, in response to Senator NICKLES, the House

is in session for a pro forma, or whatever, and it can be ratified by the House later this afternoon.

The Republicans will raise a point of order. The point of order is based on section 311 of the Budget Act, which requires that levels of all spending should not exceed the totals in the budget reconciliation for the whole year. By that standard, we are already over the 1996 allocation because there is no budget reconciliation bill enacted at this point. So by the majority's reasoning, the two underlying continuing resolutions and previous continuing resolution, as well, also would violate the Budget Act, and a point of order could have been raised against them, as well, which shows the double standard applied to this education amendment.

Mr. President, with this amendment, we are taking the commitment of the President and the Republican leadership in the House and Senate that says we are going to protect education, and we are going to insist that that be the case by, at least, assuring the 1995 levels for the next 49 days so that the budget can be worked out between the President and the Congress and enacted—and protect education. This provides the basis for that program.

I yield the floor.

The PRESIDING OFFICER. All time has expired.

Mr. SPECTER. Mr. President, I do not believe I have yielded back my time yet. I intend to do so, but first I wish to say that the current level of budget authority and outlays exceed the aggregate levels set forth in the budget resolution for fiscal year 1996. The pending amendment provides additional new budget authority and will result in additional outlays in that year and its adoption will cause the aggregate levels of budget authority and outlays to be further exceeded. I, therefore, raise a point of order under section 311 of the Budget Act against this amendment.

Mr. KENNEDY. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive the applicable sections of that act for the consideration of the pending amendment and the underlying bill.

Mr. SPECTER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays are ordered.

The question is on agreeing to the motion.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Utah [Mr. BENNETT], the Senator from Colorado [Mr. CAMPBELL], the Senator from Indiana [Mr. COATS], the Senator from North Carolina [Mr. FAIRCLOTH], the Senator from Texas [Mr. GRAMM], the Senator from Arizona [Mr. KYL], and the Senator from Alabama [Mr. SHELBY], are necessarily absent.

I further announce that, if present and voting, the Senator from Colorado [Mr. CAMPBELL] would vote "nay."

Mr. FORD. I announce that the Senator from South Carolina [Mr. HOLINGS] is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 51, nays 40, as follows:

[Rollcall Vote No. 1 Leg.]

YEAS—51

Akaka	Feingold	Levin
Baucus	Feinstein	Lieberman
Biden	Ford	Mikulski
Bingaman	Glenn	Moseley-Braun
Boxer	Graham	Moynihan
Bradley	Harkin	Murray
Breaux	Hatch	Nunn
Bryan	Heflin	Pell
Bumpers	Inouye	Pryor
Byrd	Jeffords	Reid
Chafee	Johnston	Robb
Cohen	Kennedy	Rockefeller
Conrad	Kerrey	Sarbanes
Daschle	Kerry	Simon
Dodd	Kohl	Snowe
Dorgan	Lautenberg	Warner
Exon	Leahy	Wellstone

NAYS—40

Abraham	Grams	Murkowski
Ashcroft	Grassley	Nickles
Bond	Gregg	Pressler
Brown	Hatfield	Roth
Burns	Helms	Santorum
Cochran	Hutchison	Simpson
Coverdell	Inhofe	Smith
Craig	Kassebaum	Specter
D'Amato	Kempthorne	Stevens
DeWine	Lott	Thomas
Dole	Lugar	Thompson
Domenici	Mack	Thurmond
Frist	McCain	
Gorton	McConnell	

NOT VOTING—8

Bennett	Faircloth	Kyl
Campbell	Gramm	Shelby
Coats	Hollings	

The PRESIDING OFFICER. On this question, the yeas are 51, the nays are 40. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The amendment fails.

Mr. SPECTER. Mr. President, I move to reconsider the vote.

Mr. BURNS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the minority leader. The Senator will suspend for a moment. The Senate will come to order.

The Chair recognizes the minority leader.

COMMENDING SENATOR SAM NUNN FOR CASTING 10,000 VOTES

Mr. DASCHLE. Mr. President, I send a resolution to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated.

The assistant legislative clerk read as follows:

A resolution (S. Res. 213) commending Senator SAM NUNN for casting 10,000 votes.

S. RES. 213

Whereas, the Honorable Sam Nunn has served with distinction and commitment as a

U.S. Senator from the State of Georgia since January 1973;

Whereas, his dedicated service as a U.S. Senator has contributed to the effectiveness and betterment of this institution;

Whereas, he has dutifully and faithfully served the Senate as chairman of the Armed Services Committee (1987–1994);

Whereas, his expertise and leadership in defense and military policies has been of tremendous benefit to our Nation and to our men and women in uniform;

Resolved, That the U.S. Senate congratulates the Honorable Sam Nunn, the senior Senator from Georgia, for becoming the 17th U.S. Senator in history to cast 10,000 votes.

SEC. 2. The Secretary of the Senate shall transmit a copy of this resolution to Senator Sam Nunn.

The PRESIDING OFFICER. The minority leader is recognized.

Mr. DASCHLE. Mr. President, it was on January 23, 1973, that a young, newly elected, freshman Senator from Georgia cast his first vote in this chamber—a vote to confirm a nominee to be Assistant Secretary of Defense.

Today, 9,999 votes later, that Senator has become the Senate's leading authority on defense policies.

Mr. President, it is with great pride and pleasure that I announce that Senator SAM NUNN has just become the 17th Senator in U.S. history to cast 10,000 votes. I am pleased to congratulate him for this remarkable achievement and thank him for his service to this institution and our country.

In his leadership role on defense policies, Senator NUNN is following in the footsteps of two other great legislators from the State of Georgia.

Representative Carl Vinson, who happened to be Senator NUNN's great uncle, chaired the House Armed Services Committee. Senator Richard Russell, who held for 38 years the Senate seat that Senator NUNN now holds, chaired the Senate Armed Services Committee.

Senator NUNN served as chairman of the Senate Armed Services Committee from 1987 to 1994, and is currently the ranking Democrat on the committee.

He has introduced or cosponsored the most important legislation concerning military and defense issues of the past two decades, including defense reorganization, measures to reduce the threat of nuclear war, Pentagon procurement reform, base closing, and restructuring of military pay and benefits.

He has earned the respect of both Republican and Democratic Senators through his efforts to ensure the integrity and mission of our military establishment in the face of massive budget cutting. Thanks to his efforts, while we now have a leaner military, it is a more cost-effective military, rather than a weaker one.

Senator NUNN's expertise in military and defense policy has been recognized and appreciated far beyond Capitol Hill. Every administration since the Carter administration has consulted him on military matters. And each of those administrations has considered him for a top level position in the administration. We in the Senate are extremely fortunate that Senator NUNN has chosen to serve here.

Most importantly, his expertise and leadership has been recognized by the people of Georgia. In 1984, they reelected him with 80 percent of the vote—defeating his opponent by a 4 to 1 margin. That was exceeded in 1990, when Senator NUNN was unopposed in both the State's primary and the general election for U.S. Senator.

Still, I would like to point out that Senator NUNN's career has not been confined to or consumed by military and defense issues. In the Senate, he has played monumental roles in laying the groundwork for national service legislation, on deficit reduction, and on efforts to redirect our national economic and tax policies.

Put simply, Senator NUNN has been a leading figure in American government. The Senate's foremost historian, Senator ROBERT C. BYRD, has appropriately remarked that Senator NUNN is one of those rare and extraordinary Senators "who would have been recognized as [a] great senator in any age * * * in any period during the [past] 200 years" of the Republic.

Indeed, he would, and how pleased and honored I am to have the opportunity to recognize and congratulate our Senator, Senator SAM NUNN.

The PRESIDING OFFICER. Without objection, the resolution and preamble are agreed to.

The resolution (S. Res. 213) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is as follows:

Whereas, the Honorable Sam Nunn has served with distinction and commitment as a U.S. Senator from the State of Georgia since January 1973;

Whereas, his dedicated service as a U.S. Senator has contributed to the effectiveness and betterment of this institution;

Whereas, he has dutifully and faithfully served the Senate as Chairman of the Armed Services Committee, (1987–1994);

Whereas, his expertise and leadership in defense and military policies has been of tremendous benefit to our nation and to our men and women in uniform;

Resolved, That the U.S. Senate congratulates the Honorable Sam Nunn, the senior Senator from Georgia, for becoming the 17th U.S. Senator in history to cast 10,000 votes.

SEC. 2. The Secretary of the Senate shall transmit a copy of this resolution to Senator Sam Nunn.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from West Virginia.

Mr. BYRD. Mr. President, as a Senator who has witnessed the services that have been rendered to our country by this very remarkable American and extraordinarily remarkable Senator, I wish to add just a few words about SAMUEL AUGUSTUS NUNN.

He is the second individual who has served in the Congress by the name of Nunn. The first was David Alexander Nunn, who served from the State of Tennessee, elected to the House of Representatives in 1867, served for 2 years, and then was not reelected, but in 1873, was elected to a second term.

I was looking over these names last night, and something struck me about

them in particular. There is David Alexander Nunn. David, as we all know, is a Biblical name. Alexander, as we all know, was a great military general and ruler. And Nunn is a Biblical name. It is spelled N-u-n in the Bible. And often I have asked SAM, facetiously, if he named one of his sons Joshua. We are told that Joshua was the son of Nun.

And then I noted SAM's name—SAMUEL, again a Biblical name, who answered God's call. He said, "Here am I. Send me."

And I saw this Senator who said in response to the needs of the people of Georgia, "Here am I. Send me." "Speak, Lord, thy servant heareth."

And then his middle name is, as I indicated, AUGUSTUS. I do not know how many of you knew that. But Augustus was the first Roman emperor. He defeated Cleopatra and Anthony at the Battle of Actium in 31 B.C. on September 2, the same birth month as SAM's. SAM was born September 8th, not that long ago, but in 1938. But he was born in September, the same month that this great battle was fought in 31 B.C.—it has been called one of the decisive battles of the world. The Emperor Augustus was one of the great administrative geniuses of all time.

So I think of SAM NUNN as someone who has demonstrated a great genius in his work in this body. He has demonstrated that work as chairman of the committees. He has been a remarkable chairman. And he has been a remarkable Senator.

He will be leaving us after this year, and I will have more to say about that later. But today, I could not constrain myself. I had to say something by way of tribute to this fine Senator. I watched him come here. I have watched him grow. I served in the House of Representatives with his granduncle, Carl Vinson, who lived to be 97. He was in his 98th year when he died. He was chairman of the Armed Services Committee of the House of Representatives when I was in the House.

So this has been a long line of famous Georgians who have been great chairmen, who have rendered great services in the field of national defense—Carl Vinson, Senator Richard Russell, and now Senator SAM NUNN.

I close with the words of a poet, if I can remember them, which I think are appropriate at this moment.

It isn't enough to say in our hearts
That we like a man for his ways;
It isn't enough that we fill our minds
With psalms of silent praise;
Nor is it enough that we honor a man
As our confidence upward mounts;
It's going right up to the man himself
And telling him so that counts.

If a man does a work that you really admire,
Don't leave a kind word unsaid.
In fear to do so might make him vain
And cause him to lose his head.
But reach out your hand and tell him, "Well done."

And see how his gratitude swells. It isn't the flowers we strew on the grave, It's the word to the living that tells.

I will break the Senate rules in this instance by addressing another Senator in the second person. Congratulations to you, SAM NUNN. We will long wait to see someone who can fill your shoes as you have filled the shoes of that great patriarch, Richard Brevard Russell. Congratulations!

Mr. THURMOND addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from South Carolina.

Mr. THURMOND. Mr. President, SAM NUNN is a man of integrity, ability, and dedication. I have been on the Armed Services Committee since 1959, and I was so pleased that he joined the committee when he came to the Senate. He rendered outstanding service as a member of the committee and as chairman of the committee. He is known as an expert on defense matters. Not only in defense; he has done a fine job in every endeavor since he has been in the Senate. This country would be better off today if we had more people like SAM NUNN in the Senate and the House as well as the judicial and executive branches. I am proud of his friendship, proud to have worked with him. He has been a great citizen of America and he has rendered outstanding service of which we can all be proud.

Thank you, Mr. President.

Mr. EXON addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Nebraska.

Mr. EXON. Mr. President, many of my most distinguished colleagues, including the minority leader, including the great, distinguished member and the former chairman of the Appropriations Committee and now the ranking Democrat, Senator BYRD, my very able colleague from South Carolina, the chairman of the committee, and others will follow to give their accolades to our dear friend, SAM NUNN.

I rise as a man who has worked closely with him under his tutelage for the last 18 years on many matters in the Senate and primarily with regard to the national security interests of the United States of America.

I simply wish to add my name to the accolades of others who have spoken so eloquently on this true favorite son of the State of Georgia.

SAM NUNN, you have set an example for all of us to follow while you have been here, and you are setting an example as others have set in other work for other people who are most concerned about the United States of America. Regardless of political affiliation, you have set a record for others to follow.

Thank you, SAM, for all the help you have been. You have been great for the United States of America.

I yield the floor.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Mississippi.

Mr. LOTT. Mr. President, on behalf of the majority—and, of course, our distinguished President pro tempore has already spoken—I would like to join our colleagues in congratulating the outstanding Senator from Georgia for this monumental accomplishment of 10,000 votes.

We came to Congress together in 1973. I am going to have to go back and check to see how many votes I have cast, both in the House, of course, and the Senate. But it truly is a remarkable achievement. I had no idea actually how few had achieved this mark in history. But I also concur in the statements that have been made about the tremendous contributions the Senator from Georgia has made over the years. He has really continued the tradition of leaders from Georgia, particularly in this body, the Senate, who have left an indelible mark on the history of our country.

We have all grown to respect and admire Senator NUNN, from Georgia, his integrity, his intelligence, his leadership in armed services and budget matters. It is one that we truly appreciate. I had not had an opportunity to express my admiration to the Senator and say how much I enjoyed working with him. I am glad we have at least 11 more months to work together. And I know that even though he will be leaving this body, the leadership he has provided will live on in many, many ways and we will be working together on other issues. So I congratulate the Senator on this fine achievement.

I yield the floor, Mr. President.

Mr. NUNN addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Georgia.

Mr. NUNN. Mr. President, that vote was easier cast than to respond to the aftermath. I would have to say that I was surprised. I knew that I was nearing the 10,000 mark, but I did not know I would reach it today.

I must say that to be honored in this fashion is, indeed, touching and is a reminder of how much serving in this body has meant to me. I thank my friend from Mississippi, and my friend from South Carolina, and my friend from Nebraska. I thank the majority leader, and I thank the man that is really the person we all look to to carry on the traditions and ideals of the Senate, Senator ROBERT BYRD of West Virginia.

Mr. President, I am also delighted that my friend and colleague from Georgia, Senator COVERDELL, is presiding at this special moment in my life. I think this has been a historic week not because I have cast my 10,000th vote but because we have placed in the Russell Building, named after my predecessor from Georgia, Senator Dick Russell, a statue of Senator Russell, and as the Vice President said, Dick Russell, one of the greatest Senators who ever served in this body, is now where he belongs. He is standing tall in the Russell Building.

So this is the culmination of a very historic week, and I cannot help but recall the words that Senator BYRD offered in the dedication of that statue this week when he said that he had never—in spite of the fact of serving with Senator Russell all those years, had such reverence for him; he knew him well—called him anything but “Senator Russell.”

That is a tribute that cannot be exceeded. I have used the word “ROBERT” time and time again because we are such good friends, but in that tradition I would like to address you for the rest of my days here as “Senator BYRD,” in the great respect that I have for you because in the heat of battle, when we have so many substantive differences, I think too many times all of us forget what a tremendous honor it is to serve in this Senate, which is in my mind, without a doubt, the greatest legislative body not only in the world today but in history.

We have all of our frustrations with delays and schedules, and we always have a hard time knowing what we are going to do from day to day, but when you think about the things that make the schedule so uncertain here and the things that make us so many times so frustrated are also the things that make this body unique, the right of any Senator to take the floor and continue uninterrupted as long as they choose until there is an appropriate implementation of cloture, and even then someone has to get the floor, it is a rare body. It has its distinctions from any other body in the world and I think we should always remember that.

I cannot say, I say to my friend from West Virginia, and my colleagues, that I have enjoyed every vote I have cast here. Some of them have been agonizing, as we all know. And I cannot say I have enjoyed every hour I have served here. But I can say I have enjoyed every day I have served here, and I will always cherish as long as I live my service in the Senate and my friendship with each of you. So I thank the Chair and I thank my colleagues, and I look forward to a lot more votes before my day is done.

[Applause, Senators rising.]

The PRESIDING OFFICER. The Chair recognizes the Senator from New York.

Mr. MOYNIHAN. I thank the Chair.

THE BALANCED BUDGET DOWNPAYMENT ACT, I

The Senate continued with the consideration of the bill.

Mr. MOYNIHAN addressed the Chair.

The PRESIDING OFFICER. The Senator from New York.

AMENDMENT NO. 3120

(Purpose: To increase the public debt limit)

Mr. MOYNIHAN. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.