

Simpson	Thomas	Wellstone
Snowe	Thompson	Wyden
Specter	Thurmond	
Stevens	Warner	

NAYS—11

Ashcroft	Grassley	Kyl
Brown	Helms	Murkowski
Faircloth	Hutchison	Smith
Gramm	Inhofe	

NOT VOTING—1

McCain

So the conference report was agreed to.

Mr. DOLE. Mr. President, I move to reconsider the vote by which the conference report was agreed to.

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

The motion to lay on the table was agreed to.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader.

IMMIGRATION CONTROL AND FINANCIAL RESPONSIBILITY ACT OF 1996

The Senate continued with the consideration of the bill.

Mr. DOLE. I think now we can complete action on the other and turn it over to the chairman of the Appropriations Committee and anybody else who wishes to speak.

I will start where we left off.

For the information of all Senators, pending before the Senate is 1664, as reported by the Judiciary Committee.

I now ask unanimous consent that all remaining amendments to the immigration bill be relevant.

Mr. DASCHLE. I object.

The PRESIDING OFFICER. Objection is heard.

AMENDMENT NO. 3743

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

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kansas [Mr. DOLE], for Mr. SIMPSON, proposes an amendment numbered 3743.

Mr. DOLE. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

[Amendment No. 3743 is located in today's RECORD under "Amendments Submitted."]

Mr. DOLE. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 3744 TO AMENDMENT NO. 3743

Mr. DOLE. I send a second-degree amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kansas [Mr. DOLE], for Mr. SIMPSON, proposes an amendment numbered 3744 to amendment No. 3743.

Mr. DOLE. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

[Amendment No. 3744 is located in today's RECORD under "Amendments Submitted".]

MOTION TO RECOMMIT

Mr. DOLE. I move to recommit the bill, and I send a motion to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

Motion to recommit S. 1664 to the Judiciary Committee with instructions to report back forthwith.

AMENDMENT NO. 3745 TO INSTRUCTIONS OF

MOTION TO RECOMMIT

Mr. LOTT. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Mississippi [Mr. LOTT] proposes an amendment numbered 3745 to instructions of motion to recommit.

Mr. DOLE. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

Add at the end of the instructions the following: "that the following amendment be reported back forthwith".

Add the following new subsection to section 182 of the bill:

(c) STATEMENT OF AMOUNT OF DETENTION SPACE IN PRIOR YEARS.—Such report shall also state the amount of detention space available in each of the 10 years prior to the enactment of this Act.

Mr. DOLE. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 3746 TO AMENDMENT NO. 3745

Mr. DOLE. Now I send a second-degree amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kansas [Mr. DOLE] proposes an amendment numbered 3746 to amendment No. 3745.

Mr. DOLE. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the end of the amendment add the following:

SEC. 178 of the bill is amended by adding the following new subsection:

(c) EFFECTIVE DATE.—This section shall take effect 30 days after the effective date of this Act.

CLOTURE MOTION

Mr. DOLE. Mr. President, I now send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented

under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the Dole (for Simpson) amendment No. 3743 to the bill, S. 1664, the immigration bill.

Bob Dole, Alan Simpson, Dirk Kempthorne, Strom Thurmond, Dan Coats, James Inhofe, Jesse Helms, Richard Shelby, Trent Lott, Conrad Burns, Connie Mack, Hank Brown, Kay Bailey Hutchison, Paul Coverdell, Fred Thompson, and Rick Santorum.

CLOTURE MOTION

Mr. DOLE. I now send a second motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the Dole (for Simpson) amendment No. 3743 to the bill, S. 1664, the immigration bill.

Bob Dole, Alan Simpson, Jesse Helms, Fred Thompson, Richard Shelby, Judd Gregg, Jon Kyl, Dirk Kempthorne, Trent Lott, Orrin Hatch, Larry Craig, Rick Santorum, John McCain, Kay Bailey Hutchison, Slade Gorton, and Don Nickles.

Mr. DOLE. Mr. President, for the information of all Senators, I just sent two cloture motions to the desk which would limit debate on the new Simpson amendment which encompasses all the Senate has adopted on the immigration bill to date.

The first cloture vote will occur on Monday, April 29, and I will consult with the Democratic leader before setting the cloture vote. I have been thinking about 5 o'clock, or something near that, so that all Members can be prepared for the cloture vote on Monday.

The second cloture vote will occur on Tuesday. And, again, I will speak with the distinguished Democratic leader.

I also indicate that I regret that I had to file cloture motions to fill up the amendment tree. But we would like to finish the immigration bill.

We still have ongoing discussions of when we can agree, if we can agree, on a procedure to handle a minimum wage. If we can work that out, a lot of this would end, and we could finally end the immigration bill very quickly.

So I do not really have much alternative unless I submit to the request of the Senator from Massachusetts.

It seems to me that we can work out some agreeable time for all Senators and some agreeable procedure. We will try to do that between now and Monday. Maybe we can vitiate many of these things.

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER. The minority leader.

Mr. DASCHLE. Mr. President, I appreciate the comments of the distinguished majority leader.

The leader is absolutely right. This is all necessary because we are not in a position to agree tonight apparently on when that time certain may be for the minimum wage. I am optimistic, given our conversations in the last few hours, that we might be able to find a way in which to schedule the vote on the minimum wage in the not too distant future.

I am very hopeful that that can be done, that we can preclude in the future this kind of unnecessary filling of the tree and the parliamentary procedures involved with it. It is unfortunate, but under the circumstances there may not be an alternative.

1996 BALANCED BUDGET DOWN-PAYMENT ACT—CONFERENCE REPORT

Mr. DASCHLE. Mr. President, I commend the distinguished chairman of the Appropriations Committee and our ranking member, the very distinguished Senator from West Virginia, for their work in bringing us to the point we are tonight. This has been a very long, difficult struggle. Seven months, two Government shutdowns and 13 continuing resolutions later, we resolved many of these extraordinarily difficult and contentious issues in a way that I feel has done a real service to the Senate.

I commend our colleagues. I commend all of those involved for having finally concluded this effort. I certainly appreciate the effort on both sides. I know others wish to speak, and I now yield the floor.

Mr. HATFIELD addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I yield to the distinguished chairman of the Appropriations Committee, who, as I understand it, is going to manage some time here under the agreement we have with the distinguished majority leader so that we can make the comments we would have made before the passage of the omnibus bill at this time.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. HATFIELD. I believe that was the majority leader's indication of the procedure we would follow. Let me say at this point in time, I suggest that those who have statements to make that do not relate to a colloquy which requires my presence would then follow after the colloquy that does require my presence with the Senator from Texas [Mrs. HUTCHISON]. So that would be the procedure. And then if there are no questions for me afterward, I am going to retire and let the speeches flow on.

Mr. President, returning now to the omnibus appropriations bill that just passed the Senate by an 88 to 11 vote, has passed the House of Representatives by a 399 to 25 vote, remarkable votes on a matter that has as much

controversy and issues that excited people's passions as has this particular bill, I would like to acknowledge the support and the backing of the Senate and House leadership. We kept the leadership informed periodically throughout the negotiations with the White House, and we had the constant and consistent support by the leadership for the strategy that we had laid out and for the steps we were able to achieve.

I also want to pay particular attention to the subcommittee chairmen who served on the Appropriations Committee and the ranking members of those subcommittees, because they were involved in the negotiations as they related to their particular issues under their jurisdiction in the subcommittees. So we had a very broad base of participation in spite of the fact that five individuals had been put together in order to achieve the agreement—Senator BYRD and myself, and Chairman LIVINGSTON and Mr. OBEY of the House, and Mr. Panetta representing the White House.

I also want to express our deep appreciation to the White House negotiators for their responding to short-time notices. When we were ready to meet again—and all these meetings took place in the Appropriations Committee room of the Senate side of the building—they responded within minutes of the times when we said we would like to talk to you again on this issue, or we are ready to return to the table on a package of issues.

I want to also acknowledge Senator DOMENICI, as chairman of the Budget Committee. As you know, we function in a linked, and oftentimes in a lock-step with the Budget Committee, vis-à-vis the budget resolution and maintaining the caps and limits of spending established by that budget resolution. In this particular case we were making add-backs and offsets, but it impacted upon the scoring system of the CBO. We had constant, immediate response to needs by the Budget Committee and its staff, under the leadership of Senator DOMENICI, to give us an update or an immediate response to a question of scoring. We also had, for every add-back, offsets; so that it was deficit neutral in every step we took. Those offsets had to be called upon again by imaginative, creative ideas—uranium enrichment programs and other such things, again, which had a scoring implication that the Budget Committee responded to regarding our need and helping us along.

In any case, there is something that comes up in the tail end that you do not anticipate and do not suspect. One such incident is illustrative of the close working relationship with the Budget Committee. In a case where \$15 million was asked for nuclear safety as it related to nuclear nonproliferation, it was considered as one of those oversights for some reason, but nevertheless it had to be acted upon at the request of the sponsoring Member. Here

we had to reopen, in a sense, the Energy Subcommittee that had been closed in relation to this conference on the omnibus package. Again, Senator DOMENICI, as chairman of that subcommittee, came with the assistance required in order to not only reopen that committee but also to, in effect, find an offset. So, I want to pay special attention to the support from the Budget Committee, particularly Senator DOMENICI.

Mr. President, I am sure at the time the Senate acted upon these issues one by one, when we came out of our committee with a reported bill, people were very much aware of the heated debates that took place here on the floor before we were able to take that bill, having passed the Senate, with leadership support of both Senator DOLE and Senator DASCHLE, with the overwhelming support of Republicans and Democrats—we went into that conference with that kind of vote support which was very important. But we tend to forget, after we have gone through these debates and do not relive them as those of us who have to relive them within a smaller context of a conference. Let me tell you, those debates were just as intense, they were just as heated, they were just as divisive as they are on the floor, if not more so, because here you are sitting across a table, looking eyeball to eyeball to the adversary in the debate.

Let me just say, we got into abortion. That was the Coats amendment. We got into population planning. We got into HIV, which was lifting the ban that had been done in the managers' report here on this floor. But we got into it in that situation within this very small context of basically five principals. We got into seven debates on environmental issues. I think they are equal in the intensity that people express their viewpoints and ideas as were the social issues. And we had to work through every one of those.

Let me say, the White House position initially was that all seven of those environmental issues that had been put there by the Senate and the House had to be excised; it would be a veto on the entire package if any one of those amendments, riders, stayed on this package. We kept five of them. We kept five of the seven, modifying four of the five, but we kept five of those environmental riders.

So, you see from that, the White House had moved. The White House had asked for \$8 billion in add-backs. We agreed with offsets on \$4.8 billion, about a split. We denied the White House half of what they wanted. The White House got half of what they wanted.

I think, when you come to a conference, it is a matter of giving and getting, so when the conference is over, everybody can say we won. That is a successful conference. I think we spend too much of our time trying to determine who loses and who wins, and if we do not spend that time, the media do.