

embalming fluid. "Pulse Check" reports that these marijuana users are generally younger and represent the gamut of socioeconomic groups. Also, the quality of marijuana is higher than previous years. This means a much stronger drug is available today than was available during the last drug crisis.

Besides these three more traditional menaces, methamphetamine use continues to rise in the West and Northwest, and is headed toward the east coast. It was once considered mainly a biker drug and found mainly in the Southwest. Now, Mexican organized crime organizations have moved in and are incorporating this new product into their existing networks for cocaine and heroin. Meth is a drug which can be injected, inhaled, or made into pills. It appeals to wide variety of users. Earlier I mentioned that cocaine was losing some of its appeal in southern California and Colorado, where it has developed a lowlife reputation. "Pulse Check" reports that in its stead, methamphetamine has moved in and has become the new hip drug.

Even though little of this makes the nightly news, there is an alarming story to tell here. Perhaps the only one of these dangerous drugs that is getting as much national press coverage that it deserves is Rohypnol. As the DEA works toward rescheduling this date rape drug into the same category as LSD and heroin, it is becoming increasingly prevalent in the Southwest and Mid-Atlantic region. Senator BIDEN first warned us of the coming threat of this powerful sedative. And it is a growing problem.

Other so-called club drugs continue to rise in popularity, as well as so-called natural products found in health food stores and mail order catalogs. Often these natural products contain ephedrine—one of the key components of methamphetamine—and they induce similar effects. These drugs are especially popular among younger drug users. They are marketed by comparing their effects with those of other street drugs, and portraying them as health supplements.

This is what is happening now. The "Pulse Check" gives us a feel of where we are at in the fight against illegal drug use. We are still on the same downward spiral that we have been on since 1992. Drug use is climbing, acceptance is climbing, and all of the associated problems and difficulties are climbing.

The sad part is, this comes after years of declines in drug use. From 1979 to 1991, drug use fell dramatically. We were winning the fight for the future of our children. For some reason, we seem to have hit a roadblock in this success. We have moved off this successful road and have found an hauntingly familiar course where drug use numbers are again headed in the wrong direction.

Some have said that raising this concern is merely partisanship, playing politics. But kids using drugs is not po-

litical. Rising incidence of drug use is not political. Talking seriously about the drug problem in America is not partisan. It is an exercise in responsibility. I would welcome the President to come out and say "Drugs are bad. Don't do drugs. If someone offers you a joint, if someone offers you a snort of cocaine, just say no." Unfortunately, after a few public remarks on the issue, the President has, once again, lapsed into silence. We have had a stealth drug policy. It is clear, however, that this approach has simply not worked.

But let's not mistake criticism for partisanship. Since 1992, teenage drug use has surged. Acceptance of drug use by teens has also risen dramatically. These are not partisan conclusions. These are the facts. Modern music, movies, and even clothing depict drugs as "hip." This is a radical change from the eighties when the message was loud and consistent: "Just say no!"

Here in the Capitol, both sides of the aisle have spoken often on this issue. Many have issued the warning that we must change our message now. There are 39 million members of the "baby bust" generation who are beginning to face the choice of whether or not to use drugs. They will be faced with the choice of saying no, or trying drugs that are more potent and more addicting than what was available before. When this generation looks around to see what their leaders are saying, we need to be there loud and strong. We have been down this road before. And we know what strong leadership can accomplish. From 1979 to 1992, drug use fell at a fairly steady pace. It was not always a smooth ride, but we were headed in the right direction.

Congress, too, needs to do its part. We cannot be satisfied with rhetoric and hearings. I would encourage my colleagues to support the drug czar's proposal to reprogram \$250 million from the Department of Defense to the Office of National Drug Policy, as well as increased funding for the International Narcotics and Law Enforcement Effort at the State Department.

Madam President, we need to get back on the right track. Congress needs to do its part and support funding. In March we started along this path with a \$3.9 million appropriation to restaff the Office of National Drug Control Policy. We should continue by supporting the reprogramming of \$250 million I just mentioned from DOD to the counterdrug effort. And I would hope that the President would join us in support and show some leadership by speaking out more on the dangers of drugs and drug use.

In closing, I hope that when the next "Pulse Check" on drug use is released, I will have some good news to share with my colleagues. Unless we change directions, without a change in message, and without a show of strong moral leadership, I fear this will not happen.

I yield the floor.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

#### GETTING AMERICA'S BUSINESS DONE

Mr. COVERDELL. Madam President, we heard a really stern leader yesterday talking to both sides of the aisle and to America about getting the job of America's business done. I think he made a very eloquent case in delineating the strategy on the other side of the aisle to bog the Congress down, to keep it gnarled up. At the base of it is a political strategy, and that political strategy is ignoring America's needs and interests.

Just yesterday, the other side brought forth an outline of a program they call families first. But in the 104th Congress they have made American families and America last by stalling and filibustering and dragging their feet on issues that are of enormous interest to the welfare and benefit of millions of American families.

I can think of none more important than health care reform. Getting that done would put American families first. And stalling it and filibustering it is putting American families last.

Madam President, just to recount for a moment what the leader endeavored to move forward on behalf of America yesterday evening, he asked unanimous consent that the Senate insist on an amendment to H.R. 3103 and that the Senate agree to the request for a conference with the House and the Chair be authorized to appoint conferees on the part of the Senate.

Well, that is a lot of process. What that means is moving forward on health care reform, something that every American family is looking to the 104th Congress to do. And 87 percent of the American public want us to move forward on targeted health care reform, but we are in the 80th day of filibustering by the Senator from Massachusetts. The leader came to the floor and to the assembled body and said, "I ask unanimous consent we go ahead, get the conferees and move forward on health care reform." The other side objected.

The leader then asked for unanimous consent to proceed with the Department of Defense appropriations bill. One of the fundamental responsibilities of the Government, of the Federal Government, is to provide for the defense of the Nation and the keeping and care of our integral defense establishment. The other side objected.

The leader then asked for unanimous consent to move forward with the immediate consideration of the White House Travel Office. As he said here on the floor, in all probability when that legislation finally comes to a vote, it will pass overwhelmingly. The other side objected. The leader asked for unanimous consent to proceed with the legislative matter that the Presiding Officer has had an interest in for so long, the stalking bill. That bill will

probably ultimately pass 100 to 0. But for days after days it has been stalled on the other side.

When he asked for unanimous consent to turn to the calendar and bring up stalking legislation, which the Senator from Texas has pursued for so long, what happened? The other side objected.

He asked for unanimous consent that the Senate proceed to the nuclear waste bill. There is probably not a single piece of legislation that has more significance to the environment and the safety of every American than the nuclear waste bill. I mean, we have over half the States that are deeply involved with how to manage nuclear waste. The leader spoke eloquently on the floor before yesterday about the importance of this legislation and the environmental impact it would have on our country. So he asked unanimous consent to proceed to this very important piece of legislation. The other side objected.

He asked, once again, to proceed to the health insurance reform conferees—twice now. There is probably no single piece of legislation that would have such a profound effect on the anxiety of working families in America than untying health care reform. So again he asked for unanimous consent, and, yes, there was an objection on the other side of the aisle.

So here, for all of these important pieces of legislation, it was demonstrated conclusively yesterday that the strategy of the other side is to just bog everything down. America last, politics first.

To reinforce the point that I am endeavoring to make, the number of legislative items having cloture—that means trying to stop a filibuster, Madam President—we in the 104th Congress have 28 times tried to shut off a filibuster.

The minute we return next Tuesday, our first task will be to try to shut down these filibusters from the other side.

The Republican majority has filed 54 percent of their cloture motions on the first day a measure was considered. There was an argument that we have been doing that too often. But the other side, in the 103d Congress, has done it 60 percent of the time. America needs to know, particularly in light of a theme that they are putting American families first, that on 73 occasions they put American families last. They have had 73 filibusters in the 104th Congress on the other side of the aisle. The President has conducted 15 major vetoes of legislation that the 104th Congress sent to the President in response to America calling for major change in America. He vetoed balanced budgets, the President vetoed welfare reform, the President vetoed tax relief, even after promising tax relief to the middle class. Over and over again, 73 filibusters and 15 vetoes.

Mr. President, we will talk about a few of the filibusters. Unfunded man-

dates: We began the 104th Congress discussing an issue that had become, nationwide, highly visible. America was saying to Washington, "Quit mandating costs to our local governments." It is like appropriating our property taxes at the local level. The Federal Government would try to fulfill the need of some special interest up here in Washington, send it down to the States and local governments and say, "Here, here is a new program. You pay for it."

Finally, in an unprecedented piece of legislation that was introduced to begin to control these unfunded mandates, wide support, bipartisan support, headed by the junior Senator from Idaho, Senator KEMPTHORNE, Senate bill 1, we had to file four motions to shut off filibusters—four of them—and then when we finally got it to a vote, it was 98 to 2—98 to 2, overwhelming support for this legislation. Yet, we had to spend 3 weeks, 3 precious weeks, of the 104th Congress and had to, 4 times, try to shut off the filibuster on the other side.

It could not be clearer. It does not take a rocket scientist to understand that from day one, it was the intent of the other side to bog this Congress down. That was their reaction to the 1994 election mandate, drag it out, slow it down, see if we cannot get to another election so that all these changes that were talked about in the 1994 elections could somehow be throttled or choked. Maybe it is just an interim phenomena and America will forget all these changes of wanting unfunded mandate control, taxes lowered, and welfare. Maybe we can get by by stalling and keeping that from happening. We will have 73 filibusters. We will veto all this legislation and see if we cannot get through it.

The balanced budget amendment, balanced budget amendment, House Joint Resolution 1, we had to try three different times to shut off the filibuster before we could actually get to a vote. I can go on, from product liability to interstate waste.

Try this one: Antiterrorism. We had to even cut off a filibuster on antiterrorism before we could get to that bipartisan proposal. Welfare reform, the Cuban Liberty and Democratic Solidarity Act took three attempts—three—to bring that to a vote. Then, after a tragic occurrence, the President wants the legislation to sign. Time and time again, 73 times.

The President, as I said, has vetoed 15 propositions. Product liability was one, something the whole country has been endeavoring and calling for, product liability reform, the debt ceiling limit, the Balanced Budget Act, welfare reform—twice shut it down, stall and see if we cannot get to another election.

There was a story by Carolyn Lockheed, the Washington bureau of the Chronicle, appearing July 8. She says: "For Democrats, the hope is to deprive Republicans of any accomplishments." Now, is that putting American families

first, or is that using all of this legislative time of the 104th Congress for political strategy? If you are going to put American families first, you are not going to have 73 filibusters and 15 vetoes and veto balanced budgets and tax relief and welfare reform. She says, "For Democrats, the hope is to deprive Republicans of any accomplishments."

Taking a page from the Republican playbook, unified Senate Democrats are filibustering or otherwise blocking and delaying almost anything that threatens to move. She says that the Senator from Massachusetts has succeeded in discombobulating the Republican majority with the bill to raise the minimum wage and has led the fight to stop—stop—the hugely popular health insurance reform legislation he cosponsored with Kansas Republican NANCY KASSEBAUM.

I might just say, Mr. President, on this issue of health care reform, the Senator from Massachusetts often indicates the reason he is into his 80th day of filibustering a bill, that millions of Americans are suffering because it is not the law, the reason he says he is doing it is because we have a possibility that a conference report would include medical savings accounts, and that is just not the right thing to do because it was not in the Senate version, but it is in the House version, Madam President. It is in the House version. That is what conference reports are about, to work out the differences between House and Senate proposals. I guess he is going to filibuster this until he gets some assurance that he can manage what the White House thinks is appropriate for health care reform, and override the fact that almost half the Members of the Senate agree with the House on medical savings accounts.

Madam President, I will talk for a moment about this filibuster that we have from the Senator from Massachusetts on health care reform. That is probably the single largest and most extended filibuster that we have been dealing with. As I said, Madam President, we are into our 80th-plus day.

In the Washington Post, an article quotes a fellow by the name of David Nexon, who is Senator KENNEDY's health policy director, and the quote reads: "If it"—that is the health care reform proposal—"the Kassebaum-Kennedy health care bill] fails, just a narrow political calculation, it helps us"—that is the Democrat side—"more than them"—that is the Republican side—"because then we can credibly blame the Republicans for killing it."

In other words, again, as I said earlier, American families last. The American workplace is trying to find an insurance environment that is easier for them to deal with, that comes secondary to having a political advantage and being able to blame somebody for the fact that health care reform, which is so needed, could not get passed. Well, I think it is eminently clear that this idea is not going to work. If we do not

have health care reform, it will rest squarely on the shoulders of the senior Senator from Massachusetts and this administration because it will be clear, and there will be no mistake that they have been engaged in an extended filibuster over the interests of American families, who are trying to find a better and friendlier health insurance marketplace for them and their spouses and their children.

How about this quote: "Certainly, his views haven't changed."

That is, President Clinton's views. He was addressing an audience of health care executives, hospital trustees, and others, at a symposium sponsored by the Hospital Association of Rhode Island. Ira Magaziner—if we remember, he was, along with Mrs. Clinton, a principal architect of Government health care, a huge Government-run system. We all remember the charts that were shown here on this massive Government takeover of medicine. Well, Ira Magaziner said, "The American public still cries out for a comprehensive health care system, and President Clinton remains committed to this idea. Indeed, the President will try again if a more receptive Congress is ever elected."

Well, that means to try again for a massive Government-run health care program. That brings up an interesting point.

Now, the President promised tax relief to the middle class. Just yesterday, I pointed to the book called "People First," where, on page 15, he promised a middle-class tax cut. But that became virtually a half-trillion-dollar tax increase—the exact opposite of what was promised. Then, yesterday, we had the Families First Program—from People First to Families First. CBO says that could cost another half-trillion dollars. This Government-run health program that America rejected, for which is still harbored hope on the other side to resurrect, that was about another \$200 billion in tax increases. The net effect of all of that, I might add, requires that the average working family in America forfeits about another \$6,000 to \$8,000 of their income to the Government. That is what all this adds up to.

Another quote: "We're going to get this done, and we're going to keep coming back at it \* \* \*. If we can have a big sweep for the Democrats in the House and the Senate, we'll get single payer." That means Government-run health care. Who said that? Well, the senior Senator from Massachusetts said that.

So maybe now it is becoming a little clearer as to exactly why this filibuster is going on. The idea is, do not get the targeted health care reform that Americans have asked for. Let us throttle that and let us see if we cannot stall the 104th Congress, and maybe the American people will change the balance here and we can get back to pursuing our ultimate goal, which is a national Government-run health care

program, with massive new taxes to run it, and an opportunity for the Government to be expanded even beyond 50 percent of the American economy.

This is Senator KENNEDY's quote: "I'm strongly in favor of universal comprehensive health care for all Americans." That was Senator KENNEDY on "Larry King Live," May 8, 1996.

Senator KENNEDY's key aide said, "It may be that, ultimately, the effect of our bill is to lead the Government to take further steps to increase coverage and control costs of health care. My boss still wants universal coverage with cost containment \* \* \*."

So from his point of view the foot is in the door and that is a good thing. There can be no mistake that we are engaged in an attempt to throttle targeted health care reform, to stall, and to wait to see if there is an opportunity to move to broader health care reform.

Now, Mr. President, one of the centerpieces of contention that is always brought up about the senior Senator from Massachusetts, Senator KENNEDY, is that the other side, the House, has a proposal called medical savings accounts, and somehow that is objectionable.

Madam President, it has been determined by the General Accounting Office that 25 million Americans could be helped by this targeted health care reform proposal. We need to understand that, in this proposal, there are a number of features that the American public are waiting for. One is that it ensures portability. What does that mean? The health care reform proposal is designed so that the health care insurance can move with the employee if they change jobs. Currently, in the workplace, many of the insurance policies, if the employee wants to move from job A to job B, the insurance stays with the old employer. So they become vulnerable. They have to leave their job, and their insurance does not travel with them. That is a very, very important problem, one which the health care reform that is being filibustered solved.

The proposal fights fraud and abuse. It creates a national health care fraud and abuse control program to coordinate Federal, State, local law enforcement actions. Funding is increased for investigation and prosecution. I do not talk to many citizens, Madam President, that I do not hear a deep concern, usually followed by anecdotal incidents. They know of somebody that got in an ambulance and was taken 300 miles to another hospital and it was at the cost of the insurance or to the Government. They will name some incident they have seen, some bill that they got—a bill that is three times the normal cost. They want us to pursue this fraud and abuse. This health care reform proposal accomplishes that.

Madam President, this legislation will make health insurance far easier to obtain in our workplace, because it deals with the issue of preexisting con-

ditions. It makes it more possible for individuals to get insurance who do not have it. That is an important ingredient. You have many, many Americans today that are worried and concerned that they have a preexisting condition and even though they want to be responsible and they want to obtain health insurance, they cannot do it because they have had a preexisting condition, some health problem in their past.

This measure begins to get at that problem and begins to make it easier for people with preexisting conditions to get their insurance.

Madam President, it also, in the House version, includes a provision for medical savings accounts. This is the issue that the Senator from Massachusetts focuses on. He uses that as the principal reason for his filibuster.

I suggest that my quotes earlier said that there is another reason. He wants to see if he can stall this and block it so that maybe there is another chance to go back to the total Government-run health care system that America says it clearly does not want. It wants the targeted reform, just as I have described. So he has taken this medical savings account and set it out as the red herring, as I would call it.

Just what is a medical savings account? A medical savings account is a great new idea and product for the marketplace. It would lower costs for people trying to get health insurance. A lot of small companies in America do not offer health insurance. A large number of Americans who do not have access to health insurance are employed by the very, very small companies who cannot afford a health insurance program. The medical savings account gets at this target and would take millions of Americans off the uninsured rolls and get them into insurance.

It is a great idea because it basically eliminates the front-end deductible and the back-end copayment and at the same time lowers costs. I am going to come back to that in just a moment and talk some more about medical savings accounts.

We have been joined by the assistant majority leader, the Senator from Oklahoma. I yield up to 10 minutes to the Senator from Oklahoma on this subject.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. NICKLES. Thank you very much, Madam President. I compliment my friend and colleague from Georgia for bringing to the attention of the American people issues which the Senate needs to work, and it needs to move forward with the Nation's business. We have found it increasingly difficult because we have been frustrated by the obstructionist tactics by Members of the Democratic Party in the Senate.

The Senate is a great body in which to serve. It is a body that has rules that are open for debate. I like that. It is a body where it is easy to have

amendments. You can amend anything. You can have any amendment on any issue. It does not have to be germane. I happen to like that. I will defend that right. It gives the minority enormous power to influence and delay and obstruct. Right now we have seen the minority using a lot of the Senate rules to obstruct, to delay, and to make it very difficult to pass legislation. Unfortunately, a lot of that legislation is very much needed.

We have before the Senate right now for example the Department of Defense appropriations bill. I have been around here a long time. I cannot remember anybody ever filibustering that bill because we all know it needs to pass. We know we need to fund the military. We need to make decisions on how many people we are going to have in the Armed Forces and what we are going to pay them. We need to have decisions made on what we are going to buy as far as airplanes, as far as equipment, as far as munitions, and as far as research and development. We may have differences of opinion on how much, but we have to make those decisions. You cannot make the decision unless you have the bill on the floor.

In this case, we have Senators INOUE and STEVENS, two of our more respected Members and two of our more talented legislators, who have been totally frustrated for 3 days trying to bring that bill to the floor. They are ready to go to work. I remember seeing both Senators having their notebooks and ready to go to work. That was on Wednesday afternoon. We have yet to have any substantive, real debate on the Department of Defense appropriations bill because a couple of Senators—and I respect their rights—are filibustering that bill because they think this will delay consideration of the nuclear waste disposal bill, which may come up after DOD. So, if they can filibuster and tie up the DOD appropriations bill, maybe that will help protect them as far as the nuclear waste bill. I disagree with that strategy.

I respect the Senators from Nevada, and I respect their right to try to protect their State. But by delaying action on the Department of Defense bill, I do not think they are helping their case one iota as far as Nevada is concerned. That is just the latest tactic. That is rather unusual—very unusual, I might say—to filibuster one bill, particularly a bill as important as the Department of Defense bill, to hopefully influence legislation on the nuclear waste bill, or a bill that is coming subsequently; very unusual in my opinion; not a good tactic, in my opinion; not helpful for the Senate.

The Senate needs to do its work on the appropriations bills. If people have philosophical differences on different issues which they feel strongly about, they have a right to filibuster those, but not really on appropriations bills. It does not make any sense to filibuster appropriations bills. We know

we have to pass these appropriations bills. They are all important. They probably all spend money that we should not spend, however, if Senators disagree with the way some of the money is spent, they can have amendments to strike that spending, to reduce the spending or to increase the spending. That is the way the system should work.

We should not filibuster appropriations bills. We should give priority to appropriations bills over many others because we know we have to do that. We have to pass these bills.

Again, we can fight, wrestle, argue, and amend over what the amount of money should be in those bills. But I think all of them agree that we should spend some money in each one of those 13 accounts for appropriations. To date, in the Senate, unfortunately, we have only passed one—military construction. We need to pass the Department of Defense appropriations bill. Hopefully, we will be able to get back to that on Tuesday and move forward.

That is not the only case of obstruction that we have seen from our Democratic colleagues. Senator COVERDELL mentioned the health care bill, the so-called Kassebaum-Kennedy bill. That bill passed the Senate in April by a vote of 100 to 0. The House has already passed it. The normal course of procedure is that we would appoint conferees and work out the differences between the House and the Senate.

We have some differences between the House and the Senate—however, these are not real substantive differences in too many areas. But we need to go to conference to work them out. Senator KENNEDY has obstructed that. He has objected to appointing conferees indicating he would filibuster any effort to appoint conferees. He may well have the opportunity to filibuster it.

I think we need to make a decision. Are we going to allow one Senator to deny us the opportunity to go to conference for final action on a bill that passed the Senate 100 to 0? I think Senator KENNEDY is wrong in objecting to this bill. This bill is an important bill. It bears his name—the Kassebaum-Kennedy bill. It has a lot of provisions that are agreed upon with strong bipartisan support. We made some improvements in that bill as originally introduced.

I remember some of our colleagues saying that we cannot amend that bill, that, if we amend it, we threaten the bill. We did amend it.

We put in a provision that I know is of interest to the Presiding Officer that allows the self-employed to have deductions for health insurance rising from 30 to 80 percent. That is a very important provision, a good provision, one that passed. Nobody objected to it. We included it in the Finance Committee action. No one objected to it on the Senate floor. It must be a great provision. It certainly is common sense. It has some equity for taxes as far as health care is concerned. Major cor-

porations get to deduct 100 percent. Why would a self-employed person only get to deduct 30 percent? It does not make sense. Now at least that is increased to 80 percent. It takes 7 years to get there. But that is a positive provision.

Senator KENNEDY right now is objecting to that provision because we are not able to get this bill to conference. I find that very important. He has objected now for 80 days; almost a record. I cannot find any bill that anybody has objected to longer for appointing conferees. If he wants to filibuster the bill when it comes out of conference, he has that right, and I respect that right. I may not agree with him, but at least I respect somebody who is abiding by the rules. Under the rules, you can filibuster appointment of conferees. That is what he is doing. But what he is doing is denying 25 million Americans portability between group insurance and individual insurance. In other words, if they leave a group—maybe they are working for a company that has health insurance and they are fired, or they quit, or they have to move, for whatever reason, and they want to go into a different plan—this bill says they will be able to move their insurance. They will be able to get coverage either in an individual policy or another group policy.

That is a good provision. It has strong bipartisan support. By blocking the appointment of conferees, Senator KENNEDY is not allowing us to take that up and pass it, and put it on the President's desk and have it become law.

Ostensibly the reason the Democrats are objecting to appointing conferees is they do not like medical savings accounts. The House has a medical savings accounts provision that basically makes it available as an option for, I believe, most Americans. The Senate had a close vote, 52 to 46, on medical savings accounts. We were not successful in having a broad medical savings accounts provision. And so since the Democrats do not want medical savings accounts they have refused to let the conference go forward. Even yesterday, the minority leader, Senator DASCHLE, said if you will give us the medical savings accounts provision or let us define it, then we will go to conference.

That is not the way we do business. If we did business that way, the minority would say, well, we will not let you go to conference until we see the final outcome. In other words, the conference does not make any difference; we will write the final package or we do not have a bill or we will not go to conference.

I disagree with that. That is a crummy way to legislate. That is not good, and we should not let it happen. And, frankly, we are not going to let it happen.

The proposals we have made in an effort to compromise on this bill are several. We have already said that we

would drop medical malpractice liability reform that the House had in their bill and we did not have in our bill. We have already said, well, that will be dropped. We dropped purchasing alliances for small businesses. In my opinion, we should not have dropped it, but we did.

So we have made several compromises. On medical savings accounts, we said that instead of making the medical savings accounts open for all people in the country, as I think we should, we will confine it to small business, to businesses with 50 or less, and the self-employed. I think that is a very minimal move toward medical savings accounts. As of yesterday, Senator KENNEDY and others think that is still too generous. They do not want to give self-employed people the right to have a medical savings account or they do not want to give a small business with 50 or less employees the right to start a medical savings account.

What are they afraid of? That it is going to work? Are they afraid they are going to be popular? Are they afraid they are going to take off and be a real success? Frankly, they will be. They will prove you can save money and you can provide an option.

We are not mandating that anybody in America has to have a medical savings account. We are saying that should be an option. And if they choose it, great. If they do not choose it, that is great. It would be their option. It would be another method of obtaining health insurance. Individuals and small companies could decide for themselves where they would take that couple of thousands of dollars a year and say, well, if I do not use it on medical care, I can save it for long-term care.

Madam President, I ask unanimous consent for an additional 5 minutes.

The PRESIDING OFFICER. Is there objection?

Mr. COVERDELL. Madam President, I yield another 5 minutes to the Senator from Oklahoma.

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

Mr. NICKLES. So we would allow small businesses the right to offer to their employees medical savings accounts as an option—not a mandate, as an option—so they could use that money. It would be their money. People are a lot more frugal with their own money than they are with Government money or they are with their employer's money. So there will be savings involved. That is positive. That is good.

What is Senator KENNEDY afraid of, that this is going to work? I have heard him say something about, well, this would be utilized by the wealthy and the healthy. I disagree with that. We had hearings and listened to people, school teachers and others, who really like this opportunity.

The States have given them a small tax advantage. What we would do on the Federal level is allow them to have medical savings accounts, treat it

somewhat like an individual retirement account, and if they do not use it for health care purposes, they could use it for long-term health care purposes. If they do not use it today, they would accumulate it. They do not have to use it or lose it. So people would have an incentive not to run up their medical expenses. They could save it and use it, if not this year, next year. They could save it for a real problem in the future or perhaps save it for dental care that their health care did not cover. Or maybe they could use it for long-term health care, which most people in this country do not save for, which makes eminent good sense.

Madam President, I am very disappointed that my colleagues on the Democrat side have objected to appointing conferees on the health care bill which benefits up to 25 million Americans. We should move forward on that bill, and we should move forward on it now.

I appreciate the fact that the majority leader yesterday tried to get unanimous consent to move to the health care bill, and once again, I think for probably about the eighth time, the Democrats have objected. I know that he will be making that motion again on Tuesday. I hope that they will reconsider. I have stated my intention to make sure that we move toward the health care conferees before we appoint conferees on the minimum wage. I think both conferences should be appointed. I do not make any bones about that. Both conferences should be appointed.

We should not be objecting to conferees. We should let the majority will of the Senate go forth. But I do think it is important, for a little leverage, for Senator KENNEDY and others, if they really want minimum wage, they are going to have to allow appointment of conferees on the health care bill. I hope they will see the wisdom in allowing the conferences go forward on both and see that the will of Congress can go forward on two very important issues.

Madam President, again, I thank my friend and colleague from Georgia for his time and also for his leadership on this issue.

I yield the floor.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. I thank the assistant majority leader for his presentation and knowledge on this subject, his assistance in participating in our controlled time.

Madam President, I yield up to 10 minutes to the distinguished Senator from Kentucky.

The PRESIDING OFFICER (Mr. NICKLES). The Senator from Kentucky is recognized.

Mr. MCCONNELL. Mr. President, I thank my friend from Georgia for his leadership and giving us an opportunity to express ourselves on what appears to be the state of the Senate today.

Far be it for me to come over here and argue that it is inappropriate for someone to filibuster, and I will not make that argument. The Senator from Kentucky is familiar with the procedure, has employed it on numerous occasions over the years, to good end, for the Nation.

What I would like to say to my colleagues this morning, Mr. President, is I am not trying to turn the Senate into the House here. I understand the Senate is not the House. We all know from high school civics that in the House of Representatives, if you have a majority, you can run the place. The House of Representatives can be sort of like a triangle, with the Speaker and the chairman of the Rules Committee at the top of the triangle, and with the concurrence of a mere majority the place can be run like a fast train out of the station. The House of Representatives was constructed by the framers of our Constitution to be a place of great passion and quick reaction. That is the way it has always been, and we understand that.

Many people in the House over the years have referred to the Senate as "the House of Lords," with some degree of derision. The Senate was a ponderous place, a place in which things were contemplated for quite some time. And, boy, that is the way it has worked for 200 years, and, in fact, that was the way it was designed. Frequently, we heard the Senate described as the saucer underneath the coffee cup where the coffee sloshed down the cup into the saucer and cooled off.

I am here to object to none of that. I am not in favor of changing the rules of the Senate. I am not in favor of diminishing the rights of the minority. But it seems to me what is going on right now in the Senate is different in several measurable ways from what has been experienced in the past. I could be wrong about this, but I cannot remember in any of the years I have been here in the minority that we tried to stop appropriations bills. It is one thing to attempt to stop, to pull together 41 people to try to do what you think is best for America by stopping a bad piece of legislation.

We saved the country from "Clintoncare," the Nation's most aggressive effort to take over all of health care by the Federal Government through the use of the filibuster. I make no apologies about that. I am proud of that. We stopped the stimulus package in 1993 through the use of the filibuster, saved 20-odd billion dollars in waste. I make no apologies about that. We stopped an effort by the Government to take over all of the political campaigns and snuff out the voices of Americans and hand the check to the Treasury to support political campaigns. I make no apologies for that.

However, never in the years I was here in the minority did we try to stop appropriations bills, the essential element of operating the Government.

It seems to me that is what is going on here; an orchestrated effort on the

part of our friends on the other side of the aisle, maybe in conjunction and concurrence with the administration, to simply create a situation where the Government must come to a standstill, and to try to do it subtly, somehow to try to get it done in a way that everybody does not figure out what is going on.

By any standard that is a new low. That is not trying to stop an issue on the merits because you think it is bad for America. That is saying we will not engage in the elementary, basic function of Government for which the Congress remains responsible, and that is discretionary spending. We cannot control interest on the national debt; we cannot control, at least on an annual basis, the entitlements; but the one thing we do do around here every year, at a bare minimum, is the 13 appropriations bills, the fundamental function of Government.

So let me cite an example. I am chairman of the Foreign Operations Subcommittee. It is not a huge amount of money in the grand scheme of things around here, but this year we will be appropriating about \$12 billion to pursue America's interests around the world through the use of means other than sending in the troops; another tool for the No. 1 country in the world to pursue its interests around the world without the deployment of troops.

Last year we had nine different votes on the foreign operations appropriations bill in the House and the Senate on the issue of population control, admittedly a very divisive issue upon which Members of this body and the other body are divided, on a bipartisan basis. But finally, after 5 months of ping-ponging this bill back and forth from the House to the Senate, trying to work out some kind of compromise on the population control issue that would bring the President's signature, we were able to do that. The President signed the bill. He signed the bill.

This year I would say, Mr. President, in an effort to secure a signature on the foreign operations bill, the House of Representatives inserted into their version of the foreign operations bill exactly the language that the President signed in February—exactly. It was an effort to reach out to the administration and say, "Let's not have a fight over this issue this year. It was a difficult compromise to achieve last year, so we will just put in exactly the language you signed in February—now."

"Oh, but that is not good enough. What was good enough in February is not good enough now. We will not sign it again. The standard somehow has evolved from February until now."

What is going on here, Mr. President? There is no other conceivable explanation for that, than that the President would like to veto this appropriations bill. We have not sent it down to him yet. Hope springs eternal. Maybe that will not happen. But it is very dif-

ficult to deal with an administration that will not stay stuck to any position. These people can change positions in the middle of a sentence, and do—frequently. Why? They are looking for a reason to stop the Government.

Mr. President, that is what is going on here. I do not know whether there is sort of daily coordination between the White House and our friends on the other side of the aisle or not, but the effort here is to do the country harm—harm, by creating a crisis that does not exist. Because we are not arguing, here, in many of these instances, over freestanding policy matters. Although we are having a dispute here on the minimum wage and the health care bill, I want to say to the distinguished occupant of the chair, as someone who has filibustered appointment of conferees in the past myself, I think it was entirely appropriate for the assistant majority leader to take the position that what is good for the goose is good for the gander. If we are going to object to going to conference on health care, then why not object to going to conference on the minimum wage and small business tax bill? I think that linkage is appropriate. I think it makes sense. It seems to me it might bring about a condition where we can pass two bills that at this point clearly ought to pass the Senate and the House.

But what I fear we are going to see here in the next few months, not only on that side of the aisle but also downtown, is an effort to create reasons to not engage in the basic function of Government, which is to pass these annual appropriations bills. I think it is important for the American people to understand what is going on here; basic functions of Government, not big ideological disputes about the future of the country, but the fundamental activity of the Congress.

Hopefully, this will not continue much longer. I commend the majority leader, who is not on the floor at the moment, but I want to commend the majority leader for finally going on and talking about it in public. We have been sort of sensing what has been going on around here. Everybody has been sort of exasperated about it. You kind of hate to admit publicly this body has declined to that level, but it is time to talk about it and I commend him for doing that. Hopefully our public discussion of this will bring about a more cooperative framework for advancing the business of the U.S. Senate.

With that I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, before the Senator from Kentucky leaves, he has given us a good civics lesson on the nature of the Senate, with which I agree. I concur that the rules ought not to be changed. But, if I might just make one point that I made before the Senator arrived, the Senator has conducted filibusters, and on very conten-

tious issues for which there were deep divisions. But we opened the 104th Congress on the unfunded mandate bill which passed here 98 to 2, which was filibustered by the other side for 3 weeks. That is a distinction. That was not a filibuster over the issue embraced in the bill. It was a strategic design to thwart the interests of the American people and it is not families first, it is America last.

Mr. MCCONNELL. Will the Senator yield?

Mr. COVERDELL. I yield.

Mr. MCCONNELL. The Senator makes a very important point. I thought we wanted to pass a health care bill. This is essentially the same bill we wanted to pass in 1991. I thought they wanted to pass the minimum wage bill. The Senator from Georgia, I think, makes a very important point as to what is going on here. This is not about principle. There is no principle involved here. This is pure sabotage. I thank my friend from Georgia.

Mr. COVERDELL. I thank the Senator from Kentucky and I turn to the distinguished Senator from Texas and yield up to 10 minutes to Senator HUTCHISON of Texas.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I thank my colleague from Georgia, who wanted to talk about the gridlock that has come over the Senate, really in the last year and a half. But I think it is beginning to show, because our distinguished majority leader made the eloquent effort yesterday to bring up nine separate bills, and had objections raised to every one of them.

These are bills that range from the health care reform bill that was passed overwhelmingly by the Senate, which is being held up from even having conferees appointed for it, to a stalking bill that was passed unanimously by the House of Representatives and would be passed unanimously out of the U.S. Senate but for the objection of one colleague from the Democratic side.

Mr. President, we have had, in the last year and a half since Senator DASCHLE became minority leader, over 65 cloture motions that have been required to try to get on with the business of the Senate. Let me just give a list of a few of those.

Unfunded mandates, to keep the States from having to pay for the mandates that are dreamed up in Washington, D.C. It took four cloture motions to bring the bill up, and once it was brought up the bill passed nearly unanimously.

Balanced budget amendment to the Constitution: That is what the people of this country have been asking for, a balanced budget amendment so that when we do finally balance the budget, hopefully, we will never again see the spectacle of a Congress that will tax our future generations for the programs that we ask for today. It took

three cloture motions before we could debate that bill. And when we finally did, we lost it by one vote.

Striker replacement, line-item veto, health insurance tax deductions for the self-employed and the small businesses of this country: Every one of these required cloture votes before we could even talk about them on the floor, debate the differences and pass them.

Let's go one step beyond. When we are talking about gridlock, it is not just the Democrats in the Senate, it is also President Clinton. It is the other end of Pennsylvania Avenue. President Clinton has vetoed 15 bills, 15 bills that have finally made it through this Congress, and of those 15, I want to read you what they are, because I think it is important to see the differences between President Clinton and the Democrats in Congress and what they would do versus what the Republicans would do, as shown by what we have passed in Congress.

The Bosnia-Herzegovina Self-Defense Act, vetoed by the President. This would have allowed the Moslems to arm and train themselves so that we might not have had to send Americans with a NATO force to bring peace to that country. They might have settled it 2 years earlier if we had given them the right to have free access to defend themselves. It was vetoed by the President.

Seven-year balanced budget: The President promised the American people a balanced budget. So did Members of Congress. Congress produced, and the President vetoed it.

Securities litigation reform: We were trying to have litigation reform that would cut the costs of the securities industry in this country and for the investors in this country. It was vetoed by the President. That one was overridden.

Welfare reform: Another promise of the President to the American people, a promise kept by the Republican Congress, vetoed by the President.

A ban on partial-birth abortions; a ban on killing babies that are halfway out of the mother's womb: Vetoed by the President.

Product liability reform: The single most important litigation reform bill that has been passed by this Congress that would have tried to bring down the costs of regulation and the prices to consumers, product liability reform, vetoed by the President.

The rest of the bills vetoed by the President were appropriations bills for specific agencies and departments of Government or authorization bills to run the departments of Government.

I think we are beginning to see a pattern here, a pattern of gridlock and obstruction, a pattern of broken promises. I think the American people deserve to know what Congress is trying to do and what we are being obstructed from doing.

Let's talk about some of the items that our majority leader tried to bring up yesterday. He mentioned the stalk-

ing bill. The stalking bill is my bill. It was passed unanimously by the House of Representatives. It is being held up because one Senator wants to put a gun control amendment on the bill.

Other Senators had amendments that they had hoped to offer on this bill. Senator FEINSTEIN had an amendment. Senator GRAMM of Texas had an amendment. They were willing to step back because they knew if we opened up the bill, we might not be able to get it passed, and, of course, we were hoping to send it directly to the President after its unanimous passage by the House of Representatives. So they agreed to step back and not change it so that it could go directly to the President and give to the stalking victims of this country another measure to help protect them from threats and harassment that might be fulfilled, because we have not passed this bill that would allow the FBI to come in and track a stalker that goes from one State to another.

This is especially important in a State like New York, where many of the people who work in the New York metropolitan area live in Connecticut or New Jersey. It is especially important where the threats become so great that a victim moves to another State to elude the threat and harassment and is followed by the stalker, and there is no way to have the ability to clamp down on that stalker before he fulfills his mission of beating up or murdering the victim. This bill is being held up for no good reason.

Why would we have a holdup on health insurance reform? The American people have asked for health insurance reform. They have asked for portability so that if they lose their jobs, they will not worry about losing their health care coverage. They have asked that we do away with preexisting condition clauses because they are worried that if they do change jobs, their insurance company will say, "No, I'm sorry, we cannot take you on because you or someone in your family has an illness that might be expensive."

That is what the bill does that was passed overwhelmingly by the Senate and by the House. Why would it be held up? Why would it be filibustered for 2 months?

The Senator from Massachusetts has raised the objections because—

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

Mrs. HUTCHISON. I will be happy to yield for a question.

Mr. FORD. It is medical savings accounts that the Senate turned down, and the conferees are all for MSA's. Therefore, we will get something that the Senate turned down, and that is the basic objection.

Mrs. HUTCHISON. How would we know—

Mr. FORD. We absolutely know, if you know what is going on in the Senate.

Mrs. HUTCHISON. If you do not even appoint conferees—

The PRESIDING OFFICER. Senators will go through the Chair.

Mrs. HUTCHISON. To the conference committee, because we do not know how it is going to come out. MSA's were passed by the House—they were not passed by the Senate—by a narrow majority. So why should we not be able to work that out? Why would one Senator object to even appointing conferees so that we could sit down and work out the differences between our two bills? Is that not the way this process works?

The PRESIDING OFFICER. The Senator's time has expired.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent to have 5 additional minutes.

Mr. FORD. Reserving the right to object, we have already gone beyond the 11 o'clock period of time. I had changed appointments to be here at 11 o'clock because that was the unanimous-consent agreement. I do not want to interfere with the distinguished Senator from Texas, but somehow or another we are going to have to stay on track. That was the unanimous-consent agreement last night, that we would have 11 o'clock. Now it is 11:10. And if I give—

Mr. COVERDELL. Mr. President, if I might, for parliamentary information, our control of time, as adjusted by unanimous consent, runs to 11:10, so it would be under my control to determine whether I extend additional time to the Senator from Texas. I yield another 2 minutes because we have other speakers besides the Senator from Texas.

The PRESIDING OFFICER. The Senator from Georgia has that right.

Mrs. HUTCHISON. Thank you, Mr. President.

Mr. President, I think it is unconscionable to hold up health care reform that the people of this country expect and that both Houses of Congress have passed because we do not want conferees to sit down and work out a compromise on medical savings accounts.

Medical savings accounts, Mr. President, are something very important for health care reform in this country. It allows a business to give to an employee the amount of money that that employee would have anyway and have choices, so that the employee could take that money and perhaps save by going to different health care coverage or perhaps save money for future rainy day expenses for their health care needs for themselves and for their families. What we want is for them to have that option and to have the tax breaks to be able to save for those health care needs.

So, Mr. President, we are talking about not allowing the appointment of conferees so we can move health care reform as we have promised the American people we would do. Mr. President, I also have to say I do not know why the Senator from Massachusetts would be so concerned about the ability to have medical savings accounts. I will

just read from his very own health care reform bill in 1994, just 2 years ago, where his bill says:

It is the sense of the Committee on Labor and Human Resources of the Senate that provisions encouraging the establishment of medical savings accounts be included in any health care reform bill passed by the Senate.

So, Mr. President, the Senator from Massachusetts' own bill includes language encouraging the establishment of medical savings accounts. So why will the Senator from Massachusetts not allow us to have conferees appointed for that reason? Is he afraid that we cannot sit down and discuss it and get the health care reform?

Mr. President, it does not wash. There is gridlock in the Senate, and it has to stop. The majority in the Senate is trying to make that happen. I thank you, Mr. President, and I yield the floor.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. I thank the Senator from Texas. I think she makes an excellent point when she reminds us that medical saves accounts—which is apparently what is holding this up—was an issue for the Senator from Massachusetts in his own legislation. That is a very important point. I commend the Senator for bringing that to the attention of the Senate.

I now yield 8 minutes, if I might, to the Senator from Utah.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. BENNETT. I thank the Chair.

Mr. President, although I am a new Senator, in my first term, I have had association with the Senate going back some 30 years. I started as an intern between school years some 30-odd years ago. I have served on the Senate staff, been associated with the Senate for a number of years. I want to draw on that experience to give a little historical perspective to what I think is going on in the Senate here.

I remember in the days that I have referred to that filibusters used to be very rare. When a filibuster occurred, it was a real filibuster. I remember the time when the Senators were told, "Get out the cots. You're going to be here around the clock. We're going to have quorum calls at 3 o'clock in the morning and do everything we can to break the filibuster." It was reserved, if you will, for those issues about which certain Senators felt most powerfully. The filibuster was not an ordinary tool that was used whenever a bill came up that a Senator objected to.

You contrast that to today's strategy when the filibuster is used almost routinely, when cloture votes are the most common votes that we cast, and you realize something rather fundamental has happened in the Senate.

I think what has happened is that people have discovered that through the use of the filibuster, in the present circumstance, they can change the po-

litical dynamic. It is no longer necessary to have a majority in order to work your will in the Senate. Through the use of the filibuster, all you need is 40 votes and you can control the Senate and you can force your opposition to cast votes that they might not want to cast so that you can then go home and campaign against them. The Senate has ceased to be a legislative arena and has turned into a campaign arena that seems to be ongoing and continuous.

I will obviously confess to having participated in filibusters in the last Congress. There were two issues that were very important, in my view, that we engaged in filibusters on. No. 1 was the stimulus package offered by the President of the United States. A group of us felt that was a serious mistake. We took the floor. We held the floor. We ultimately forced the President to back down on that issue. Looking back on it, we were right. The stimulus package that he was calling for was clearly nothing more than pork. I do not apologize for having tied up the Senate to prevent the \$19 billion worth of pork that the President proposed.

Other filibusters—I will not take the time to describe them—but the one common thread was I participated in filibusters against bills I was opposed to. We have seen that going on here now. The two Senators from Nevada are involved in a filibuster against a bill that they are opposed to.

What is different in this Congress is that we are seeing filibusters against bills that people are for. Yes, they are doing their best to delay consideration of bills they intend to vote for. I have had to ask myself, what is the motivation behind a filibuster against a bill you are for? I have come to this conclusion, Mr. President—I may be wrong; and I will be happy to have someone demonstrate that I am wrong—but until that demonstration is convincing, I have come to the conclusion that the reason filibusters are currently being mounted against bills that the participants in the filibuster are, in fact, for is that they wish to embarrass the current leadership of the Senate for political purposes in November.

I could understand that when the majority leader was the Republican nominee. I did not approve of it, but I could at least understand it, people saying, "OK, we will filibuster this bill. We will make it look as if Bob Dole is impotent as a leader so that we can then attack him as being an ineffective leader as the nominee." Senator Dole recognized that that was going on, so he did the thing that surprised all of us, and I think perhaps probably disappointed the opposition a little, he said, "OK. I will resign as the majority leader. I will even resign from the Senate."

He made an interesting comment to us when he announced to Members of his own party that he was resigning. He said, "The people of Kansas deserve a full-time Senator, and I can't do that

being the nominee. The Republicans deserve a full-time leader, and I can't do that being the nominee. And the people who nominated me deserve a full-time nominee, and I can't do that and stay in the Senate." So out of a great sense of duty and responsibility, Senator Dole resigned his position in the Senate, obviously stepping down as majority leader.

I thought that would solve it. I thought once Senator Dole was gone as a target, that the filibusters slowing down the work of the Senate would stop and we could then get ahead with the work of the Senate. It turns out I was wrong. I have come to the conclusion that there is a deliberate strategy to try to make the leadership of the Senate look bad in an effort to then go to the people in the election and say, "Change leadership. We will be able to get things through." I hope I am wrong, but I have come to the conclusion that that is the strategy and that that is why people are filibustering bills that they favor.

So, Mr. President, I hope we will step back and look at this in a historic context and say, is this the right thing to do in the Senate? Is it the right thing to get us in the habit and the pattern of deciding everything that comes before us in a purely political context, both sides perhaps equally guilty if we get into that circumstance? Or should we all say, let us step back, let us recognize that the Presidential campaign is going to be between Bob Dole, no longer a Senator, and Bill Clinton, who is not a Member of this body, and let them fight their issues out? Let us take our constitutional responsibilities seriously and get on with the business of the Senate.

Let us stop dilatory tactics that are geared not to change the content of legislation but to simply slow down the process and tarnish the image of the leadership. Let us take our lumps. If we lose, we lose. If we feel passionately about an issue, use the filibuster about the issue we feel passionately about; but if there is an issue that can be decided and will be decided by a majority vote, go ahead and decide it by a majority vote and not try to tarnish the effectiveness of the leaders we have chosen.

I voted for Senator LOTT as the leader because I feel he is committed to moving the business of the Senate forward in a proper, professional way, regardless of his ideological position. I think we should give him the chance to do that. I think we owe him the courtesy of doing that. I think the same would be true if Senator DASCHLE were the majority leader. I would not engage in a filibuster myself on any bill I intended to vote for. I think it should be reserved for those bills that we opposed.

Mr. COVERDELL. Mr. President, I thank the Senator from Utah. I yield up to the balance of the time remaining to the Senator from Arizona.

Mr. MCCAIN. Out of curiosity, how much time remains?

The PRESIDING OFFICER. The Senator has 8½ minutes.

Mr. MCCAIN. I thank my friend from Georgia, and I thank my colleagues for their indulgence.

Mr. President, I am worried about our ability to serve the American people. I am worried about the impression that we are creating and giving the taxpayers of America that sent us here to do their work to achieve a better Government, to meet the needs of those in our society who are less fortunate than we, to fulfill our obligations to national security as embodied by the Department of Defense appropriations bill. There is no higher calling that this body has than to provide for national security. All of that has obviously ground to a halt.

Mr. President, a lot of things have been said about the gridlock that is here today. Unfortunately, it seems to be continuing, particularly in light of the fact that we have only a handful of weeks left remaining in session.

Mr. President, I have only been here about 10 years. It is a pretty long time in the view of some, too long in the view of a few—I hope only a few—but not nearly as long as some Members of the Senate. One of the Members of the Senate that I have grown to admire over the years, that I have engaged in fierce and sometimes partisan debates with, is the senior Senator from the State of West Virginia, Senator BYRD, who all of us respect and revere as sort of the institutional conscience here.

Not too long ago, Mr. President, Senator BYRD stated it most succinctly and in a most compelling fashion. Senator BYRD, back in December of last year, December 15, 1995, said in the CONGRESSIONAL RECORD:

Under the Constitution, the only real responsibility we elected Members of Congress have to worry ourselves with is that of ensuring the passage of the 13 appropriations bills that fund the Federal Government. That is all we really have to do. This year, while Members of Congress have spent months and months raising the public's expectations for an end to the legislative gridlock and a new blueprint for governing, we seem to be more preoccupied with one petty nuance after another. Instead of ensuring that the people's needs are met, we are arguing over the size of the negotiating table, how many people can attend, and which door of the airplane we can use. All of this is an unnecessary and unwarranted diversion. This year, as always, there are differences in priorities between the Democrats and Republicans and the Congress and the White House.

Mr. President, we are rapidly approaching a position where we cannot carry out what Senator BYRD described as the only real responsibility we have in Congress. Mr. President, it is interesting what a difference a couple years can make in one's viewpoint. It is always interesting to me, because back on October 26, 1994, the Vice President of the United States, Vice President GORE, was quoted in an Associated Press story of October 26, 1994, which read, in part:

With the President overseas, Vice President Al Gore stepped in to launch a blister-

ing attack on Republicans, who he said were "determined to wreck Congress in order to control it, and to wreck the Presidency in order to recapture it." Urging Americans to rethink their votes 3 weeks before election day, Gore, on Tuesday, labeled Republicans "advocates of isolationism and defeatism abroad and of a reckless strategy of partisan paralysis at home," chastised by name several GOP leaders and a handful of Republican candidates in close Senate races, saying "their campaign platform would result in giant tax breaks for the wealthy."

He takes particular aim, Mr. President, at Senate GOP leader Bob Dole and House GOP whip, then-GOP whip, GINGRICH. GORE mocked their recent statements that they are already planning a transition to a Republican-controlled Congress. "We must not and we will not let the future of America be trapped in the dark corner of Dole and deadlock GINGRICH and gridlock reaction and recession," GORE said.

I hope the Vice President of the United States would come over and treat us to his views today as to what is going on here in the U.S. Senate.

Mr. President, I believe and we all believe that the rights of every Senator and the minority party have to be protected. Mr. President, for 8 of the 10 years I have been here, I was in the minority party. I understand and jealously guard those prerogatives and those rights.

Mr. President, I can cite example after example—and I see my friend from Kentucky here on the floor, one of the ferocious defenders of his party and its principles and a person who I have grown to know, admire and respect in many ways. On this issue, I think the Senator from Kentucky would agree with me that there is a time when we have to do the people's work we are sent here to do, and we must give the votes and the debate to the issues of the day or we are basically derelict in our duty.

Mr. President, I cite several issues I was involved in for years, the line-item veto, which I was able to bring up time after time on the floor of this body. The gift ban, recently the campaign finance reform bill, which, through bipartisan agreement, was allowed a vote. The recent progress we made in the Department of Defense authorization bill, an agreement we made in order to move forward with a vote on the chemical weapons convention, and others. We should be able to sit down and reach agreements on these issues.

Mr. President, I am not in the business of predicting. I always keep in mind the words of the great philosopher, Yogi Berra, who said, "Never try to predict, especially when you are talking about the future." But I do predict that the American people will display their dissatisfaction in these upcoming elections with Members of both parties, if they see we are unable to do the work they sent us here to do. I believe they will exact some kind of retribution on both parties and send people here who are committed to working out these issues which transcend par-

tisanship and transcend personal agendas.

I hope, Mr. President, that we will all appreciate that their excuse that Senator Dole, now departed, now candidate Dole, is responsible for deadlock is no longer valid, for gridlock is no longer valid. I suggest we, together on both sides of the aisle, should sit down and work out an agenda for the rest of this year so we can, at a minimum, work out the 13 appropriations bills that are necessary—a continuing resolution is an abrogation of our responsibilities—and also the authorizing legislation, including important issues such as the chemical weapons convention and other issues that are important to the future of this Nation.

The PRESIDING OFFICER. The Chair advises the Senator from Arizona his time has expired.

Mr. MCCAIN. I yield the floor.

The PRESIDING OFFICER. The Chair advises that, under the previous order, the time until 12:10, by an earlier unanimous-consent agreement, shall be under the control of the Senator from Kentucky [Mr. FORD].

Mr. FORD addressed the Chair.

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

(The remarks of Mr. THURMOND, and Mr. HEFLIN pertaining to the introduction of S. 1951 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. FORD. Mr. President, I yield such time as the distinguished Senator from North Dakota may desire from the time that we have. I yield my portion of the time remaining to his control.

The PRESIDING OFFICER. The Chair recognizes the Senator from North Dakota for the balance of the time until the hour of 12:10 p.m.

Mr. DORGAN. Mr. President, might I inquire, following 12:10, is there another 30 minute block of time under the control of the minority leader?

The PRESIDING OFFICER. The Chair advises the Senator from North Dakota that there would be another 30 minutes under the control of the Democratic leader or his designee.

#### GRIDLOCK IN THE SENATE

Mr. DORGAN. Mr. President, I appreciate that information. This morning, I listened with great interest to a menu of opinions that was offered on the floor of the Senate about why the Senate has not moved forward more expeditiously to address this issue or that issue, and why the Senate is not working as well as it really ought to work, who is at fault, what is wrong. The chorus was a well-rehearsed chorus. Obviously, a fair amount of time was spent on this tune, because everybody was singing almost in complete harmony on these issues.

Let me take the most obvious and the easiest one. The U.S. Senate