

all calculated with on-budget and off-budget deficits. We will not have an honest balanced budget until the on-budget deficit is zero. So the budget that we are being told about here tonight is not an on-budget deficit, so therefore it is not a balanced budget in the year 2002 without using \$108 billion of Social Security surplus.

Let me read the Budgetary treatment of trust fund operations. That is under Section 911(a)(1).

The receipts and disbursements of the Federal Old-Age and Survivors Insurance Trust Fund, the Federal Disability Insurance Trust Fund, and the Federal Hospital Insurance Trust Fund and the taxes imposed under section 1401, 3101, and 3111 of Title 26 shall not be included in the totals of the budget of the United States Government as submitted by the President or of the congressional budget and shall be exempt from any general budget limitation imposed by statute on expenditures and net lending (Budget outlays) of the United States Government.

Under our budget act—I want to read that. I will just read one paragraph into the RECORD.

The concurrent resolution shall not include the outlays and revenue totals of the old age survivors, and disability insurance program established under title II of the Social Security Act [42 U.S.C.A. Sec. 401 et seq.] or the related provisions of the Internal Revenue Code of 1986 in the surplus or deficit totals required by this subsection or any other surplus or deficit totals required by this subchapter.

Let me make one more point. The conference report on the budget that people have been beating their chest about around here tonight that is a balanced budget, the concurrent resolution on the budget for fiscal year 1996 and the conference report—all my colleagues have to do is just look on page 3.

Look on page 3 and see how you get a balanced budget. In the year 2002, the year it is supposed to be balanced, you are using \$108,400,000,000 out of Social Security Trust Funds in order to balance that budget. I have heard enough about "honest figures, honest figures."

The CBO is just as honest as they can be, I am sure. But OMB is too. I think about the private people out there that give industry an analysis of the future. Are those dishonest figures? I do not think so. I think they are honest people giving their honest best projection.

So, Mr. President, I wanted in the RECORD tonight that we have been hearing a lot about the balanced budget, but on budget the Republican budget is not balanced. The on-budget deficit must be zero to have a balanced budget, and not use \$108,400,000,000 out of the Social Security Trust Funds to balance the budget in the year 2002.

I yield the floor.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

proceed on behalf of the distinguished majority leader to make the following announcements.

MORNING BUSINESS

Mr. WARNER. Mr. President, I ask unanimous consent that there now be a period for the transaction of routine morning business with Senators permitted to speak for up to 5 minutes each.

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

MESSAGES FROM THE HOUSE RECEIVED DURING RECESS

Under the authority of the order of the Senate of January 4, 1995, the Secretary of the Senate, on January 5, 1996, during the recess of the Senate, received a message from the House of Representatives announcing that the House agrees to the amendment of the Senate to the bill (H.R. 1643) to authorize the extension of nondiscriminatory treatment (most-favored-nation treatment) to the products of Bulgaria, with amendments, in which it requests the concurrence of the Senate.

MESSAGES FROM THE HOUSE

At 7:03 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House agreed to the following concurrent resolution, in which it requests the concurrence of the Senate.

H. Con. Res. 131. Concurrent Resolution establishing procedures making the transmission of the continuing resolution (H.J. Res. 134) to the President contingent upon the submission by the President of a 7-year balanced budget using updated economic and technical assumptions of the Congressional Budget Office.

At 8:14 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House disagrees to the amendments of the Senate to the bill (H.R. 1606) to designate the United States Post Office building located at 24 Corliss Street, Providence, RI, as the "Harry Kizirian Post Office Building."

The message also announced that the House insists upon its amendments to the bill (S. 1124) to authorize appropriations for fiscal year 1996 for military activities of the Department of Defense, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes, and asks a conference with the Senate on the disagreeing votes of the two Houses thereon; and appoints Mr. SPENCE, Mr. STUMP, Mr. HUNTER, Mr. BATEMAN, Mr. WELDON of Pennsylvania, Mr. DELLUMS, Mr. MONTGOMERY, and Mr. SPRATT as the managers of the conference on the part of the House.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with

accompanying papers, reports, and documents, which were referred as indicated:

EC-1771. A communication from the Executive Secretary of the Barry M. Goldwater Scholarship and Excellence In Education Foundation, transmitting, pursuant to law, the report on the internal controls and financial systems in effect during fiscal year 1995; to the Committee on Governmental Affairs.

EC-1772. A communication from the Executive Secretary of the Barry M. Goldwater Scholarship and Excellence In Education Foundation, transmitting, pursuant to law, the 1995 annual report in compliance with the Inspector General Act; to the Committee on Governmental Affairs.

EC-1773. A communication from the Chairman and Chief Executive Officer of the Farm Credit Administration, transmitting, pursuant to law, the semiannual report of the Office of the Inspector General for the period April 1 through September 30, 1995; to the Committee on Governmental Affairs.

EC-1774. A communication from the Director of the Federal Mediation and Conciliation Service, transmitting, pursuant to law, the 1995 annual report in compliance with the Inspector General Act; to the Committee on Governmental Affairs.

EC-1775. A communication from the President of the Inter-American Foundation, transmitting, pursuant to law, the report on the internal controls and financial systems in effect during fiscal year 1995; to the Committee on Governmental Affairs.

EC-1776. A communication from the Executive Director of the Japan-United States Friendship Commission, transmitting, pursuant to law, the annual report for fiscal year 1995; to the Committee on Governmental Affairs.

EC-1777. A communication from the Executive Director of the Japan-United States Friendship Commission, transmitting, pursuant to law, the 1995 annual report in compliance with the Inspector General Act; to the Committee on Governmental Affairs.

EC-1778. A communication from the President of the National Endowment for Democracy, transmitting, pursuant to law, the annual report in compliance with the Inspector General Act for fiscal year 1995; to the Committee on Governmental Affairs.

EC-1779. A communication from the Chairman of the National Science Board, transmitting, pursuant to law, the report under the Inspector General Act for the period April 1 through September 30, 1995; to the Committee on Governmental Affairs.

EC-1780. A communication from the Executive Director of the Office of Navajo and Hopi Indian Relocation, transmitting, pursuant to law, the annual report in compliance with the Inspector General Act for 1995; to the Committee on Governmental Affairs.

EC-1781. A communication from the Executive Director of the Office of Navajo and Hopi Indian Relocation, transmitting, pursuant to law, the report on the internal controls and financial systems in effect during fiscal year 1995; to the Committee on Governmental Affairs.

EC-1782. A communication from the Secretary of the Smithsonian Institution, transmitting, pursuant to law, the semiannual report of the Office of the Inspector General for the period April 1 through September 30, 1995; to the Committee on Governmental Affairs.

EC-1783. A communication from the Executive Director of the State Justice Institute, transmitting, pursuant to law, the annual report in compliance with the Inspector General Act for 1995; to the Committee on Governmental Affairs.

ORDER OF PROCEDURE

Mr. WARNER. Seeing no other Senator seeking recognition, I will now

EC-1784. A communication from the Chairman of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report on the internal controls and financial systems in effect during fiscal year 1995; to the Committee on Governmental Affairs.

EC-1785. A communication from the Chairman of the Consumer Products Safety Commission, transmitting, pursuant to law, the annual report on the administration of the government in the Sunshine Act for calendar year 1994; to the Committee on Governmental Affairs.

EC-1786. A communication from the Administrator of the General Services Administration, transmitting, pursuant to law, the report on the internal controls and financial systems in effect during fiscal year 1995; to the Committee on Governmental Affairs.

EC-1787. A communication from the Office of the Public Printer, Government Printing Office, transmitting, pursuant to law, the semiannual report of the Inspector General for the period from April 1 through September 30, 1995; to the Committee on Governmental Affairs.

EC-1788. A communication from the Chairman of the Interstate Commerce Commission, transmitting, pursuant to law, the semiannual report of the Office of the Inspector General for the period April 1 through September 30, 1995; to the Committee on Governmental Affairs.

EC-1789. A communication from the Administrator of the National Aeronautics and Space Administration, transmitting, pursuant to law, the semiannual report of the Inspector General for the period from April 1 through September 30, 1995; to the Committee on Governmental Affairs.

EC-1790. A communication from the Deputy and Acting CEO of the Resolution Trust Corporation and the Chairman of the Thrift Depositor Oversight Protection Board, transmitting, pursuant to law, the semiannual report of the Inspector General for the period from April 1 through September 30, 1995; to the Committee on Governmental Affairs.

EC-1791. A communication from the Acting Chairman of the Thrift Depositor Protection Oversight Board, transmitting, pursuant to law, the report on the internal controls and financial systems in effect during fiscal year 1995; to the Committee on Governmental Affairs.

EC-1792. A communication from the Inspector General of the Railroad Retirement Board, transmitting, pursuant to law, the semiannual report on activities and accomplishments for the period April 1 through September 30, 1995; to the Committee on Labor and Human Resources.

EC-1793. A communication from the Director of the Office of Management and Budget, the Executive Office of the President, transmitting, pursuant to law, the report on appropriations legislation within five days of enactment; to the Committee on the Budget.

EC-1794. A communication from the Secretary of Transportation, transmitting, pursuant to law, the report entitled, "Ability of Crewmembers to Take Emergency Actions"; to the Committee on Environment and Public Works.

EC-1795. A communication from the Librarian of Congress, the Archivist of the United States, and the Public Printer, transmitting jointly, pursuant to law, the final report to establish a National Policy on Permanent Papers; to the Committee on Governmental Affairs.

EC-1796. A communication from the Comptroller General of the United States, transmitting, pursuant to law, the report of the list of General Accounting Office reports and testimony for November 1995; to the Committee on Governmental Affairs.

EC-1797. A communication from the Administrator of the General Services Administration, transmitting, pursuant to law, the report on the internal controls and financial systems in effect during fiscal year 1995; to the Committee on Governmental Affairs.

EC-1798. A communication from the Executive Director of the Committee For Purchase From People Who Are Blind or Severely Disabled, transmitting, pursuant to law, the report on the internal controls and financial systems in effect during fiscal year 1995; to the Committee on Governmental Affairs.

EC-1799. A communication from the Chairman of the Federal Mine Safety and Health Review Commission, transmitting, pursuant to law, the annual report under the Inspector General Act for fiscal year 1995; to the Committee on Governmental Affairs.

EC-1800. A communication from the Assistant Attorney General (Legislative Affairs), transmitting, a draft of proposed legislation entitled, "Restoration of False Statement Penalties Act of 1995"; to the Committee on the Judiciary.

EC-1801. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the annual report of the United States Government for fiscal year 1995; to the Committee on Finance.

REPORTS OF COMMITTEE

The following reports of committee were submitted:

By Mr. MURKOWSKI from the Committee on Energy and Natural Resources:

Report to accompany the bill (H.R. 1296) to provide for the Administration of certain Presidio properties at minimal cost to the Federal taxpayer (Rept. No. 104-202).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

H.R. 629. A bill to authorize the Secretary of the Interior to participate in the operation of certain visitor facilities associated with, but outside the boundaries of, Rocky Mountain National Park in the State of Colorado (Rept. No. 104-203).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. ROBB:

S. 1516. A bill making appropriations to the Department of Health and Human Services for retirement pay and medical benefits for commissioned officers of the Public Health Service for the fiscal year ending September 30, 1996; to the Committee on Appropriations.

S. 1517. A bill to make appropriations for the Black Lung Disability Trust Fund for fiscal year 1996; to the Committee on Appropriations.

By Mr. BROWN (for himself and Mr. REID):

S. 1518. A bill to eliminate the Board of Tea Experts by prohibiting funding for the Board and by repealing the Tea Importation Act of 1987; read the first time.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. DASCHLE:

S. Con. Res. 38. A concurrent resolution restating the commitment to a seven year balanced budget; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ROBB:

S. 1516. A bill making appropriations to the Department of Health and Human Services for retirement pay and medical benefits for commissioned officers of the Public Health Service for the fiscal year ending September 30, 1996; to the Committee on Appropriations.

RETIRED COMMISSIONED OFFICERS OF THE PUBLIC HEALTH SERVICE LEGISLATION

• Mr. ROBB. Mr. President, I introduce legislation which would fund retirement and medical benefits through September 30, 1996 for the retired commissioned officers of the Public Health Service.

I do not know whether many of my colleagues know this, Mr. President, but retired PHS commissioned officers have not received their retirement pay since our first continuing resolution expired on December 15, 1995. While retired members of the Federal Civil Service have thankfully been able to receive their retirement checks during this time period, the benefits of retired PHS commissioned officers come through a direct appropriation contained in the Labor/HHS appropriations bill, a bill which we all know has not yet been approved by this body.

The roughly 3,600 beneficiaries of this program should not be victims of our budget battles, Mr. President. They served their country for many years and their country has made a commitment to them. This bill will allow us to meet the commitment. •

By Mr. ROBB:

S. 1517. A bill to make appropriations for the Black Lung Disability Trust Fund for fiscal year 1996; to the Committee on Appropriations.

THE BLACK LUNG DISABILITY PROGRAM LEGISLATION

• Mr. ROBB. Mr. President, I introduce legislation which would fund the Black Lung Disability Program administered by the Department of Labor through September 30, 1996, and the Black Lung Program administered by the Social Security Administration through the first quarter of fiscal year 1997.

I was deeply disappointed that the limited continuing resolution approved by the House of Representatives earlier today did not include the Black Lung Programs. They should have been included, Mr. President, but they were not. When an effort was made to add funding authority for black lung beneficiaries during floor consideration of the House bill, that amendment was objected to by the other side of the aisle.

Mr. President, I've been told by the Department of Labor that unless a continuing resolution which contains black lung funding is approved by January 12, 1996, the January 15 monthly payments to beneficiaries would not be issued. It is my understanding that the Social Security Administration needs a continuing resolution which contains