

I will tell you, if we do not get moving on a budget, Mr. President, if we do not come together as Republicans and Democrats and work together, we are just going to come to a dead stop because out in the real world they meet deadlines—they meet deadlines.

If you have a new product and you have to get it out to the marketplace, you better not have delays, because if you have delays in getting that product out to market, you can go bankrupt.

Well, around here, statutory deadlines do not seem to mean much. Maybe I am wrong. Maybe my budget chairman right now is preparing to offer the Republican budget. He will lay it down next to the Democratic Clinton budget. We will look at the similarities. We will join hands. We will look at the differences. We will fight those out. We will look at the tax cuts. We will come together and move on.

But I would say—and the reason several of us came over here today to talk about this—that time is moving, the clock is ticking. We have not seen the budget. We know what your tax cuts are. Where are your cuts? What are your priorities?

I just hope that we can get back to why we were sent here. I mean, everybody said after this election it is time to put behind the rancor. But I think there is rancor when you point the finger at the President, in spite of the fact that the CBO said his budget balances, and tell him first, it does not balance, and second, do it again, when you have not even put your product on the table, except for your tax cuts, which benefit 1 percent, the top 1 percent of the people in this country instead of the middle class.

We have a lot of work to do. I look forward to seeing the Republican budget, finding those areas of agreement, working on those areas of disagreement, getting this budget down to the floor by the statutory deadline and moving forward.

Mr. President, I have the honor of not only serving on the Budget Committee but serving on the Appropriations Committee. This is, really, an extraordinary opportunity for the Senator from California to have both those assignments. I have an opportunity to debate the large priorities and then get it down to within those priorities—what is the most important investment to make, and in the context of a balanced budget, I might add. And I voted for several of those, one that Senator CONRAD wrote, and one that former Senator Bill Bradley wrote.

I am ready to make those tough choices. I like to believe my colleagues on the other side of the aisle are ready to make those tough choices. We should come together. The clock is ticking. So, we should do it, Mr. President. I hope we will back off this finger pointing at the White House. I hope we will look at this President's budget. I hope the Republicans will present their

budget and we proceed to mark it up and proceed down the path of bipartisan cooperation so this country has a budget which is, in fact, our priorities.

Thank you, Mr. President.
(Disturbance in the Visitors' Galleries.)

The PRESIDING OFFICER. The galleries will refrain from any demonstration of clapping, please.

The Senator from West Virginia.

Mr. BYRD. I thank the Chair for calling the attention of the Senate rules to the galleries.

UNANIMOUS-CONSENT REQUEST— PERMISSION FOR COMMITTEE TO MEET

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Wednesday, March 12, for the purpose of conducting a full committee business meeting which is scheduled to begin at 9:30 a.m. The purpose of this business meeting is to consider S. 104, to amend the Nuclear Waste Policy Act of 1982.

Mrs. BOXER. Mr. President, I object on behalf of two Senators.

The PRESIDING OFFICER. Objection is heard.

Mr. LOTT. Mr. President, if I could be further heard on this, and I will be relatively brief, I must say, I think this objection is, at the very least, very unfortunate. It has been my understanding that we are operating in good faith with respect to the confirmation of Mr. Peña and the markup of the nuclear waste bill.

I have made a special effort to get this nomination up this morning. We had a lot of communication with the ranking member, the chairman and other Members interested in the confirmation of the Secretary of Energy designee, with the understanding, clearly, that the nuclear waste bill could go forward.

Since this objection has now been raised, the Energy Committee cannot complete its business with respect to reporting out the nuclear waste bill today. It is my understanding they will reconvene tomorrow at 9:30 in order to take action on this very important nuclear waste bill.

I say again, I have been trying to be cooperative in trying to move nominations. I worked with those who had objections in the committee. I helped work out a process where the chairman could schedule this nominee for a vote, and then I worked with the other objections we had on this side of the aisle from the Senator from Minnesota, Senator GRAMS. He was able to make his remarks this morning.

We agreed that we would have a vote at 12:30, or quarter to 1, I believe, now, all this under the assumption that we were working in good faith. Now we have an objection to the committee meeting to report out a bill which has overwhelming support of the full Sen-

ate and will have overwhelming support in the committee.

This is not a good sign, but it is just one of many bad signs that we are seeing, in my view, from the standpoint of being able to work together for the good of the country. So it is a very unfortunate decision, and it will not be without consequences. I yield the floor, Mr. President.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, as the majority leader knows, every Senator has a right to make such an objection, and two of our Senators decided to exercise their right. I think that has to be put into context that every Senator is sent here primarily to represent his or her constituency in his or her own State.

I don't think the majority leader would suggest that Senators do not have the right to protect their constituency. I wanted to make that point because two Senators, who believe that this is not in the best interest of their State, had asked us to exercise their full and given rights as Senators to object to this meeting.

Mr. BYRD. Mr. President, I understand that the Senate will vote at 12:45.

The PRESIDING OFFICER. That is correct.

Mr. BYRD. Mr. President, I ask unanimous consent I may speak until 12:45 as if in executive session.

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

NOMINATION OF FEDERICO PEÑA TO BE SECRETARY OF ENERGY

Mr. BYRD. Mr. President, I wish to voice my support for the nomination of Federico Peña to be Secretary of Energy during President Clinton's second term in office.

Mr. Peña served ably as Secretary of Transportation during the first Clinton Administration, and I look forward to working with him as he assumes new responsibilities at the Department of Energy. The challenges at DOE are vast, and Mr. Peña's management skills and ability to work with different groups should prove very useful in responding to the complex issues which are the responsibility of the Department of Energy.

Prior to joining the Clinton Administration, Mr. Peña served as Mayor of Denver from 1983 to 1991, and as a Colorado legislator. During his tenure as mayor, Mr. Peña played an active role in reviving the Denver economy from its mid-1980s decline through a series of bold initiatives. At a time when major new international airports were not being built in this country, he gained approval for one of the largest and most technological advanced airports in the world. As Secretary of Transportation, Mr. Peña proudly participated in the dedication of Denver International Airport in February, 1995.

While he served as Secretary of Transportation, I worked closely with

Secretary Peña regarding the transportation issues in my home state of West Virginia. He now moves to a department that has responsibility for a different set of issues, but issues that are very important to the current and future economic prosperity of my state. Coal is not only a major economic and employment influence in West Virginia, but coal is a critical component of our national energy picture. At the present time, and projected into the future, fossil fuels remain the dominant source for our energy supply picture. At present, fossil fuels supply 85 percent of our energy requirements. Coal is the source of 55 percent of our nation's electricity. So policies that affect coal and the role of fossil fuels in our energy picture are of great interest—not just to the states that are the source of these fuels but also to the nation as a whole because of the potential for significant disruption if abrupt changes are recommended without giving the economy a chance to prepare and adjust.

As Ranking Minority Member of the Senate Appropriations Committee, I look forward to working with Secretary-designate Peña on our energy policy issues. In addition to serving as the Ranking Member on the Interior Appropriations Subcommittee, I also serve on the Energy and Water Development Subcommittee—both of which have jurisdiction over parts of the DOE budget. At a time of constrained budgets and pressure to downsize the Federal workforce, we must also be attentive to the realities of our energy supply picture. Thus, I have been, and will continue to be, supportive of investments in technology development that will contribute to our using and producing energy more efficiently, as well as producing energy in more environmentally-sensitive ways. The Department of Energy has a visible physical presence in West Virginia at the Federal Energy Technology Center facility in Morgantown, which employs some 550 persons directly and under contract. I look forward to working with Mr. Peña to ensure a continued future for this important part of our Federal technical infrastructure.

There is a need within the Administration for a strong voice on behalf of fossil energy, and particularly coal, and I believe Mr. Peña is capable of meeting this challenge. I wish him well in his new job, and urge my colleagues to support his confirmation. I yield the floor.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent we extend for 2 minutes the debate.

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

The Senator may proceed for 2 minutes.

Mrs. HUTCHISON. Thank you, Mr. President.

Mr. President, I want to say I do support the nomination of Secretary Peña. However, I think it is very important that this new Secretary take the op-

portunity to set an energy policy in this country that says to the American people that energy self-sufficiency is our goal. We should be able to create energy through our own natural resources, not only to create jobs in America, but also to make sure that our country is strong with energy self-sufficiency.

I am going to work with Senator JOHN BREAUX, my cochair of the Oil and Gas Caucus, to try to make sure that we take the duplication of regulation off of our oil and gas industry. Where State regulators are able to handle the issues, we should let it happen at the State level rather than the Federal Government duplicating the regulations which become costly and burdensome to our oil and gas industry. Why not put that money into new capital creations, to create new jobs in our country, rather than going through more bureaucratic morass that so hampers our businesses?

I also want to give incentives, incentives to drill and explore for our own natural resources, especially marginal drilling that is more expensive. Why not give incentives so we can create the jobs in America and also create energy resources for our country that would make us more able to be sufficient?

Mr. President, it is very important that the new Secretary come with the full support of the Senate. I hope that he will be committed to a strong energy policy for our country and that he will also take seriously the requirement that we work for the new alternative MOX fuels that will, I hope, come from the nuclear weapons that we are in the process of dismantling. I hope he will take the opportunity to visit Pantex in Amarillo to see what can be done with this great MOX fuel opportunity, to use the aging nuclear weapons in our arsenal.

In supporting this nomination, I would like to briefly discuss two issues of importance to my State of Texas and the Nation.

Mr. President, a healthy and competitive oil and gas industry—capable of producing adequate and affordable energy supplies—is crucially important to the U.S. economy and to the welfare of the American people. This is especially the case at a time when U.S. companies and workers face growing competition in the global economy.

As cochairman, of the Congressional Oil and Gas Caucus, I am concerned that U.S. policy, taken as a whole, has overtly encouraged increasing oil imports over expanding domestic production. I look forward to working with Secretary Peña to reverse this trend and to create conditions that foster a competitive and healthy oil and gas industry.

This year, I will be working with my colleagues in the House and Senate to continue our goal of reducing or eliminating redundant or unnecessary regulations on this industry. For example, there are many regulatory require-

ments to address the same concern imposed at both the State and Federal level. Where possible, we should eliminate one level of identical regulations, which have destroyed jobs, raised consumer prices, and sent American business to foreign countries. I look forward to working with Secretary Peña on these objectives.

I believe in most cases the State regulations should be given the greater deference.

I will also be working with my colleagues to provide tax incentives which encourage oil and gas drilling and production, especially for marginal wells and formations which are difficult to develop.

I know all the members of the Congressional Oil and Gas Caucus look forward to working with Secretary Peña on these issues and to ensure that Government policies which affect the oil and gas industry are the result of sound and informed decision making.

Mr. President, I would like to turn briefly to a second and final issue of concern to Texans and the Nation—the continued transformation of our Nation's nuclear weapons complex and the important work being performed at the Pantex Plant near Amarillo, TX.

Our victory in the cold war signaled the end of the arms race, but it has focused our current efforts on arms reductions. A benefit from these reductions is the potential energy source of special nuclear materials from dismantled weapons.

Just a few months ago, Department of Energy officials announced their intention to process excess plutonium into mixed-oxide, or MOX, fuel for use in commercial nuclear reactors.

Pantex has been the Nation's premiere nuclear weapons production site since 1951. Today, it is the only authorized site to assemble and disassemble weapons. Currently, the plant stores all the plutonium removed from dismantled weapons.

The 3,400 workers at Pantex played a key role in our cold war victory and their expertise in safety and security handling and storing plutonium should not be ignored as the Department searches for a MOX fuel fabrication site. The excellent safety record, cost savings and efficiencies established at Pantex over the last 40 years make it the ideal candidate for new DOE work.

As DOE proceeds with its assessments of potential sites, I invite Secretary Peña to visit Pantex so he can see firsthand the world class facilities and professionals available to the Department of Energy near Amarillo and in the Texas Panhandle.

I also ask Secretary Peña to take a close look at the safety and reliability of our nuclear stockpile. I am concerned that with an end to our nuclear testing, computer modeling alone will not be sufficient to maintain our deterrent nuclear capability. I hope that together with the Secretary of Defense, Secretary Peña will take a close look at how we manage and maintain this critical capability.

I look forward to working with Secretary Peña on these and other important issues. The next Secretary of Energy has a great opportunity to give our country an energy policy that values energy sufficiency for our country.

I thank you for this opportunity to speak on behalf of Secretary Peña. I yield the floor.

Mr. DOMENICI. Mr. President, I ask unanimous consent to speak for 30 seconds.

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

Mr. DOMENICI. Regarding soon-to-be-confirmed Secretary of Energy Peña, I want to tell the Senate I know him and his family very well, in particular his wife, who went to school with my children. We are good friends. I do not support him on that basis only. I think he is ready to undertake this very difficult job. I wish him well.

I think we can work together to make the Department of Energy a better department under his administration. I look forward to working to that end. I yield the floor.

EXECUTIVE SESSION

NOMINATION OF FEDERICO PENA, OF COLORADO, TO BE SECRETARY OF ENERGY

The PRESIDING OFFICER. Under the previous order the Senate will now go into executive session and proceed to vote on the Peña nomination.

Mrs. HUTCHISON. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Federico Peña, of Colorado, to be Secretary of Energy? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The result was announced—yeas 99, nays 1, as follows:

[Rollcall Vote No. 30 Ex.]

YEAS—99

Abraham	Coats	Glenn
Akaka	Cochran	Gorton
Allard	Collins	Graham
Ashcroft	Conrad	Gramm
Baucus	Coverdell	Grassley
Bennett	Craig	Gregg
Biden	D'Amato	Hagel
Bingaman	Daschle	Harkin
Bond	DeWine	Hatch
Boxer	Dodd	Helms
Breaux	Domenici	Hollings
Brownback	Dorgan	Hutchinson
Bryan	Durbin	Hutchison
Bumpers	Enzi	Inhofe
Burns	Faircloth	Inouye
Byrd	Feingold	Jeffords
Campbell	Feinstein	Johnson
Chafee	Ford	Kempthorne
Cleland	Frist	Kennedy

Kerrey	Moseley-Braun	Smith, Bob
Kerry	Moynihan	Smith, Gordon
Kohl	Murkowski	H.
Kyl	Murray	Snowe
Landrieu	Nickles	Specter
Lautenberg	Reed	Stevens
Leahy	Reid	Thomas
Levin	Robb	Thompson
Lieberman	Roberts	Thurmond
Lott	Rockefeller	Torricelli
Lugar	Roth	Warner
Mack	Santorum	Wellstone
McCain	Sarbanes	Wyden
McConnell	Sessions	
Mikulski	Shelby	

NAYS—1

Grams

The nomination was confirmed.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will return to legislative session.

Mr. HOLLINGS addressed the Chair.

The PRESIDING OFFICER. The Senator from South Carolina.

CAMPAIGN FINANCE AMENDMENT TO THE CONSTITUTION

Mr. HOLLINGS. Mr. President, in accordance with the unanimous-consent agreement, I call up Senate Joint Resolution 18 on behalf of myself, Mr. SPECTER, Mr. DASCHLE, Mr. BYRD, Mrs. BOXER, Mr. BRYAN, Mr. BIDEN, Mrs. FEINSTEIN, Mr. REED, Mr. REID, Mr. CONRAD, Mr. DORGAN, Mr. FORD, and Mr. HARKIN, and ask the clerk to report.

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the consideration of Senate Joint Resolution 18, which the clerk will report.

The legislative clerk read as follows:

A joint resolution (S.J. Res. 18) proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections.

The Senate proceeded to consider the joint resolution.

Mr. HOLLINGS. Mr. President, in a line, what we say is that the Congress is hereby authorized to regulate or control expenditures in Federal elections.

Let me say that I come now to this particular subject of a constitutional amendment, which we have been on for over 10 years, with some hope, because I noticed on yesterday, Mr. President, we had a fit of conscience. We were about to pass a resolution that said Congress was only going to look at illegal contributions and not at improper ones, and, finally, in a fit of conscience, the Congress, particularly here in the Senate, decided that was not going to fly. It would appear to be, if we took that course, a coverup whereby we did not want to get into soft money and all of these other extravaganzas, legal as they are, says the Supreme Court, but as improper as can be.

That is what is causing the headlines and the consternation and the money chase that we read in the headlines and news stories. We had a fit of conscience

when we passed the 1974 act. This act came about due to the untoward activity in the 1967 and 1971 Presidential races. In the 1967 race, President Nixon had designated Maurice Stans, later the Secretary of Commerce, to collect the money.

And I will never forget; he came to the State of South Carolina, and he told our textile friends, "your fair share is \$350,000," almost like the United Fund or Community Chest. Well, I had been their Governor and everything else and had never gotten \$350,000 out of the textile industry, and they were all my friends. But the ten of them, at \$35,000 apiece, got up the money, and more than that. There were other large contributions, including one of \$2 million from Chicago.

The fact was, after President Nixon took office, Treasury Secretary John Connally went to the President and said, "Mr. President, you have got a lot of good support and you have not even met these individuals much less thanked them. Why not come down to the ranch and we will put on a barbecue and you can meet and thank them." President Nixon said, "fine business," and they did. But as they turned into the weekend ranch barbecue on the Connally Ranch in Texas, there was a big Brinks truck. Dick Tuck, the prankster from the Kennedy campaign, had stationed a truck with signs out there. A picture of it was taken. And we in Washington, Republican and Democrat, said, "heavens above, the Government's up for sale." Thereafter, you had the extremes of Watergate, which everyone is familiar with. So, in 1974 we had a fit of conscience. Yes, everybody thought they had advantages with respect to getting the money. They had gotten here on the ground rules as they then appeared, and said "Why change? I can operate as the rules are."

But, with that fit of conscience, we came and passed the 1974 act. I want to remind everyone that this was a very deliberate, bipartisan effort at the time. It set spending limits on campaigns, limited candidates' personal spending on their own behalf, limited expenditures by independent persons or groups for or against candidates, set voluntary spending limits as a condition for receiving public funding, set disclosure requirements for campaign spending and receipts, set limits on contributions for individuals and political committees, and created the Federal Election Commission.

When you hear the debates, some of the new Members will come on the floor talking about what we really need is disclosure. That is what we have, still, under that 1974 act. I am required to record every dollar in and out with both the Secretary of the Senate on the one hand and the secretary of state back in the capital of my State, Columbia, SC, on the other. We have complete disclosure. You cannot take cash.