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## House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, April 8, 1997, at 12:30 p.m.

## Senate

MONDAY, APRIL 7, 1997

The Senate met at 12 noon and was called to order by the President pro tempore [Mr. THURMOND].

### PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Gracious Father, Almighty Sovereign of our beloved Nation, and loving Lord of our lives, our hearts overflow with gratitude. Thank You for the privilege of living in this land You have blessed so bountifully. You have called this Nation to be a demonstration of the freedom and opportunity, righteousness and justice You desire for all nations. Help us to be faithful to our destiny. May our response be spelled out in dedicated service.

Dear God, empower the men and women of this Senate as they seek Your vision and wisdom for the problems we face as a nation. Proverbs reminds us that "When the righteous are in power, the people rejoice." We rejoice in the Senators who seek to be right with You so they will know what is right for our Nation. You have told us, "Righteousness exalts a Nation." Proverbs 29:2.

Lord, we live in times that challenge faith in You. As a nation, secularity often replaces spirituality and humanistic materialism substitutes for humble mindedness. Bless the Senators as they give dynamic leadership. Grant them wisdom, grant them courage, for the facing of this hour. I pray this in the name of Jesus Christ. Amen.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The able majority leader is recognized.

### SCHEDULE

Mr. LOTT. Mr. President, it is a pleasure to be back on this spring day and to hear the Chaplain's prayer and to see the distinguished Senator from South Carolina here ready for business. I know we are going to have a productive season as we go into April and May.

This afternoon there will be a period for morning business until the hour of 1 p.m. Following morning business, the Senate will resume consideration of the motion to proceed to S. 104, the Nuclear Policy Act.

As I announced prior to the recess, no rollcall votes will occur during today's session of the Senate. Under the order, a cloture vote on the motion to proceed to S. 104 will occur on Tuesday.

I had planned to ask unanimous consent that the vote on the motion to invoke cloture occur at 5:15 on Tuesday, with the time between 2:15 and 5:15 to be equally divided between the proponents and opponents. I understand that the Democratic leader may have a little bit of a conflict, where we may try to move that toward 5:30, although we have other Senators who have conflicts at that time. So we will get a definite unanimous consent request here shortly. The vote will be sometime between 5 and 5:30, I presume, and I believe we can get that worked out just as long as we have a minute more

to confer with our colleagues on the other side of the aisle.

All Members should be aware that the next rollcall vote will occur, then, on tomorrow at either 5:15 or 5:30, something like that. It is my hope the Senate will invoke cloture tomorrow, which will enable us to begin consideration of this very important legislation, which is the nuclear waste legislation. I think there is no more important environmental issue pending in America than to make the decision of what we are going to do with nuclear waste that is sitting in sites across this country, from South Carolina to Vermont, from the banks of the Mississippi to the shores of the Pacific. We cannot ignore this. We cannot wait another 15 years for studies to be completed. We have spent billions of dollars. We have been working on this for years. It is time for action.

The Senate voted by a wide margin last year to make a decision on this issue, to pass this nuclear waste repository legislation. The House did not act. I have been assured this year the House will act, this matter will go to the President, and we hope that it will go to him in such a way that he recognizes that Senators and Congressmen and the American people all across this country feel that this decision must be made.

So, I am looking forward to our beginning the debate. If cloture is invoked, Senators can anticipate debate and rollcall votes during every day of the session this week so we may complete action on S. 104 as soon as possible. I remind my colleagues that this

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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will be a busy period legislatively prior to the Memorial Day recess.

I think all Senators should be aware that bills are beginning to be reported out of committees. We have had 3 months to have the hearings to mark up legislation. We have a number of bills that have now been reported, including the TEAM Act and the Comptime and Flexitime Act, which can be very helpful to families and working mothers who need time to be with their children. That legislation is ready. Sometime late this month or early next month we will, as I have said, have a vote on the partial-birth abortion ban legislation. So we are beginning now to enter a period where we will have a lot of legislation.

Obviously, we need to have a vote on the budget. I had hoped we could come to a grand agreement that would be in the best interests of all Americans with the President. So far, that has been fruitless. I have committed basically 3 months, along with the chairman of the Budget Committee, the time and the meetings, to try to see that something happened in this budget area, but we have not been successful with that. I had asked the President not to oppose the balanced budget constitutional amendment. He did. In fact, he and the leadership on the other side of the aisle twisted arms, and two Senators switched their positions, and we lost that by one vote. But every Republican and 11 Democrats had the courage of their convictions and voted for it.

Then I asked the President and his people to send us a real budget, a budget that showed courage, showed leadership, that would have some restraints in the entitlements area, that would preserve and protect Medicare, that would give some tax relief to working Americans, that would have some restraint and controls on the rate of increase on nondefense discretionary spending and would do what needs to be done in the defense area; show some leadership. They did not. They sent a political document.

Since that time, we have tried to encourage some movement with the suggestion that we have a commission to decide on the accurate, honest number of the Consumer Price Index. The President indicated preliminarily he thought maybe we could get a commission on that. To his credit, the Democratic leader indicated he thought that was a move in the right direction. But then they backed away from it. Other suggestions have been made by the Republican leadership, but there has been no reciprocation, no action.

The President needs to lead in this area. If he does not, we are moving on. We are moving on. We have to do this budget. We will do a budget in the Senate in the next few days. I think we have to get action in the Budget Committee here in the next couple of weeks. We have to get some decision made so the Appropriations Committee can begin to move forward. We hope it will be a bipartisan agreement. We

would like to have the President's help, but the time is over for waiting. We must move forward. I will be talking later today to the chairman of the Budget Committee and interested Republicans and Democrats to see how we can proceed. We still would like to have the President's involvement and help, but he does not seem, so far, to be ready to do that.

Our staffs were meeting during the past 2 weeks. They were supposed to be making progress. From what I understand, they had a grand time meeting and saying how wonderful it was they were meeting—but that is about all. It was my understanding, from what the President said, that he would meet with the leadership of Congress when we returned from the Easter recess period to discuss, hopefully, the final decisions on the budget—this week. But I understand now, that meeting is not going to occur this week. It is next week. Yet, as we wait for leadership from the White House, we see some people saying, why doesn't the Congress act? We have been trying to confirm the President's Cabinet. We have been trying to work with the administration and to work off of his budget agreement so we could move to a final agreement. It has taken time. But that time is gone. We have to go ahead and do our job. And it will be our intent to do so.

So, I thank all Senators in advance for their cooperation as we begin what I hope will be a productive couple of months. We have a lot of good legislation we can take up, we will take up, and I think when we go out for the Memorial Day period we will have several bills that we can point to with pride that we have voted on.

#### UNANIMOUS-CONSENT AGREEMENT—S. 104

Mr. LOTT. Mr. President, I ask unanimous consent that at 1 p.m. today the Senate resume consideration of the motion to proceed to S. 104.

The PRESIDING OFFICER (Mr. ENZI). Without objection, it is so ordered.

#### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for morning business.

Mr. LOTT. Mr. President, seeing no Senator seeking recognition at this point, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ASHCROFT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. ASHCROFT. Mr. President, I ask unanimous consent that, for purposes of introducing a bill and making re-

marks in relation thereto, that I be granted permission to speak for up to 10 minutes.

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

Mr. ASHCROFT. I thank the Chair.

(The remarks of Mr. ASHCROFT pertaining to the introduction of S. 514 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. ASHCROFT. Mr. President, I yield the floor.

Mr. JEFFORDS addressed the Chair.

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

#### FDA REFORM AND PDUFA REAUTHORIZATION

Mr. JEFFORDS. Mr. President, we are here today to talk about the need for us to reauthorize the Prescription Drug User Fee Act and pass legislation to modernize the Food and Drug Administration.

I will just remind everyone as to what happened last year. The Senate Labor Committee passed an FDA reform bill out of committee with a strong, bipartisan vote of 12-4.

So we are here today to alert the body that we intend to move forward expeditiously this year in order to ensure that we improve the FDA review process for new products as well as reauthorize the Prescription Drug User Fee Act. And we are going to do so in a bipartisan manner.

Let me state that I intend that these issues will move together. It is my goal, as chairman of the authorizing committee, to have a bill ready for the full Senate's consideration before mid-year. During the last Congress, my predecessor, Senator Kassebaum, led our committee in reporting out legislation which emphasizes the FDA has a role in bringing needed products to the public in a timely fashion as well as a role of protecting the public from harm.

This year, I look forward to continuing that work. The objective of modernizing the FDA is to make more information and better products available to the public in an expeditious way, to foster and improve a new product review process, and require that the agency be as efficient and effective as possible in carrying out its statutorily defined duties.

As chairman of the Labor and Human Resources Committee, my approach will be to identify problem areas in the FDA regulatory system for drugs, devices, and other products which can be improved with legislation and gives the FDA the tools it needs to address other problems administratively.

Specifically, we will target areas that have the effect of needlessly delaying patient access to safe new therapies and products. In addition, we must not squander scarce FDA resources on bureaucratic procedures which confer no demonstrated public health benefit.