



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 105th CONGRESS, FIRST SESSION

Vol. 143

WASHINGTON, MONDAY, MAY 5, 1997

No. 56

Senate

The Senate met at 12:01 p.m., and was called to order by the Honorable PAT ROBERTS, a Senator from the State of Kansas.

PRAYER

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

Almighty God, Sovereign of this Nation and Lord of our lives, our purpose is to glorify You by serving our Nation. We want to express energetic earnestness about our work today. Help us to know what You want and then want what we know; to say what we mean, and mean what we say. Give us resoluteness and intentionality. Free us to listen to You so intently that we can speak with intrepidity. Keep us in the battle for truth rather than ego skirmishes over secondary issues. Make us party to Your plans so we can give leadership to our parties, and then help our parties to work together to accomplish Your purposes. Make us one in the earnestness of patriotism.

Before us is a new week filled with more to do than we can accomplish on our own strength. Grant the Senators intellectual, emotional, and volitional strength to envision a week in which what is truly important gets done. Help them expeditiously to move through the supplemental appropriations legislation and amendments listening to each other and making guided decisions. Lift our anchors out of the mud of any combative competition, lift our sails, and remind us that it is Your set of our sails and not the gales that determine where we shall go. In the name of our Lord and Savior. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore [Mr. THURMOND].

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 5, 1997.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable PAT ROBERTS, a Senator from the State of Kansas, to perform the duties of the Chair.

STROM THURMOND,
President pro tempore.

Mr. ROBERTS thereupon assumed the chair as Acting President pro tempore.

Mr. MURKOWSKI addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Alaska.

Mr. MURKOWSKI. Mr. President, I thank the Chair and wish the occupant a good day.

COMPLIMENTING THE CHAPLAIN

Mr. MURKOWSKI. Mr. President, I compliment the Chaplain for the inspirational message, which I think challenges us all to focus in on the priorities.

SCHEDULE

Mr. MURKOWSKI. Mr. President, on behalf of the leader, for the information of all Senators, today the Senate will begin consideration of Senate bill 672, the supplemental appropriations bill. Amendments are expected to be offered to this bill today. However, there will be no votes during today's session. The majority leader will notify all Members as early as possible with respect to rollcall votes on these amendments which will occur during Tuesday's session of the Senate.

It is the intention of the majority leader that the Senate complete action on this important bill this week. The Senate could also be asked to turn to any other Legislative or Executive Calendar items that can be cleared for action.

As always, the majority leader will notify Senators as soon as any agree-

ments are reached on scheduling votes on the supplemental appropriations bill or on other matters.

I thank my colleagues for their attention.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 1 p.m. with Senators permitted to speak therein for not to exceed 5 minutes each.

(The remarks of Mr. MURKOWSKI pertaining to the introduction of S. 691 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. WELLSTONE addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Minnesota is recognized.

THE BUDGET AGREEMENT

Mr. WELLSTONE. Mr. President, I rise to speak about the budget agreement. Let me start out with a little bit of context. I will just read a figure from the fine work of the Center on Budget Priorities. In the last Congress, the 104th Congress, more than 93 percent of the budget reductions in entitlement programs came from programs for low-income people.

Mr. President, in the last Congress, we cut about \$50 billion in assistance for legal immigrants and also in the major food and nutrition program in this country, the Food Stamp Program. Please remember, Mr. President, that the vast majority of the beneficiaries of the Food Stamp Program are children in working-poor families, on the average, with an income of below \$6,500 a year. Those benefits were cut by 20 percent over the next 5 years—a 20-percent cut.

Mr. President, I give that by way of background because now we have a

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



Printed on recycled paper containing 100% post consumer waste

S3933

budget agreement, and I suppose it can be argued that an agreement is good because you have people coming together. But the question is: At what cost?

Mr. President, I don't see much of a standard of fairness in this agreement. I suppose, in many ways, my challenge is more to Democrats than to Republicans when I speak here on the floor. I think that when we go through this budget and we look at the cuts in discretionary programs, we will find, again, that, inevitably, the disproportional number of these cuts will be in programs that are most important to the most vulnerable citizens in this country. Many of them are poor children in America. I do know, Mr. President, that the discretionary part of this budget in relation to GDP is the lowest percentage it has been in 40 years.

Mr. President, if I juxtapose what will be further reductions in assistance for some of the most vulnerable citizens in our country on top of what we did in the last Congress, with \$85 billion over the first 5 years and another \$165 billion over the next 5 years, \$250 billion in tax cuts, and then looking from about 2008 to 2017, about an additional \$400 billion as you look at the impact of cuts in capital gains tax and estate tax, many of those benefits will flow to the top 1, 2, 3 percent of the population.

I want to just ask my colleagues, and I would like to ask the President: Where is the standard of fairness? Where is the standard of fairness? Where is our soul as a party that has a reputation for being willing to fight for ordinary people, being willing to fight for working people and working families, being willing to fight for opportunities for children.

Mr. President, I think we have to be very careful about what I would call, for use of a better description, symbolic politics. What do I mean by that? I mean, Mr. President, that if you look at this budget and you think back to just a few weeks ago, with the conference at the White House on the development of the brain and the importance of early childhood development and what we must do to make sure that every woman expecting a child has an adequate diet, make sure there is nutrition for children, to make sure that there is health care for children, and to make sure that there is intellectual development and good child care, remembering that one out of every four children in our country are growing up poor in America and one out of every two children of color are growing up poor in America. Mr. President, I don't see in this budget anything that advances the cause of these children. I see only a retreat. Where is the investment? Where is the investment in our children?

Mr. President, we have been focusing on the budget deficit. How about the investment deficit? How about the spiritual deficit? I thought that now that

the medical evidence is irrefutable and irreducible and so compelling that if we don't get it right for all of God's children in our country in their early years, they may never come to school ready to learn, and they certainly will not be ready for life. I thought we were going to make investments to make sure they had opportunities.

This budget still doesn't fully fund the Head Start Program. I could explain that when there was a Republican President, President Reagan or President Bush. I have a hard time explaining that with a Democrat President.

On the supplemental, in the Senate and House, we are still in a battle to make sure that we get the WIC funding that we need. We are still not there. Mr. President, I read a foundation report. David Packard, who used to be Undersecretary of Defense with President Reagan, points out that whether it is child care at home, or whether it is center-based child care, or whether you need to do to have more child care at a place of business, however you look at it—and we are not talking about just poor children or low-income families, we are talking about the vast majority of families in our country who are concerned about how to make a decent living and also how to give their children the care they know their children deserve. I think of our own children. Sheila and I have children in their twenties and early thirties. They have children, and I think of their incomes and the cost of child care and how important this is for families. Where is the investment? Where is the investment?

Mr. President, I just suggest that there is something wrong. There is something terribly wrong. There is a quiet crisis in a Nation—our Nation—when we don't do better for our children. We have conferences and say we are for children and we love to have our photos taken next to children, and we don't make the investment. We now know the neuroscience evidence is compelling that children must have good nutrition and health care, and there certainly must be affordable, good child care, however delivered, at the local community level, and we know it is going to require some funding and investment. That is not in this budget agreement. Have we now locked ourselves in, over the next 5, 6 years, to saying we will not make this investment?

Mr. President, I say to my own colleagues—Democrats—in the past month or so, we have beamed back to our homes pictures of dilapidated school buildings. We were going to focus on doing something about too many rotting schools in our Nation. We, as Democrats, were going to take a stand on this, and we should. Mr. President, it is not exactly the right message for children when they go into schools, whether it be in Anacostia, 2 miles from here, or in any of our States in some of our inner city neighborhoods and the buildings are dilapi-

dated, the toilets don't work, the heating doesn't work. We are saying to these children: We don't care about you. We don't give a damn about you.

Mr. President, that is a Federal responsibility. That is infrastructure. And Democrats, we beam these pictures back of these buildings and we are the party of commitment. Well, Mr. President, in this budget agreement, the \$5 billion plan for school renovation was knocked out. Now, actually, it would cost much more than that. It was knocked out. It was abandoned. So, to my colleagues, let's not say that we are concerned about rotting school buildings for too many children in America and then sign on to a budget agreement that doesn't invest one cent—one cent—in making sure that these are safe buildings for our children. Let's not do that. That is just symbolic politics. That is symbolic politics at its worst.

Mr. President, we don't even take a baby step toward investment in children and opportunities for children. We don't even make a dent at all. At the same time, we are going to have \$250 billion of tax cuts, a large percentage of which benefits those at the very top of the income ladder, at the same time we have done precious little by way of reductions in Pentagon budget, and at the same time this other whole area that apparently we really don't want to go after in any significant degree, called corporate welfare, the loopholes and deductions for a variety of interests in the country, remains almost untouched. What kind of standard of fairness is that?

Mr. President, we have a quiet crisis in a nation that believes we can go forward as a national community with two Americas. We can't do that. There is another America. Unfortunately, that other America includes many children who will never have a chance to reach their full potential if we as a Senate and a House of Representatives do not make some investment in their future. This budget is a budget without a soul when it comes to the concerns and circumstances of these children.

So, Mr. President, when it comes to investment in children and education, I do not believe I am articulating a position that is one that people in the country don't support. I believe people believe that this is the goodness of our country. This is the American dream to make sure that every child has these opportunities. We have set the bar in this budget agreement right here. I want the bar to be set up here. If my colleague, Paul Simon, from Illinois was here today he would say that we can do better. Mr. President, we can do better.

So I am going to come to the floor of the Senate with some amendments. These amendments are going to call for us to do better. These amendments are going to essentially say to the people in the country, "Don't judge us by the words we speak. Judge us by the budgets that we write." These amendments

are going to say to colleagues, "Please don't separate the legislative lives you live from the words you speak." And, if you say you are for the children, and you say early childhood development is so important, and you say you are for a quality of opportunity for every child, regardless of color of skin, regardless of rich, or poor, regardless of urban, or rural, then clearly we are going to have to do better. If you say that we should not have these rotting schools in our country—and what all of the local school districts say to us in their plea to us is important and please invest some money in infrastructure, then you have to invest. That has to be in the budget. And, if you say that you understand that these early years are so important, you know it as a father or as a mother, you know it as a grandfather, or a grandmother—we have always known intuitively how important these early years are—and they are important for all children. And children don't do well in school, if they don't have an adequate diet. And children don't do well in school, if they are in pain or discomfort because they haven't been able to receive medical care. And children don't do well in school, if they have not had really good child care that nurtures their development, whether they are at home, or one or both parents are working. And, if you say all of that—and almost all of you do—it is time to invest. Time is not neutral for these children. We keep talking about the children.

So, Mr. President, I am going to introduce a number of amendments to take the bar up here. I might lose, or I might win. But I am going to really fight hard. I would just say to the President "Mr. President,"—I am talking now to the President at the White House, President Clinton—"we can do better."

I don't see the standard of fairness. I don't see an agreement with major tax cuts, and so much revenue lost over the next 10 years and 20 years to the tune of hundreds of billions of dollars benefiting many people who do not even need the assistance, and at the same time a budget agreement that represents a retreat and abandon of too many children in America.

We have had enough conferences. Enough books have been written. Enough pleas have been made. There has been enough blitz. It is time now that we match our words with the deeds. And the deed is to make this investment.

Mr. President, this will be my major priority over the next month to come in the U.S. Senate.

I yield the floor.

Mr. President, 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. THOMAS. 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. THOMAS. Mr. President, I ask unanimous consent that I have permission to speak for approximately 5 minutes.

The PRESIDING OFFICER. The Senator is recognized for that purpose.

Mr. THOMAS. Thank you, Mr. President.

FREEDOM FROM GOVERNMENT COMPETITION ACT

Mr. THOMAS. Mr. President, I come to the floor this morning to talk about one of my top priorities for the 105th Congress. That is the Freedom From Government Competition Act.

I am struck by the fact that we are considering now the supplemental appropriations bill and debate on it will last, I am sure, all week. Then next week we will consider the budget which will take at least another week of debate. During these deliberations, we will talk about funding the essentials of Government which, of course, is one of Congress' most important tasks. But, unfortunately, it seems to me that we spend an awful lot of time on the budget and on appropriations and funding the Government in the form it is currently in, and less time than we should talking about the changes that we ought to make in the Government.

So, while I am on the floor today, I want to mention a couple of bills I have sponsored to change the role of the Federal Government. One is the biennial budget. I think we really ought to consider going to a biennial budget in this Congress as we do in many States so that we can deal with the budget once every 2 years. Agencies would do a better job with 2 years of funding because they would have some stability in their funding levels. Certainly we can look at least 2 years ahead in terms of budget, so that Congress has a whole year to talk about some of the reforms that ought to take place; that ought to change in Government.

I am persuaded that without some overt changes, without fundamental changes brought about by the Congress, that Government just continues to go on, just continues to grow, just continues to expand. It is the nature of government.

Quite frankly, according to one of the studies by GAO regarding one agency that I just read this weekend, there is no real accountability in terms of spending. So that accountability in terms of what you do with the money and the results that you have in the Government agencies are largely the responsibilities of the Congress.

Congress does not have time to do that. We spend too much of our time with the budget, too much of our time with appropriations. One of the other things that we ought to do, in my opinion, is to ensure that the Government is not competing with the private sector in areas that are basically commer-

cial in nature that could better be done and could more cheaply be done through outsourcing.

My legislation, the Freedom From Government Competition Act, has the potential to open up a \$30 billion market for our Nation's businesses, mostly small businesses, to have an opportunity, by contract, to fulfill the commercial needs of the Federal Government. It would level the playing field for thousands of our Nation's businesses that span the economic spectrum of this whole country, from mundane things to very high tech things, from janitorial services, hospitality and recreation services, to engineering services, laboratories and testing services—those functions that are commercial in nature that are now done by the Government that could better and likely more inexpensively be done in the private sector.

The bill is quite simple, as a matter of fact. It simply says that OMB would take a look at all the activities and functions of Government, would identify those that are commercial in nature, and then create a fair and competitive process to outsource those activities to the private sector. Of course, not only does the bill answer the call of the American people to limit the size of Government and encourage the private sector—but it has a great deal of value in terms of the Federal budget. The taxpayers could save many billions of dollars. The interesting part of this concept is that it has been around for a very long time. For over 40 years we have been dealing with this issue. It has been the Federal Government's policy to contract out for over 40 years. Unfortunately, it has not worked. The evidence is that it has not worked. In fact, I recently ran across an excerpt of a 1954 Congressional Quarterly Almanac that details how the current policy came into existence.

Mr. President, I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Congressional Quarterly Almanac, 1954]

BUSINESS COMPETITION FROM GOVERNMENT

HR 9835—Reported by House Government Operations Committee (H. Rept. 241) July 21, 1954.

Passed by the House, amended, July 24 by voice vote.

Reported by Senate Government Operations Committee, with amendment, Aug. 10 (S. Rept. 2382).

Legislation (HR 9835) aimed at putting an end to government operations which were in competition with private enterprise cleared the House, and it was subsequently reported by the Senate Government Operations Committee. No further action was taken on the measure during the 1954 session.

BACKGROUND

The Intergovernmental Relations Subcommittee of the House Government Operations Committee held hearings in June, 1953, on federal activities in commercial and industrial fields. The hearings, which concentrated on areas where the government