

If the congressional leadership fails to enforce the agreement, it will not be worth the paper it is written on and in the process of reconciliation we could be looking at very serious problems getting this program into place.

Mr. President, I also want to take a moment to talk about the disaster supplemental. I am pleased to note that yesterday the President vetoed the bill because it contains the so-called automatic CR. The automatic CR also violates the bipartisan budget agreement for two reasons.

First, it would lower the amount of discretionary spending available for fiscal 1998. The budget agreement calls for \$527 billion in discretionary spending for fiscal year 1998, which is \$17 million over last year's level. If the automatic continuing resolution is enacted, the majority could refuse to pass the 13 appropriations bills, thereby cutting the \$17 billion in discretionary spending. That would absolutely violate one of the basic Democratic accomplishments in the budget agreement and, again, the consensus.

The automatic CR would make deep cuts in programs that are protected in the budget agreement. The bipartisan negotiators agreed to provide large increases in 13 major discretionary programs. Examples of these programs include elementary and secondary education, Pell grants, child literacy, Head Start, national parks, job training, Clean Water Act, Superfund, and the COPS Program. Some of the programs are preferred by Democrats, some preferred by Republicans, but the fact is we arrived at a consensus. Both parties wanted this done. An automatic CR would freeze these programs at last year's level, and they would not get the increases promised in the budget agreement, at least without further congressional action.

So, I hope the leadership will comply with the budget agreement, put the plight of disaster victims above politics, strip the automatic CR from the bill and send the President a clean version of the disaster relief bill that he can sign.

Mr. President, I conclude and I thank you for your indulgence with this simple message: A promise is a promise. A deal is a deal. The Republican leadership made a promise to the Democrats in the Congress and to the President. What I am asking here today is that they make sure that promise is kept by their committee chairs, subcommittee chairs, and those who would violate the agreement after all of that labor and what I think was a smashing success.

I yield the floor.

Mrs. HUTCHISON addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I send a bill to the desk and ask for its appropriate referral.

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

Senator, we have passed the hour for recess.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent we extend this time for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered. The time is extended for 10 minutes.

The Senator from Texas.

Mrs. HUTCHISON. I thank the Chair. (The remarks of Mrs. HUTCHISON pertaining to the introduction of S. 866 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

#### DISASTER RELIEF BILL

Mrs. HUTCHISON. Mr. President, I would like to finish by adding to what Senator LAUTENBERG has said, that we sent a bill to the President for disaster relief for the victims of North and South Dakota and Minnesota. We sent him a bill that we hoped he would sign. I don't think the President has explained why he would veto a bill that he says is necessary for these disaster victims when, in fact, all we did was say we are also going to make sure that we don't shut down the Government so that the very people we are trying to help will not be able to get the checks that they need after September 30 if Congress and the President have not come to agreement.

It is very important that people understand that the budget agreement for the 1998 budget year are allocations, they are not appropriations. In fact, to actually spend the money, it takes both Congress and the President to agree. Sometimes, the Congress and the President don't agree before September 30, which is the end of the fiscal year. So we have to start a new fiscal year. Now, if there is not an agreement and we don't have a provision for continuing Government, then we can shut down Government again. That is not what anyone wants to do.

So Congress has in the disaster relief bill and the supplemental appropriations to go with that bill, the process that says we are not going to shut down Government, we are going to keep spending money at the same level that is being spent this year, and then when the agreement is made between Congress and the President, we will be able to go into whatever Congress and the President agree on.

When anyone talks about cuts in spending because we go into the 1998 year under the 1997 spending, there are no cuts because there have been no appropriations for 1998, and we haven't come to agreement on the specifics.

I think it is very proper to ask why the President did not sign the bill. I think it is proper to say to the President, "We did send you a bill; you chose not to sign it. I think you owe an explanation to the disaster victims of why you would stand for the authority to shut down Government when we are trying to continue the process of covering people in case some of the appropriations bills are not passed at the end of the fiscal year."

We just want to make sure that people can plan ahead, that they will know that their paychecks will be there if they work for the Government, that their pensions will be there if they are veterans who have earned their pensions, that there will not be a disruption of our Government. We are not cutting back from this year's expenditures. We will say we will keep on going until we have an agreement, and when that agreement is made, then we go forward and the President and the Congress together do the job that both of us were elected to do. So I think it is very important the people of this country have the facts and know that we are trying to help with all of the Federal emergency management funds that need to be replenished as well as the funds to replenish the Bosnia accounts and the many other supplemental expenditures that are in that bill.

Mr. President, I think it is very important that the President of the United States sign the bill and continue the operation of Government as usual so that the people in our country, on September 30, will not have to worry about a disruption in their lives if they work for the Government or if they have earned veterans' pensions or if they plan a family vacation or if they are going on a business trip and they have not renewed their passports. Those are the things that are at stake here.

We have a lot of responsibility. We can meet that responsibility by making sure that the disaster victims are covered and that we keep Government going on a rational and responsible basis.

Thank you, Mr. President. I yield the floor.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the hour of 1 p.m. having arrived, the Senate will now be in recess until 2:15 p.m.

Thereupon, at 1:05 p.m., the Senate recessed until 2:16 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. COATS).

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

### MEASURES PLACED ON THE CALENDAR

The following bills were read the second time and placed on the calendar:

H.R. 908. An act to establish a Commission on structural alternatives for the Federal Courts of Appeals.

H.R. 1000. An act to require States to establish a system to prevent prisoners from being considered part of any household for purposes of determining eligibility of the household for purposes of determining eligibility of household for food stamp benefits and the amount of food stamp benefits to be provided to the household under the Food Stamp Act of 1977.

### 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-2097. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, a report of a rule relative to assessing and collecting tax settlements in Tax Court, received on June 2, 1997; to the Committee on Finance.

EC-2098. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, a report of a rule relative to whether section 277 applies to nonexempt cooperatives, received on June 2, 1997; to the Committee on Finance.

EC-2099. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, a report of a rule relative to summonses to compel taxpayers to sign consent directives, received on June 2, 1997; to the Committee on Finance.

EC-2100. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, a report of a rule relative to Article 23(1)(c) of the U.S.-U.K. Income Tax Treaty, received on June 2, 1997; to the Committee on Finance.

EC-2101. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, a report of a rule relative to the Application for Automatic Extension of Time to File Income Tax, received on June 2, 1997; to the Committee on Finance.

EC-2102. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, a report of a rule relative to disability benefits under the Policeman and Firefighter's Retirement Fund, received on June 2, 1997; to the Committee on Finance.

EC-2103. A communication from the Office of the Chief Counsel of the Regulations Unit of the Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, a report of a rule entitled "Utilities Industry Coordinated Issue: Investment Credit on Transition Property," received on June 3, 1997; to the Committee on Finance.

EC-2104. A communication from the Chief of the Regulations Unit of the Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, a treasury notice 97-33, received on June 3, 1997; to the Committee on Finance.

EC-2105. A communication from the Chief of the Regulations Unit, Internal Revenue

Service, Department of the Treasury, transmitting, pursuant to law, a treasury notice 97-34, received on June 3, 1997; to the Committee on Finance.

### 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. MOYNIHAN (for himself and Mr. SARBANES):

S. 863. A bill to authorize the Government of India to establish a memorial to honor Mahatma Gandhi in the District of Columbia; to the Committee on Energy and Natural Resources.

By Mr. CHAFEE (for himself, Mr. BREAUX, Mr. KERREY, and Mr. CONRAD):

S. 864. A bill to amend title XIX of the Social Security Act to improve the provision of managed care under the medicaid program; to the Committee on Finance.

By Mr. GRAHAM (for himself, Mr. MACK, and Mr. BAUCUS):

S. 865. A bill to provide for improved coordination, communications, and enforcement related to health care fraud, waste, and abuse, to create a point of order against legislation which diverts savings achieved through medicare waste, fraud, and abuse enforcement activities for purposes other than improving the solvency of the Federal Hospital Insurance Trust Fund under title XVIII of the Social Security Act, to ensure the integrity of such trust fund, and for other purposes; to the Committee on Finance.

By Mrs. HUTCHISON:

S. 866. A bill to amend title 28, United States Code, to provide that certain voluntary disclosures of violations of Federal law made as a result of a voluntary environmental audit shall not be subject to discovery or admitted into evidence during a judicial or administrative proceeding, and for other purposes; to the Committee on the Judiciary.

By Mr. DEWINE:

S. 867. A bill to assist State and local governments in establishing effective criminal records concerning serious and violent juvenile offenders and information concerning adult members of violent criminal gangs and Federal, State, and local criminal justice officials in countering the rise in serious crime, and for other purposes; to the Committee on the Judiciary.

By Mr. HARKIN (for himself, Mr. HUTCHINSON, Mr. REID, Mr. BRYAN, and Mr. ROCKEFELLER):

S. 868. A bill to amend the Social Security Act to prohibit persons from charging for services or products that the Social Security Administration and Department of Health and Human Services provide without charge; to the Committee on Finance.

By Mr. JEFFORDS (for himself, Mr. KENNEDY, Mr. LIEBERMAN, Mr. TORRICELLI, Mr. WYDEN, Mr. BINGAMAN, Mr. KERRY, Mr. WELLSTONE, Mr. HARKIN, Ms. LANDRIEU, Mr. FEINGOLD, Mrs. MURRAY, Mrs. BOXER, Mr. LEVIN, Mr. SARBANES, Mr. AKAKA, Mr. LAUTENBERG, Mr. DURBIN, Mr. CHAFEE, Mr. KOHL, Mr. INOUE, Ms. MIKULSKI, Mr. ROBB, Mr. MOYNIHAN, Mrs. FEINSTEIN, Mr. DODD, Mr. REID, Mr. LEAHY, Mr. BRYAN, Ms. MOSLEY-BRAUN, Mr. GLENN, Mr. KERREY, Mr. REED, Mr. D'AMATO, and Mr. CLELAND):

S. 869. A bill to prohibit employment discrimination on the basis of sexual orienta-

tion; to the Committee on Labor and Human Resources.

By Mr. WELLSTONE:

S. 870. A bill to amend the Federal Food, Drug, and Cosmetic Act to facilitate the development, approval, and use of medical devices to maintain and improve the public health and quality of life of individuals, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. NICKLES (for himself and Mr. INHOFE):

S. 871. A bill to establish the Oklahoma City National Memorial as a unit of the National Park System; to designate the Oklahoma City Memorial Trust, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. ROBERTS (for himself, Mr. HARKIN, Mr. HATCH, Mr. JOHNSON, Mr. BAUCUS, Mr. D'AMATO, Mr. BENNETT, and Mr. CRAIG):

S. 872. A bill to amend the Internal Revenue Code of 1986 to provide for the non-recognition of gain for sale of stock to certain farmers' cooperatives, and for other purposes; to the Committee on Finance.

By Mr. ASHCROFT:

S. 873. A bill to amend the prohibition of title 18, United States Code, against financial transactions with state sponsors of international terrorism; to the Committee on the Judiciary.

By Mr. FAIRCLOTH (for himself and Mr. SHELBY):

S. 874. A bill to amend title 31, United States Code, to provide for an exemption to the requirement that all Federal payments be made by electronic funds transfer; to the Committee on Finance.

### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MOYNIHAN (for himself and Mr. SARBANES):

S. 863. A bill to authorize the Government of India to establish a memorial to honor Mahatma Gandhi in the District of Columbia; to the Committee on Energy and Natural Resources.

#### LEGISLATION TO ESTABLISH MAHATMA GANDHI MEMORIAL

Mr. MOYNIHAN. Mr. President, I rise to introduce a bill to authorize the placement of a statue of Mohandas Karamchand Gandhi—Mahatma Gandhi—on Federal land across the street from the Indian embassy in Washington DC. The Government of India has offered a statue of Gandhi as a gift to the United States. In order to place it on Federal land, an act of Congress is required. This bill will fulfill just that purpose, and I thank the Senator from Florida [Mr. MACK] and the Senator from Maryland, [Mr. SARBANES] for joining me in this endeavor.

India is currently celebrating the 50th anniversary of its independence. Authorizing the placement of a statue of Mahatma Gandhi, often called the father of the Indian nation, would serve as a fitting tribute to Indian democracy which has survived—in fact, thrived—despite enormous challenges, and a symbol of the growing strength of the bonds between our two countries.

It is particularly appropriate that a statue of Mahatma Gandhi be selected for this purpose. The effects of his non-