

one that says you can spend more than you have and not admit that if you want to keep on living, you may have to borrow money.

From where is that borrowing going to come? It will come from Social Security—that trust fund we hear everybody on each side, who would say under oath, “I want to make sure Social Security is there for those who work and pay the taxes.” They want to know when the time comes for retirement they will have something to look forward to.

Instead, what we have seen from the House Republican budget presentation that was sent over to the Senate is that we will have a surplus, non-Social Security surplus, in our financial account, our balance sheet, of \$171 billion. However, the tax cut proposal we have seen is \$223 billion. One doesn't have to be a mathematician to know if one takes \$223 billion away from \$171 billion, one has to go elsewhere to pay the bills.

We made this very sacred promise, this commitment to the senior citizens of this country. I am one of those senior citizens; I like it. It is not bad.

The fact is, we made a promise, almost on bended knee, that we absolutely will not touch, to paraphrase, a hair on yon gray heads for retirement opportunities. But the proposal we are looking at is one that says we will spend \$50 billion more on tax cuts than we have in our non-Social Security surplus.

That is not very good arithmetic. One does not have to be a mathematician, accountant, or economist to see that puts America deeper into a hole that we will have to dig our way out. Just take it from the Social Security, after we so diligently studied and agree that it is the most sacred obligation this country has.

Where do we go from there? This graph ought to be presented differently. It shows a tip of the iceberg. The whole iceberg ought to be lifted up because this is a crash we can see coming. If this program stays in place, the economy is going to run into a full-sized iceberg with an enormous negative economic impact.

We are not going to be able to protect Social Security. We are not going to be able to pay down the debt. We will not be able to take care of obligations we have to veterans in education and health care. We cannot do that if we go ahead as planned.

We need to pay down our obligations. We need to give some targeted tax relief, to take care of the commitments we have. But, no, we cannot do it because we are not going to have any money left with which to do it unless we borrow once again from Social Security. We have been through that. We had years and years of borrowing from Social Security to make up for the lack of revenue coming from the non-Social Security side of the ledger.

Finally, we are at a place in time where, with President Clinton's leader-

ship and with the work of people on both sides of the aisle working on a balanced budget, we have developed a surplus and now we are ready to start taking care of the financial structure of the country in a way so that we know we will be able to assure people Medicare will be there for them, that prescription drug costs, which is such a problem for so many elderly, will be taken care of in some form.

But we are not going to be able to do it if we put in place this tax scheme—and certainly, if not this one, Presidential aspirant George W. Bush's tax plan, which is more than twice, almost three times, the size of the one that has been proposed in the House budget.

So the question for the American public is, Why is it that a Republican majority, a significant majority, cannot get an agreement out that says: This is where we stand. Let the public judge the value of it. Let Democrats, let people outside, make judgments about the truth in the presentation.

We have all kinds of smoke and mirrors that disguise what we are going to try to do here. But we know in the final analysis we are going to be borrowing money from the Social Security trust fund. So let's get it out here. Let's let the public see what it is that is going on behind closed doors, because that is not the way we can operate anymore. We cannot operate with significant proposals and not permit the public to scrutinize what it is we are doing.

We have to get to the job. We are way past the deadline we thought we would be through. I am not happy about the prospect that a budget resolution will be dropped on the floor without having had the benefit of a committee discussion, some debate, some analysis in the public eye before we go ahead and start voting on it.

With that, I conclude by saying I and I know other members of the committee—Democratic members of the committee and I am sure many of the Republican Members of the Budget Committee—are anxious to get out the budget. If the leadership will accommodate us in the obligation we have to the public to present it, we will have a chance to talk about something other than what is whispered about through the halls here.

I yield the floor.

The PRESIDING OFFICER (Mr. ALLARD). The Senator from California.

Mrs. FEINSTEIN. Mr. President, I ask to speak in morning business for 10 minutes.

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

Mrs. FEINSTEIN. I thank the Chair.

(The remarks of Mrs. FEINSTEIN pertaining to the introduction of S. 2269 are located in today's RECORD under “Statements on Introduced Bills and Joint Resolutions.”)

Mrs. FEINSTEIN. Mr. President, I yield the floor.

The PRESIDING OFFICER. The majority leader.

BANKRUPTCY REFORM

Mr. LOTT. Mr. President, I will propound a unanimous consent request. I have notified the Democratic leader that I intended to do that. I see there are Senators on the floor who will probably have some comments to make. But before I propound that request, let me outline what I would like to do and what has transpired.

Senators will recall that last year there was a major effort made to pass through the Senate bankruptcy reform legislation. That has been a bipartisan effort. The Judiciary Committee has done excellent work. Chairman HATCH has been cooperative. Senator GRASSLEY has been magnificent in working with both sides of the aisle. Democratic Senators had input.

After some starts and stops, we made real progress, but it did get held up at the end of the session. We did not get it completed.

When we came back in at the beginning of the year, we decided the best thing to do was to move forward and have some votes on amendments that were controversial on both sides, but we faced those votes. We got our work done, and we passed bankruptcy reform—basically, a good bill. The House also has acted in this area.

We need to go forward and get bankruptcy reform legislation into conference and completed so we can improve this area in the law, so the law will be clearer for all those interested, and so we can send it to the President for his signature.

In the process of the debate, and the amendments on this legislation, amendments were offered with regard to the minimum wage. In fact, a minimum wage increase was passed and attached to the bankruptcy reform legislation. Senator KENNEDY offered the first amendment. That was defeated. Then an alternative amendment was offered by Senator DOMENICI and others, and it did include small business tax relief to offset the impact of a minimum wage increase. That was adopted. It became a part of the bill.

The problem in going forward is, because of the minimum wage and tax provisions that were attached to the bill, it could be subject to, and would be subject to, the so-called blue slip rules in the House. It could be objected to, in effect, because it has the minimum wage and the revenue measures as a part of it.

So we had not gone forward to try to send this to the House because of the potential blue slip problem and also to wait to see if the House was going to go forward and act on minimum wage and the tax relief package. In fact, a couple weeks ago, I believe it was, they did do that. Now it is time we go to conference.

What I propose to do, even though I will do it in the Senate rules parlance—what it really says is split the two; send the Senate-passed bankruptcy bill to conference with the House-passed bill, have a conference,

and they act on it, and then to separate out the minimum wage and the tax provisions and send them to conference with the House on minimum wage and the tax provisions.

I think that is the way to do all three of the issues. It is a fair way to proceed. It is a simple way to proceed. It gets rid of the blue slip problem, and then we can count on the conference to act on both bankruptcy and the minimum wage increase and the small business tax provisions.

I just wanted to explain what was involved before I ask for unanimous consent. But I am prepared to do that.

I ask Senator DASCHLE, do you want to comment before I propound that request or would the Senator like to do it after I do the request?

Mr. DASCHLE. Mr. President, I appreciate the majority leader's effort to try to move this legislation along. This bill, the bankruptcy bill, passed the Senate with more than 80 votes. Whether or not we get unanimous consent is not relevant. What is relevant is that we get these two pieces of legislation successfully completed in a timely manner. If we are not able to get unanimous consent, I intend to support finding a way to assure that we do go to conference both on the bankruptcy bill and the minimum wage.

I am hopeful we can instruct the conferees with regard to minimum wage. It would be my hope, at least, that the Senate could express itself in regard to the issue on minimum wage prior to the time we go to conference. But if we could accommodate that request, that we have at least an opportunity to express ourselves on the conference itself, then I would certainly be supportive of moving on a motion to proceed to two conferences—one on bankruptcy and one on minimum wage.

The distinguished Senator from Vermont, and others, Senator TORRICELLI, Senator DURBIN, and others, have done an extraordinary job in getting us to this point.

We have a much better bill, a stronger bill, in the Senate on bankruptcy than we do in the House. I hope we can take what we have been able to accomplish in the Senate and bring our House colleagues to the realization that that is the kind of legislation that will be signed into law.

On the minimum wage, the House version, at least in terms of the 2-year approach, is the one the President said he will support. It enjoys strong support in the Senate as well. We are concerned about the size and magnitude of the tax provisions. If we could target those, we would be in good shape on that as well.

I understand the majority leader's interest in moving this. We want to be supportive in that regard; most of us do. I am hopeful we can accomplish it through a unanimous consent request.

Mr. LEAHY. Will the distinguished Senator yield?

Mr. LOTT. I am glad to yield to Senator LEAHY.

Mr. LEAHY. I agree with what the distinguished Democratic leader said. I would like to see us move forward. The bill we put together passed 83-14. The distinguished leader is right; it was in excess of 80 votes. There was a tremendous amount of work on both sides of the aisle. Senator HATCH, Senator GRASSLEY, Senator TORRICELLI, and I were the four floor leaders on this, working with others—Senator REID, Senator DASCHLE—to get people to take away hundreds of amendments. We got rid of those, and we got down to several on which we voted and passed in a good package. I would advise the two leaders, I have been working with Senator TORRICELLI, Senator HATCH, Senator GRASSLEY, and Senator SESSIONS to try to whittle it down even further, but to have a packet, one that could be acceptable on both sides of the aisle and also could get signed down at the other end of Pennsylvania Avenue.

Mr. LOTT. If the Senator will yield on that point.

Mr. LEAHY. Yes.

Mr. LOTT. I have been keeping in touch with the informal discussions that have been going forward.

Mr. LEAHY. I know the majority leader has.

Mr. LOTT. I have the impression that the Senate potential conferees, Democrat and Republican, have come up with a good proposal and are ready to go forward with serious negotiations that I hope could be completed relatively quickly.

Mr. LEAHY. I hope we will find a way to go through this. I realize we have issues of the minimum wage and others. We ought to vote them up, vote them down, whatever is necessary. I advise both leaders, I think we have put together a good, bipartisan, compromise package that could be the basis of final conference action and, if it were, would be signed by the White House.

Mr. LOTT. Mr. President, if I may just comment one second more before I propound the UC request, with regard to Senator DASCHLE's comments, we do have a good, strong, bipartisan bankruptcy bill that we have passed. We also did have a debate and discussion on the minimum wage issue and the tax provisions. I didn't choose the debate and the amendments to occur on this bill, but I knew it was going to come up and it should come up at some point. So it was offered to the bankruptcy bill. We had a good debate. We had a vote.

The interesting thing about the minimum wage, I think the parameters are pretty clear. We have the Senate-passed version, the \$1 increase over 3 years, and the House version, that increase over a shorter period of time, only maybe a year or so. Then in the Senate provision, we have some small business tax offsets, a relatively small package. The House has a bigger package on the tax offsets. I think the parameters of the discussion on minimum wage are all represented in the two

bills that have been passed. We can get conferees from the appropriate committees, and they can look at the minimum wage increase, and over what period of time, and the small business tax offsets or other tax provisions, and have a good conference and be able to get a result. I hope we can do that without delay.

UNANIMOUS-CONSENT REQUEST

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now proceed to H.R. 3081, the House minimum wage bill now at the desk, and that one amendment be agreed to, which is the text of the previously passed Domenici amendment No. 2547 now in the form of a substitute relative to the minimum wage, the bill then be advanced to third reading and passed, and the motion to reconsider be laid upon the table.

I further ask unanimous consent that the Senate insist on its amendment, request a conference with the House, and the Chair be authorized to appoint conferees on the part of the Senate.

I further ask unanimous consent that with respect to the bankruptcy bill, the Secretary of the Senate be directed to instruct the enrolling clerk to strike the Domenici amendment language just described above, all other parameters of the previous agreement be in order, and the Chair be authorized to appoint conferees.

Mr. WELLSTONE. Mr. President, I object.

The PRESIDING OFFICER. Is there objection?

Objection is heard.

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The majority leader has the floor.

Mr. LOTT. Mr. President, objection was heard. If Senator KENNEDY would like to be recognized, I am glad to yield to him.

Mr. KENNEDY. I thank the majority leader.

Mr. President, I think Senator DASCHLE outlined what was a reasonable way of proceeding. I am under the impression that perhaps the majority leader has not had an opportunity to get into the kind of detail the Democratic leader talked about.

Although I still need persuasion on the bankruptcy bill, I know what the will of the Senate is on that issue. On the issue of the minimum wage, there wouldn't have been a blue slip on just the increase on the minimum wage. The blue slip was on the approximately \$73 billion in tax breaks that were added to the minimum wage.

The point our leader was attempting to work out was consistent with what the majority leader has outlined, and that is that at least there would be a way in which the Senate would be able to address the minimum wage. Some colleagues may object to that process, but I would not.

As I understood Senator DASCHLE's proposal and the majority leader, by