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Senate

(Legislative day of Monday, January 22, 1996)

The Senate met at 2:30 p.m., on the expiration of the recess, and was called to order by the President pro tempore [Mr. THURMOND].

The PRESIDENT pro tempore. Today's prayer will be offered by a guest Chaplain, Rev. Johnny Sloan, Hamilton Christian Center, Hamilton, OH. He is a guest of Senator DEWINE.

PRAYER

The guest Chaplain, the Reverend Dr. Johnny W. Sloan, offered the following prayer:

Let us bow our heads for prayer.

Lord God Almighty, Creator of life, giver of liberty, we exalt Your holy name. This day we come before You with hearts grateful for Your grace upon our lives. You have faithfully protected and provided for our Nation. From generation to generation, You have been our guide, giving light where there was darkness and strength when there was weakness. Lord, we ask for Your will in the affairs of this land. Help us to speak less and listen more. Help us to take less and give more. Help us to fear less and trust more. Let us walk in unity without requiring individual conformity. Let our song be in harmony, sung by a people of diversity. We want to love, as You have loved us. We want to forgive, as You have forgiven us. Lift our eyes from the human mud stains of yesterday's journey to the rising sun of divine destiny and hope for tomorrow. Give us wisdom, as we set our hands to the task before us, that working together we may accomplish Your will and purpose. Lord, to You be all glory, honor, and praise, now and forever. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The able majority leader, Senator DOLE, is now recognized.

SCHEDULE

Mr. DOLE. Mr. President, there will be a period for the transaction of morning business until the hour of 3:30 this afternoon. Then, following morning business—it could be extended, of course—we will recess until 8:35 this evening, at which time the Members will gather in the Senate Chamber so the Senate may proceed as a body to the Hall of the House of Representatives for the State of the Union Address.

It is hoped that we can reach an agreement regarding the consideration of the continuing resolution and the DOD authorization conference report for either Thursday or Friday. I am not certain when the House is going to take up the CR, and if it requires a rollcall vote, we have sort of indicated we would give Members some notice to get back here. So we would at least give them the opportunity to come back if there is going to be debate, amendments, and votes on the continuing resolution.

If an agreement is reached on these two items today, the Senate will adjourn until this Friday, January 26, to complete action on those matters.

Also, to inform all Members, if both of these items are completed on Friday as well as the D.C. appropriations or Interior appropriations conference reports, if available, then it may be that the Senate would not be in session until February 26. But, again, that depends on what may develop tonight in the President's State of the Union Message and what may develop during the day in our discussions with the Republican leadership on when we may want to proceed to another budget resolution to send the President another balanced budget. But we do hope to complete action on all the previously mentioned items by unanimous consent.

I might say, on the other side of the aisle, if someone indicates now that

they will not give us consent, then I think we could give notice as quickly as we can that Members would have to be back here on Friday.

MORNING BUSINESS

The PRESIDING OFFICER (Mr. DEWINE). Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 3:30 p.m., with Senators permitted to speak therein for not to exceed 10 minutes each.

The Senator from Massachusetts.

PASSAGE OF ANOTHER CONTINUING RESOLUTION

Mr. KENNEDY. Mr. President, I intend to use my time to address where we are as a nation in terms of the impact of the continuing resolution at 75 percent, but I see the majority leader still here. It is a little difficult to state at this time whether there would be objection to a continuing resolution since we are not informed at this time as to what would be in the continuing resolution. And I know that there is a desire among some of our colleagues to be able to introduce clean budget ceiling legislation to move toward addressing one of the critical issues before the Nation.

So I, just for one, want to work in cooperation with the leadership, the majority leader and the minority leader, but I do think it is probably premature to try to make a judgment of whether we are going to be able to get agreements on no votes at all, because we at this time do not have a continuing resolution. We saw the changes that were made in the continuing resolution at the final hours the last time. We do not know where we are going to be on the debt ceiling issue. And I, for one, feel that we ought to be around here doing

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



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the Nation's business between now and the end of February.

With all respect to those who have different schedules, I find it somewhat difficult to understand why we are not here dealing with the Nation's business on the range of different issues that have not been addressed in the Senate. We have a number of those. One of the most important is the whole issue of what is going to be the future for the young people in this country with a continuing resolution that just funds education at some 75 percent of what it was a year ago, with all of the implications that that has in higher education and also K through 12.

EDUCATIONAL IMPACT OF SHORT-TERM FUNDING MEASURES

Mr. KENNEDY. On Friday, January 26, the continuing resolution that has kept the Government operating for the last 3 weeks will expire. Once again, it will be necessary to enact a temporary funding measure to avoid shutting down the Government.

Although I understand the need to make certain accommodations while we attempt to negotiate an acceptable budget agreement, many of the areas we are fighting to protect, especially education, are facing increasing risk from this series of short-term measures.

A new continuing resolution, even for a few weeks, will take us past critical budget, planning, and teacher contract dates in school districts and will wreak havoc on the college admissions and financial aid process for high school students making critical college decisions. Furthermore, it will take us through half this fiscal year at funding levels that cut education by 13 percent overall and many programs by much more. This is no way to run a Government or to indicate the support for education from kindergarten through high school and to the colleges.

Mr. President, in the case of colleges, they cannot complete financial aid packages for the spring admissions cycle. By February 1, the Federal Government is required by statute to supply colleges with the numbers showing their Pell grant allocations and tables showing how much students of different need levels will receive in Pell grants. As of now, there are four different Pell grant appropriations numbers—the House, the Senate, the President's, and the continuing resolution—and there are different minimum and maximum award levels.

Likewise, by February 1, the Government is required to supply colleges with their allocation of campus-based aid—college work study, supplemental education opportunity grants, and Perkins loans.

In February, March, and April, when high school students are admitted to college for next fall, they receive a detailed financial aid offer showing how much each college will cost and how much aid they will get from each

source—Federal, State, or college. Colleges cannot do this packaging for individual students without 1996 numbers for each type of financial aid.

Today I received a letter from the American Council on Education urging Congress to approve a full-year budget for education. Otherwise, they say, "The confusion that all students will face as a result of this uncertainty will have its most profound impact on high school seniors." This is what they say, " * * * profound impact on high school seniors. As these students sit down with their parents to negotiate the process of selecting a college to attend next fall, or determining whether they will even be able to enroll, their decisions will be influenced heavily by the level and types of aid for which they may be eligible in a particular school."

Mr. President, just as it affects higher education, let me just mention what happens in many of the K-12 programs.

School districts across the country face needless uncertainty as they struggle to prepare budgets for next year and enter into teacher contracts. The Committee for Education Funding, a coalition of 90 education groups representing education at all levels, calls the funding levels in the continuing resolution "a setback for education unprecedented in our nation's history," that will force "layoffs of thousands of school employees and cutbacks in services to millions of children."

Boston, for example, is required by State law to submit its school budget for the next year to its school committee by the first Wednesday in February. The school committee must submit its budget to the mayor by the last Wednesday in March.

Teacher union contracts require teachers to be notified of any layoffs for the next school year by May 15, or else teachers must be paid for the next year regardless.

Because there are no 1996 figures for key Federal education programs, Boston feels that it must adopt a budget based on the worst-case—House—level of funding for the title I Program, there would be a 15-percent cut for Boston schools. The city will have to eliminate title I services at 14 of their 79 title I schools, and they will also have to lay off teachers.

In Framingham, MA, Superintendent Eugene Thayer tells me that they will have to eliminate all title I reading programs in all middle schools, and severely cut back the support in elementary schools.

The Philadelphia public schools estimate that they will lose \$13.5 million in title I funds under the current continuing resolution. At these levels, they will be forced to eliminate services in 62 schools serving 48,000 children. They will also have to lay off 100 teachers and 200 aides.

In New York, even if a final budget is passed by March 15, school districts may not be able to learn their allocations before the beginning of May—far beyond the April 1 deadline for teacher contract negotiations.

Based on past experience, New York educators say that it will take the Federal Government a few weeks, once a budget is passed, to determine State allocations for title I. These allocations are based on counties, and it takes New York 2 to 3 weeks to determine sub-allocations to its 700 school districts. This timetable would put school districts far behind their required budget schedules to comply with teacher contracts.

Mr. President, if you look at what we are doing, it is that effectively we will be cutting \$3.1 billion, the largest cut in the Nation's history, in education. Last year, with the rescissions program, it was more than \$600 million, and we are adding to that \$3.1 billion in cuts. Those education programs would be cut basically by some 13 percent overall; the title I by 17 percent, and the list goes on.

We should oppose education cuts whenever and wherever they occur. President Clinton has demonstrated we can balance the budget in 7 years and protect education. We should not allow education to be slashed through the back door when those cuts would not be accepted through the front door.

That is the problem. We are going to be asked, on a continuing resolution, to fund it at 75 percent on this, with all of the disruption that it is going to be having for hundreds of thousands of young people who have graduated from high school and who want to go to colleges, with all the disruption it will have for the parents and those young people, with all the disruption it will have for hundreds of thousands of young people who will be going, either from Head Start through kindergarten and all the way up through high school, with all the disruption it will have in the classrooms for the teachers, the parents and the students.

Effectively, now, we have gone from holding hostage the Federal employees to holding hostage the schoolchildren in this country. That will be the effect and the impact of the continuing resolution, even at the 75 percent.

So, Mr. President, when we hear the majority leader talk about whether we can get an agreement, we know what they are saying: You better take the 75 percent or take responsibility for closing down the Government. That is the policy which is being announced here on the floor of the Senate this afternoon. That is an intolerable policy. It is, in terms of the young people of this country. Why should they, effectively, be held hostage? The education policy in this country will be held hostage because of the small minority of Members in this body or in the other body who refuse to permit an orderly processing of the education programs.

Mr. President, I ask unanimous consent letters from the American Council on Education and the Committee for Education Funding be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

AMERICAN COUNCIL ON EDUCATION,
OFFICE OF THE PRESIDENT,
Washington, DC, January 23, 1996.

Hon. MARK HATFIELD,
Chairman, Senate Appropriations, U.S. Senate,
S-128 The Capitol, Washington, DC.

DEAR MR. CHAIRMAN: We write on behalf of the nation's colleges and universities to express our hope that Congress will approve a full-year budget that provides adequate appropriations for education programs, especially the student financial assistance programs administered by the Department of Education.

As you are aware, federal student assistance is the primary means by which students and their families receive help financing a college education. Nearly eight million students rely on some form of federal student aid. This year, however, the highly effective system to deliver federal aid that was constructed with bipartisan support is threatened with chaos and uncertainty. Deadlines that will set the parameters for the amount of aid our campuses may distribute to needy students are approaching rapidly. Without knowing the Pell Grant maximum award level, or the amount of Supplemental Educational Opportunity Grant (SEOG) or College Work-Study (CWS) money available, or whether any funding will exist for State Student Incentive Grants (SSIG), Perkins Loans, Javits or Harris Fellowships, college aid officers and admissions counselors will be unable to develop aid packages for the coming academic year or provide accurate and appropriate advice to students.

The confusion that all students will face as a result of this uncertainty will have its most profound impact on high school seniors. As these students sit down with their parents to negotiate the process of selecting a college to attend next fall, or determining whether they even will be able to enroll, their decisions will be influenced heavily by the level and types of aid for which they may be eligible at a particular school.

As you prepare a Continuing Resolution to keep federal programs operating past January 26th, we urge you to provide secure funding for the federal student assistance programs through the end of the fiscal year. The House and Senate bills provide identical appropriations for SEOG, CWS, and TRIO, and contain similar language regarding the Pell Grant maximum award. We urge the deletion of a Senate restriction limiting Pell Grants to not more than 3,768,000 students. However, we urge you to adopt the Senate provisions continuing the current Pell Grant minimum award level and assuring that funding is provided for the SSIG program, the Perkins Loan program, the Javits Fellowship program, and the Harris Fellowship program.

We appreciate your consideration of these views.

Sincerely,

ROBERT H. ATWELL,
President.

On behalf of the following postsecondary education associations: American Association of Community Colleges, American Association of State Colleges and Universities, American Council on Education, Association of American Universities, Association of Catholic Colleges and Universities, Association of Community College Trustees, Association of Governing Boards of Colleges and Universities, Association of Jesuit Colleges and Universities, Council of Graduate Schools, Council of Independent Colleges, Hispanic Association of Colleges and Universities, National Association for Equal Opportunity in Higher Education, National Association of College and University Business Officers, National Association of Independent Colleges and Universities, National Association of State Universities and Land-Grant Colleges, United Negro College Fund.

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COMMITTEE FOR EDUCATION FUNDING,
Washington, DC.

DEAR SENATOR/REPRESENTATIVE: The Committee for Education Funding (CEF), a coalition of ninety major education organizations representing a broad spectrum of the education community, strongly urges you to seek a bipartisan budget agreement that makes education investment a priority and also to approve a continuing resolution that maintains the vital educational opportunities of America's children, youth, and adults while negotiations proceed. We also urge you to oppose a year long extension of the current continuing resolution, which cuts education by \$3.1 billion, or targeted appropriations that fund some programs while eliminating or cutting others.

Recent polls show that the American public believes strongly that improving education should be a top priority for Congress. The polls also demonstrate overwhelming—92%—support for the same or increased federal funding for education. Yet Congress is about to approve another continuing resolution for FY96 that would cut education by \$3.1 billion if extended for the remainder of this fiscal year—a setback for education unprecedented in our nation's history. This is in addition to \$600 million in rescissions from education already enacted for FY95.

A full year extension of the current continuing resolution would mean severe cuts in basic skills instruction; college grants, scholarships, and loans for needy students; school reform and educational standards; teacher education; vocational and career preparation; educational technology; learning English; school safety and drug abuse prevention; educational research and innovation; impact aid; libraries; Head Start; and other vital education programs. See the attached sheets for details of the impact of these cuts.

Almost a third of this fiscal year is over without providing 1996 funding levels for education. Postsecondary institutions across the country are unable to approve financial aid packages for millions of students. States and local school districts are making budget decisions now that will force layoffs of thousands of school employees and cutbacks of services to millions of children.

We urge you to oppose these cuts and insist that Congressional leaders make investment in education a top priority in the budget for FY96 and beyond. Americans want greater educational opportunities for themselves and their families to meet the challenges of a changing world economy. Stop the education cuts and secure America's economic future.

Sincerely,

VIOLET BOYER,
President.

1996 COMMITTEE FOR EDUCATION FUNDING
MEMBERS

American Association of Classified School Employees, American Association of Colleges for Teacher Education, American Association of Community Colleges, American Association of School Administrators, American Association of State Colleges and Universities, American Association of University Professors, American Counseling Association, American Council on Education, American Educational Research Association, American Federation of Labor and Congress of Industrial Organizations.

American Federation of School Administrators, American Federation of State, County, & Municipal Employees, American Federation of Teachers, American Library Association, American Psychological Association, American School Food Service Association,

Association of American Universities, Association of Community College Trustees, Association of Proprietary Colleges, California Department of Education, California State University, Career College Association, City University of New York, Coalition of Higher Education Assistance Organizations, The College Board, Colorado Department of Education.

Cooperative Education Association, Incorporated, Council for American Private Education, Council for Educational Development and Research, The Council for Exceptional Children, Council of Chief State School Officers, Council of Graduate Schools, Council of the Great City Schools, Educational Testing Service, Georgetown University.

International Reading Association, John F. Kennedy Center for the Performing Arts, The McGraw-Hill Companies, Michigan Department of Education, Military Impacted Schools Association, National Association for Bilingual Education, National Association for Equal Opportunity in Higher Education, National Association of College Admission Counselors.

National Association of College and University Business Officers, National Association of Elementary School Principals, National Association of Federal Education Program Administrators, National Association of Federally Impacted Schools, National Association of Graduate Professional Students, Inc., National Association of Health Career Schools, National Association of Independent Colleges and Universities, National Association of Private Schools for Exceptional Children, National Association of School Psychologists, National Association of Secondary School Principals.

National Association of State Boards of Education, National Association of State Directors of Special Education, National Association of State Directors of Vocational & Technical Education Consortium, National Association of State Scholarship and Grant Programs, National Association of Student Financial Aid Administrators, National Board of Professional Teaching Standards, National Committee for School Desegregation, National Community Education Association, National Coalition of Title I Chapter I Parents, National Council for the Social Studies.

National Council of Educational Opportunity Associations, National Council of Higher Education Loan Programs, Incorporated, National Council of Teachers of Mathematics, National Dissemination Association, National Education Association, National Middle School Association, National School Boards Association, National School Development Council, The National Title VI Steering Committee, National Writing Project.

New York State Education Department, Princeton University, Public Education Fund Network, San Diego City Schools, Seattle Public Schools, Software Publishers Association, Texas Education Agency, United States Coalition of Education for All, United States Student Association, University of Michigan, Washington State Office of the Superintendent of Public Instruction.

Mr. FEINGOLD addressed the Chair.

The PRESIDING OFFICER. The Senator from Wisconsin.

THE POLITICAL REFORM AGENDA

Mr. FEINGOLD. Mr. President, I think we are all very much looking forward to hearing the President's State of the Union Address tonight. It is a great honor to be a Member of this body and a great honor to be able to sit in the room with our national leader and hear his thoughts about the future for this country.

I recall just a year ago, when the President gave his first State of the Union Address, under the rule of a different political party in the Congress, that some of the pundits said one of the questions was whether President Clinton would be irrelevant to the process; he had to establish his relevance. That was an absurd proposition. Of course we found, during the past year, it is pretty tough to make any President irrelevant, given his powers and given the willingness of this President to use those powers this year to try to represent the reality of our Government. The reality of our Government in 1995, and now in 1996, is we have a split Government. One party is in the majority in the Congress and one party controls the Presidency.

What I appreciated at the time, though, despite some of those press comments about the President's possible irrelevance, is that he came right out there and talked about many issues, and, in the midst of all this alleged irrelevance, he was willing to put on the table something that had been overlooked, perhaps forgotten, in the language of the Contract With America. That is, he brought us back to what I like to call—what many people in both parties like to call—the reform agenda, the political reform agenda.

Those were issues across party lines that respond to the national feeling that maybe there is a little bit too much money in Washington that is expressed in too many ways and takes the elected representatives away from focusing on their constituents. So it was very helpful last year when the President in his State of the Union Address referred to the need for Members of Congress to give up the gifts, to have a gift ban. In fact, the President said something like, "Why don't you just say no." Those words were helpful. And it came to pass, in part because of his leadership, in part because of the public's interest. The media helped by exposing the reality of the gift-giving practice.

But what helped most of all, along with the President's words, was the fact that there was a bipartisan effort, a true bipartisan effort, first in the Senate and then in the House, to try to stop this ridiculous practice of allowing gifts to be given to Members of Congress. It went into effect on January 1. I do not think it got enough attention in the year-end analysis of what happened in the 104th Congress. There were a lot of bad things to talk about, a lot of failure to resolve, a lot of failure to cooperate between the parties. But on that issue, both Houses in

the end responded overwhelmingly and very positively.

Tonight is an opportunity for the President, President Clinton, to take us to round 2 of the political reform agenda. I refer to it as sort of the big daddy of political reform compared to the gift ban. That is the issue of real campaign finance reform.

President Clinton is no newcomer to campaign finance reform. I remember, as a brandnew U.S. Senator, in January 1993, the President came to our Democratic conference in the Senate. He said he had three top priorities for his term. The first had to do with the deficit and the economy. Of course there has been progress. We are still struggling mightily to try to move forward even more in that area. Second, he talked about his desire to reform our health care system. We have not achieved our goals in that area. That has been an area of disappointment to which we must return. But the third item he mentioned and that not many people are aware that he stressed right from the beginning was his belief that we had to have campaign finance reform for congressional elections, to truly change the tenor of the debate and the policy outcomes in this country.

So he did not miss any time. He referred to the unnecessary and extreme hold that powerful moneyed interests have in this town of Washington and he did so in his Inaugural Address. Last summer, when he had the chance to appear jointly with the Speaker of the other body, he was quick to emphasize the issue of campaign finance reform, and did the famous handshake where he indicated his willingness to work together with both parties to solve the problem. So President Clinton has been there whenever the call for political reform has gone out. He has always been supportive, as we try to solve these problems. So he has been a big help.

But tonight we need more help. Tonight we need the President of the United States to specifically put his strength, and the strength of his office, and the strength of his resolve, behind a national effort to change our campaign laws so that the people of our country can feel for the first time in a long time that those elections belong to them, that their votes count, and that it is not just the power of big money and influences that they cannot see or hear that control those elections.

Mr. President, let us build on the success this year when some Members of this body tried to change the system we have for financing our Presidential election. Let us build on that. We were able to defeat that.

The Presidential election in 1992 actually involved less expenditures than the Presidential election in 1988. That is because of the national laws we have had in this area. That is lacking in the congressional area. We have a complete OK Corral situation where any amount of money can be spent, and there are

no rules to speak of about how much is spent in these elections. So nothing would be more helpful than to have the President tonight mention the fact that he has been and continues to be very supportive of campaign finance reform.

I think he knows there is a unique opportunity in the Congress this year. Working with Senator MCCAIN of Arizona and others we have introduced the first bipartisan campaign finance reform bill in 10 years. It is a voluntary bill, as it must be under the Supreme Court rule in *Buckley versus Valeo*, but it addresses several of the major areas of concern. It addresses that there is too much money spent in individual elections. It addresses the fact that we would like to encourage candidates to get a majority of their campaign contributions from their own home States. It for the first time addresses the problem that too many people are spending their own personal fortunes to be elected.

All of these things are addressed in the bill. I am hoping the President has been made aware of that and is supportive.

What is even more exciting is, it is not only bipartisan but it is bicameral. In the House there was another bill being promoted that several of the House Members said, why do we not look at the Senate bill? They made their own version of the McCain-Feingold bill, and they have many supporters of both parties involved. People in the country have noticed.

A bipartisan, bicameral bill endorsed by over 25 major newspapers in this country—Common Cause, Public Citizen, and many other groups.

Mr. President, I think one of the reasons why it has received such reception from the public is that people know that it is not just a question of too much money being spent in elections. They know there is a connection between what is spent in Washington on campaigns, what is connected to things like why we cannot solve our budget problem, why there is too much money spent in Washington, even though the public is begging us to get our finances under control.

In fact, I think there is a direct connection between campaign financing, overspending in campaigns, the drive to raise all the money you can, and the fact that we still have not resolved the deficit problem. The ability of many special interests to secure millions, and sometimes billions, of taxpayers' dollars in Federal contracts and subsidies and other spending programs relates directly to our current campaign finance system where candidates for public office must raise millions of dollars for their campaigns.

A report was just issued by the Center for Responsive Politics entitled "Cashing in From A to Z." It is a long report, but they list a few recent examples that I think the public can respond to. Cattle and sheep ranch interests contributed over \$600,000 during the

last election cycle while fighting to protect Federal grazing fee policies that give ranchers access to Federal lands at below-market prices.

The mining industry spent over \$1 million in 1993-94 on campaign contributions to Members of Congress so that they could try to prevent the reform of the 1872 mining law which allows people to pay a few thousand dollars for land that contains billions of dollars worth of gold and silver and other minerals.

The oil and gas interests contributed over \$6.1 million during the last election cycle to help back their hefty 1995 agenda, which included repeal of the alternative minimum tax. They do not even want to pay a minimum tax for all the profits they are making.

Mr. President, in the 6 weeks following a close House vote on funding the B-2 bomber, opposed by even the Defense Department, contributions from defense contractor Northrop Grumman's PAC's to House Members who voted for the program totaled over \$50,000, just from that one company for that one program that the Defense Department did not even want.

Mr. President, obviously I could go on with these examples, but they show the fact it is not just a question of there being too much money in campaigns, but the connection between campaigns and the fact that we still have a terrible budget and deficit problem in this country.

So, Mr. President, it has become clear to many of us, Democrats and Republicans alike, that their failed campaign finance system contributes to keeping many unnecessary Government subsidies flowing, and it helps explain why well-financed special interests were able to grab the legislative process by the scruff of the neck in the first place.

Mr. President, it is my fond hope the President of the United States will use his bully pulpit and excellent intentions on this issue to give a strong push behind the bicameral, bipartisan effort to reform our campaign finance laws.

I thank the Chair and yield the floor.

Mr. HEFLIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Alabama.

BUDGET NEGOTIATIONS

Mr. HEFLIN. Mr. President, I believe we are closer to a balanced budget than we have been in many years. I think the public overwhelmingly wants a balanced budget. I think we are moving in that direction. But there are little problems here and there that seem to prevent us from getting together in being able to shake hands on a balanced budget.

The President and the Republican leadership I think all realize that we need a balanced budget for it will certainly directly affect virtually every segment of the Government and every citizen of the country. I feel that lost

in the political rhetoric over the budget is the fact that we have reached substantial agreements at this stage.

We have agreed that the budget ought to be balanced in 7 years. We have agreed that CBO figures ought to be controlling. We have agreed that there ought to be less Government. We have agreed that there ought to be a tax cut. And while both sides still have some major differences to work out, I feel that good-faith negotiations on these issues can yield a budget that is fair and equitable to all segments of society, and each party can claim victory.

When the recess occurred, there was a statement to the effect that we were going to stop the negotiations and then come back again.

There have been three or four efforts that have been made recently to try to get the parties together to start negotiating again. But for some reason or other they have been called off. Now that the recess is over, and the recess from the negotiations is over, it is time to begin again and for each side to meet and come to an agreement. The longer the negotiators avoid constructive negotiations the greater the chances for each side to become reentrenched in their policy positions.

Compromise is an art that appears to have somehow been forgotten. It is apparent that in order for an agreement to be reached, both Democrats and Republicans are going to have to give and take. Each side is going to have to have some wins and each side is going to have to have some losses. If the Israelis and the Palestinians can get together and negotiate in good faith, there is no reason why the Democrats and the Republicans cannot do likewise. If the Croats, Moslems, and Serbs can agree on a cease-fire, why cannot both parties put their verbal pistols back in their holsters?

I do not know exactly what the solution is. But it may well be that we may have to go to Camp David and tell them to stay there until they reach an agreement. Maybe Dayton is the place. Maybe Norway. But whatever it takes in regards to getting together and finding a location and staying with it until we reach an agreement, it seems to me to be the proper course to follow. When you add it up, the current Democratic proposals and the Republican proposals are less than \$100 billion apart. Taking into account \$12 trillion over a 7-year period, this figure amounts to less than .8 of 1 percent. With this in mind, it seems to me that the negotiations should proceed with an emphasis on what each side is willing to give and take in order to reach a long overdue budget agreement.

The State of the Union Address will have a significant impact on the negotiations. It is a good opportunity for the President to demonstrate his willingness to reach an accord. However, if his speech is overly partisan, it can harm the negotiating atmosphere by having a hardening effect on the Republican negotiators. Likewise, the Re-

publican response can also either help or hurt the negotiating process.

Hopefully, the President will extend a hand of conciliation, and if he does, I hope the Republicans will not slap it, but instead shake it. I hope that each Senator will keep this in mind when determining exactly what he or she wants to convey, when commenting on the content of the President's speech. Each Senator must be aware that their responses may affect the overall negotiations pertaining to the budget.

We need to adopt a continuing resolution—hopefully a clean one—by January 26. The expiration of the current continuing resolution, of course, runs out on that date. Despite all the heated rhetoric, I do not believe it is in the best interest of our citizens to have the remaining portion of Government closed down. A great number of the various Agencies and Departments will stay open under the legislation that has already been adopted.

Taxpayers and Federal employees should not be punished, because Congress and the administration have not fulfilled their obligation to reach a budget.

Mr. President, as I have stated before, I think it is imperative that we reach an agreement on the budget, and I am optimistic that when reasonable people sit down together an agreement can be worked out.

It seems to me we have made a great deal of progress. We have agreed on some fundamentals: A 7-year period for a balanced budget; CBO figures; a tax cut; and a cut in Government. We just need to get together. Perhaps we need a mediator. But I hope that we will let reason prevail, and we will not let this opportunity pass to achieve a balanced budget.

Mr. GRAMS addressed the Chair.

The PRESIDING OFFICER (Mr. KYL). The Senator from Minnesota.

FRESHMAN TOUR: PROMISES MADE, PROMISES KEPT

Mr. GRAMS. Mr. President, too often here in Washington, politicians come to town with a mission but end up coming down with a severe case of Beltway fever.

They get caught up in the unreal atmosphere of this place and eventually forget what it was that first propelled them into public service.

They shut themselves away in their Senate or House offices or even in the Oval Office.

They spend their time hobnobbing with their new-found Washington friends. And after awhile, they just lose touch with the folks who sent them here. They think they are doing "the people's business," but in truth, they are no longer speaking for the people at all.

The 11 Members of the Senate freshman class came to town with a mission, too, a mandate given to us by the voters.

We met often as a group last year to track our progress. And as 1995 came to

a close, we took a step back and began asking ourselves some pretty tough questions, such as:

What is the mood of the country?

What are people saying about Congress and the decisions we freshmen faced in our first year in the Senate?

Did we really hear the message we thought we heard in November 1994, when the voters sent us here to balance the budget to get Government spending under control, to deliver middle-class tax relief, and protect and strengthen Medicare and Medicaid?

Most importantly, is the message that brought this freshman class to the Senate in 1994 still alive and well in 1996?

We thought we knew the answers, and we knew we had delivered on each one of our promises, but after being in Washington and of course, debating those very important questions over the past year, we thought it was time for a reality check.

So last week, at the urging of my good friend, Senator Abraham from Michigan, nine Members of the freshman class took to the road to take our message directly to the people and bring the people's message back with us to Washington.

We visited eight cities over 4 days. What we saw and heard truly opened our eyes and, I believe, reaffirmed our mission.

In Philadelphia, we toured an empowerment zone and shared ideas on how to rebuild our troubled inner cities. The section of north Philadelphia we visited is a model for the concept that restoring neighborhoods means creating incentives for businesses to locate in urban areas. The Federal Government has made a difference, local officials told us, but the incentive is tax relief for these areas to attract businesses and jobs.

In Knoxville, 300 concerned citizens packed the auditorium at West High School for a town meeting. They cheered our progress on a balanced budget and called on us—and forcefully I might add—not to give up.

In Columbus, at a crime forum, we met with police, other law-enforcement officials, and victims of crime who shared how Washington can play an important role in making local neighborhoods safer.

Rain, sleet, snow, and even a blizzard warning could not stop a crowd from attending my town meeting in Minneapolis. We had a frank and, I believe, lively discussion covering a tremendous range of issues and the audience enthusiastically applauded our efforts to shrink the size and scope of government and return power to the States.

Employees at the Emerson Electric Co. in St. Louis sat down with us to talk about a balanced budget and just what it would mean for themselves and their families. It was heartening to hear their words of support, especially since our budget is specifically targeted at improving their lives, and the lives of every hard-working, taxpaying, middle-class American family.

In Tulsa, we met with small business owners—the men and women who create the jobs on Main Street—for a roundtable discussion organized by the Metropolitan Tulsa Chamber of Commerce.

Again, they thanked the Members of the 104th Congress for taking such a strong lead in bringing job providers relief from the stranglehold of Federal regulations and mandates.

Our whirlwind tour ended in Cheyenne, with a final opportunity to hear from the voters at a town hall meeting at the Cheyenne Civic Center.

At each stop, the people thanked us for taking our message directly to them and bypassing the curtain of misinformation draped over the issues by the congressional Democratic leadership, the White House, and too often, the media. They repeatedly shared their frustrations at hearing only one side of the budget debate.

And at each stop, they asked “why can't you reach a compromise with the President on a balanced budget?”

The President's latest budget plan—the first plan of his that actually balances in 7 years—is similar to the four other budget plans he sent to Capitol Hill in the last year which, by the way, got no votes in the House and Senate. Throughout these weeks and weeks of budget negotiations, he has given up very little while Republicans have moved dramatically to help spur an agreement.

The President's budget cuts around the edges, but does not reform a thing. And I think we can say in one word the President's budget is a sham.

It does not reverse the kind of wild overspending that will continue to drag this Nation deeper into debt.

Spending remains unchecked under his latest plan, and \$1 out of every \$6 the President claims in deficit reduction comes not from cuts in spending, but from raising new revenue, new taxes.

It does not save Medicare and provide the choices for seniors our plan offers. Under the Clinton plan, Medicare remains a relic from 1960's that no longer works in the 1990's.

His budget does not reform Medicaid, either. We say let the States run Medicaid, and they will do a better job. The President's plan says, again, Washington has all the answers.

He does not offer meaningful tax relief. His tax cuts amount to only token tax relief, and with \$66 billion in new taxes, the President's budget does nothing to reduce the tax liability of the country. His version of the \$500-per-child tax credit is slowly phased in and then eliminated in 2002, and applies only to children 12 years old and younger.

He does not make fundamental changes in welfare to control spending.

In fact, his welfare proposals spend \$20 billion more than the bipartisan welfare bill passed by Congress. The President does not “end welfare as we know it,” he extends welfare as we know it.

In reality, the President's budget plan is just a Band-Aid on a wound that is demanding emergency surgery. Yank off the Band-Aid after 7 years and the wound will not be healed, it will have festered and grown.

Mr. President, it will do no good to balance the budget in 2002 if it all unravels in 2003. And without a solid framework to work from, that is precisely where we would be heading under the President's version of a balanced budget.

That is how the freshman class answered the question each time we were asked why we have not been able to reach a budget compromise. We will not compromise our principles. No budget is better than a bad budget.

The President is right when he says the debate over the Federal budget is no longer just about dollars. It is about dollars and about something far more important: the future direction of this Nation, and which governing philosophy ought to lead us there.

The President says maybe we should wait until the next election and let the people decide what direction they want their Government to take. But the taxpayers we met with in Knoxville, and Philadelphia, and Minneapolis, and Tulsa last week told us that is the change they thought they voted for in November 1994, when they turned this Government around by electing a new majority in Congress.

You know, President Clinton is going to come here to the Capitol tonight to deliver what will undoubtedly be a passionate speech on the State of the Union.

As we all know, he can be an impressive speaker. He will speak fervently and forcefully and, with any luck, he will wrap up in time for Sunday's Super Bowl kickoff.

I hope that what we hear tonight is a message of leadership, an acknowledgment of the awesome responsibility with which a President is entrusted, and a willingness to put aside a narrow political agenda in order to do what is best for the American people.

Only great leadership will lead this Nation toward the great days that await us.

What I am afraid we will get instead is a campaign event—the great kick-off to Bill Clinton's 1996 re-election campaign.

Judging by the folks we met around the country last week, he may have a tougher go of it than he thinks in the weeks and months ahead because at every stop on our freshman tour, Americans offered us their full support.

“Do not back down,” “Hold the line,” they said. “Get the budget balanced, but do it right.” A lot of people told us they would be willing to wait a year for a responsible budget agreement, if that is what it takes.

Maybe then, they said, somebody a little more serious about balancing the budget will be occupying the Oval Office.

And so the revolution of 1994 continues, Mr. President.

That is the strong message my freshman colleagues and I bring with us back to Washington. And for our colleagues who may not have ventured beyond the confines of the Beltway recently, that is the message the American people are demanding we do not forget.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina is recognized.

Mr. HELMS. I thank the Chair.

(The remarks of Mr. HELMS and Mr. FAIRCLOTH pertaining to the introduction of S. 1520 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

FRESHMAN TOUR

Mr. THOMAS. Mr. President, I rise to follow my friend, the Senator from Minnesota, in noting what I thought was useful, and that was the tour of freshman Senators throughout the country, actually, starting here in Washington, on through the Midwest, and ending up in Cheyenne, WY.

It seemed to me to be a very useful kind of an activity. Our theme was "Promises Made, Promises Kept." I think it was appropriate that 9 of the 11 new freshmen in this body participated. We made 10 stops in 9 States to talk about this kind of commitment to the things that had brought us to the Senate in 1994. I think we all agreed in general that there was a message in 1994, and that message basically was the Federal Government is too big and costs too much and we need to change the regulatory restrictions on the opportunities in this country.

That has been the effort of this freshman class, and to a large extent this body during that year. We have felt some kinship in that we have come here together, we did share this commitment, and we were committed to change. We had just come from an election where, I think, that message perhaps permeates a bit more than those who have been here before, perhaps.

There has been a great deal of success, I think, in that message. We have not accomplished specifically all the things that we would like to but the major change has been the turn of the debate. I think most anyone who has watched the Congress over the last 25 years would have to say that the conversation has basically been centered around those programs that have been in place for 25 years. They largely came in the Lyndon Johnson Great Society time, and each year most of the time has been spent saying, "How much more money do we put into the program? If it has not worked as well as it should, we will put more money in."

Now that debate has changed somewhat. The debate has change markedly. We are talking for the first time in 25 years about a balanced budget. We are talking for the first time in 25 years about how you spend less rather than more. That is a significant change in the framing of the debate in this coun-

try, a significant change in the direction that this Congress would take, and hopefully that this country would take.

We have talked about things like reducing spending as opposed to continuing to add more to the deficit, to add more to a \$5 trillion debt. We talked about a balanced budget. We have not had a balanced budget in almost 30 years. This is the first time that a balanced budget has been presented to the President of the United States. Unfortunately, he saw fit to veto it.

We have talked about entitlement changes. Most anybody who looks at our financial situation fairly has to see that we have to do something about entitlements. You cannot change the direction of spending by simply talking about those things that are discretionary. Two-thirds of the spending is in entitlements. You have to change that. Of course it is difficult. But we have set about to do that. We have talked about welfare reform, to make welfare the kind of program that most everyone believes it ought to be, where you help people who need help, but help them get back into the system, back into the workplace.

Middle-income tax reform—instead of the largest tax increase in the history, which is what we had 2 years ago, we are talking about middle-income tax relief. Also line-item veto, term limits, regulatory reform.

That is what has happened. We are very pleased about that and we took that message to the country. In addition to that message, I think we took some facts. We sort of evolved into politics by posturing and to a situation of policy by perception rather than facts. It is ironic. We have the ability to present facts to the whole world in a second. Fifty years ago it was months after something was done here before people even knew about it. Now we have this great opportunity, but unfortunately we are doing governing by advertising, doing governing by spinning.

We talk about gutting Medicare. Nobody in this place is interested in gutting Medicare. In fact, when you look of course at the numbers, why, obviously, it is not. That is what we talked about.

We talked about fundamental change. We heard a great deal of positive response to that. People who are aware of the benefits that come from balancing the budget, the fact that we can lower interest rates, reduce the cost of mortgages, and reduce the cost of loans to send your kids to school, and we can talk about being responsible for going into a new century without continuing to add costs to the debt for our kids to pay.

I want to say that I think this trip was very useful and I am pleased that my colleagues were willing to take their time to go. I am particularly pleased they went to Cheyenne, WY. We had the largest town meeting we have ever had there. Not everyone is in agreement how to do it, but the pre-

ponderance of people say we need to be responsible. We need to look to the future. One little guy in the audience had a computer. We talked about \$5 trillion debt, he divided it by the number of people and announced we each owe \$17,000, and we were dazzled a little by the technology, but the answer is right, we do.

Mr. President, what we need here is leadership. We need to provide for the direction of this country. We do not need obstructionism. We do not need insistence on the status quo. This is a great country with a great future. We have the best opportunity that we have ever had to strengthen that future and make it a land of responsibility and the land of opportunity.

EXTENSION OF TIME FOR MORNING BUSINESS

Mr. SPECTER. Mr. President, I ask unanimous consent that the time for morning business be extended until 3:40.

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

CONCERN OVER CONGRESSIONAL RECESS

Mr. SPECTER. Mr. President, I have sought recognition to express my concern about our being out of session for the next considerable period of time in the context of the gridlock and breakdown over the negotiations of the budget. It is my hope that the negotiators will continue the budget negotiations because of the importance of reaching a resolution on those subjects, and that we will not have a recurrence of the shutdown of Government, as we have had twice in the course of the past several weeks, or that there will not be a resort to the debt ceiling issue as an instrument of, candidly speaking, political blackmail—which I think will be unsuccessful. If we are not able to resolve the budget disagreements, that we will at least crystallize the issue and make that the election issue in 1996.

I made this point back on November 14, on the second day of the first governmental shutdown. It seemed to me from the start that this was bad policy. From the reaction of the American people, that view was confirmed. That is simply not the way to run the Government of the United States.

I think the budget negotiators, however, have worked hard and there has been considerable progress made. I have taken a look, in reviewing the issues, and believe that the negotiators with more work can come to a conclusion. The central point is to have a balanced budget—a matter of enormous importance.

There has been an agreement in principle by the Republican-controlled Congress and Republican-controlled White—almost a Freudian slip, to make the Republicans control the White House as well. We have a divided

Government, but at least there has been agreement on that principle. There is a substantial question as to whether the balanced budget proposal offered by the administration meets the "fair" criterion, since so much of it is deferred until the years 2001 and 2002. But I think there is ample room for negotiation, in order to have a realistic agreement made in those terms.

I spoke on this matter to some extent yesterday and wish to amplify it today. One set of figures which bear repeating are the statistics on the narrowing of the gap between the parties on major issues such as Medicare, where the rate of increase is reduced in the conference report passed by the Republican-controlled Congress. Note it is not a cut but rather a reduction of the rate of increase by \$270 billion, which has since been reduced to \$168 billion. The administration first agreed to \$102 billion and now recommends reducing the rate of increase by \$124 billion. So there is a gap now remaining of \$44 billion, considerably closer than what had been initially in the range of \$168 billion.

Similarly, on Medicare, the original position of the Republican-controlled Congress was \$133 billion, since reduced to \$85 billion with the administration at \$59 billion on a reduction on the rate of increase. So that gap is narrowing.

Similarly, on the tax cut, the House figures are in the range of \$350 billion and were reduced to \$245 billion in the conference report. That has since been reduced further to \$203 billion, while the administration proposes \$130 billion.

I have taken a close look at a number of the structural points in disagreement, while working with others in the House and Senate, to try to report out a bill on the Appropriations Subcommittee for Labor, Health, Human Services and Education, a subcommittee which I chair. I have had extensive negotiations with Donna Shalala, Secretary of Health and Human Services, Richard Riley, Secretary of Education, and Robert Reich, Secretary of Labor and find that the principal issues arise in the Departments of Education and Health and Human Services.

As I have taken a look at the various issues, it seems to me that middle ground can be reached. If you take a look at the medical savings account, which is a controversial item, or the Medicare opt-out position as to HMO's back and forth, or the Medicare beneficiary part B payments, or the issue of balance billing by doctors, or the concern which has been expressed over the regulation of doctors' fees—all of those matters—if you take the congressional position as opposed to the administration position, you find there is middle ground available.

If you look at the Medicaid issue, in addition to the figures narrowing, the structural matters also are subject to compromise.

If you take a look at welfare, there again, compromise is possible. Where

the welfare reform bill passed by the Senate with overwhelming numbers, some 87 Senators voting in favor of the measure, there was a great deal of reliance on the block grants. There is an area for compromise on providing the bulk of welfare related programs through block grants but certain specific programs should remain with standards established by the Federal Government. I think the statement made by the very distinguished Senator from Maine, Margaret Chase Smith, is worth repeating, when she distinguished between the issues of the principle of compromise as opposed to the compromise of principle. We are not talking about freedom of speech or freedom of religion or first amendment issues. We are talking about dollars and cents. And we are, really, very, very close together.

So it is my hope that the negotiators will continue, because I think agreement is within reach, and when we are talking about the central principle of a balanced budget, that is something that we ought not give up on. We ought to continue to work to try to narrow the gap, and I hope that we will continue to do that.

CAMPAIGN SPENDING LIMITS

Mr. SPECTER. Mr. President, January 29, which is next Monday, will be the 20th anniversary of the decision of *Buckley v. Valeo*. I had intended to comment on January 29, the anniversary date of that decision which established as a principle of constitutional law that any individual could spend as much of his or her money in a campaign as he or she chose. That issue was a matter of substantial consternation to me when the decision was handed down and, I think, remains a major impediment on public policy in the United States on the way we run our election campaigns, where, realistically viewed, any seat is up for sale.

There have been many, many examples of multimillion-dollar expenditures in this body, the U.S. Senate, the U.S. House of Representatives, and in State Government, and now we are witnessing one for the Presidency of the United States.

The fact of life is, if you advertise enough on television, if you sell candidacies like you sell soap, the sky is the limit. Even the White House of the United States of America, the Office of the President, may be, in fact, up for sale if someone is willing to start off by announcing a willingness to spend \$25 million. If you have \$400 million, that is not an enormous sum; you have \$375 million left. Somebody might be able to get along on that. You might spend \$50 million or even \$75 million to promote a candidacy, both to articulate a positive view and then, perhaps even more effectively, to articulate a negative view.

This is a subject I have been concerned about for a long time because I filed for the U.S. Senate back in 1975

announcing my candidacy for the U.S. Senate on November 17, 1975, in the first election cycle where the 1974 election law was in effect. At that time the spending limitation applied to what an individual could spend, and, for a State the size of Pennsylvania, it was \$35,000. I decided to run for the office of U.S. Senate against a very distinguished American who later became a U.S. Senator, John Heinz. After my election in 1980, he and I formed a very close working partnership and very close friendship. I have only the best things to say about Senator Heinz.

But, in the middle of that campaign, on January 29, 1976, the Supreme Court of the United States decided *Buckley v. Valeo* and said a candidate can spend any amount of money. My later colleague was in a position to do so and did just that. That made an indelible impression upon me, so much so that when the decision came down on January 29, I petitioned for leave to intervene as amicus and filed a set of legal appeals, all of which were denied.

But it seemed to me since that time, as I have watched enormous expenditures in campaign financing by individuals, that simply was unsound constitutional law and certainly unsound public policy. There is nothing in the Constitution, in my legal judgement, which guarantees freedom of speech on any reasonable, realistic, logical constitutional interpretation which says you ought to be able to spend as much money that you have to win an elective office. I think it is high time for the Congress of the United States and the 50 States to reexamine that in a constitutional amendment, which is currently pending.

Senator HOLLINGS has proposed the amendment for many Congresses, and I have joined with him and sometimes I have proposed individual constitutional amendments. But as we approach the 20th anniversary of *Buckley v. Valeo*, we ought to take a very serious look at it. And we may have a striking impetus for change in that law by the Presidential campaign which is currently underway. So, in advance of the 29th, I urge my colleagues to take a very close look at this issue which I think has very serious implications for the electoral process in America.

I thank the Chair. It is now 3:40. I yield the floor.

The PRESIDING OFFICER. Does the Senator suggest the absence of a quorum?

Mr. SPECTER. And I do suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

STATUTORY DEBT CEILING

Mr. MOYNIHAN. Mr. President, it would be just 16 years since I came to the Senate floor to speak to a large new idea in our politics which seemed to me was then taking shape and which, as I do believe, has since become a central fact of American government. This was the idea on the part of those who legitimately, from their perspective, felt that the U.S. Government had become too large, too interfering, too dominant in the affairs of the State and local governments, and in general moving in a direction that this group did not desire.

They spoke to the futility of seeking to dismantle the great edifice of Government that had been growing, not truly since the New Deal, but since the beginning of the century with the administrations of Theodore Roosevelt, Woodrow Wilson, and thereafter, of course, President Franklin Roosevelt, President Johnson, President Nixon—a growth in Government that had never been fully accepted by all parts of the electorate, nor need it have been, and now was attaining very considerable opposition.

The effort to reverse this direction by repealing this statute and amending that and reducing this program and such was not so much countervailing as beyond the capacities of the legislature. Indeed, the Government had attained to a size and complexity that dismantling even a small part of it was a huge enterprise. So the reasoning of this new school was that this would never succeed.

What would indeed succeed, it was argued, was to deprive the National Government of revenue. By systematically reducing revenues through tax cuts, there would come a time when there was simply not the available resources to maintain the level of outlay that was then taking place.

This had many informed and sophisticated iterations, if you like, but the whole idea was put in one compact phrase that appeared in the first year of the administration of President Reagan. And it was in usage in the White House, as we understood. It was "starve the beast."

At that time, 1980, the debt of the Federal Government was about \$900 billion, a sizable enough sum but in no way an unmanageable one. Debt had risen during the two world wars and had been brought back down. Some debt occurred in the 1930's, nothing spectacular; revenues were well within the range of obligations, and the Government was moving forward.

Two things then happened. Government outlays began to grow very rapidly as several entitlement programs took hold. Medicare is but the most important example. A good indicator, also, however, is Medicaid. Medicaid, which is a Federal entitlement to persons with very limited resources. Those Medicaid costs doubled in the 8 years of the administration of President Reagan, doubled again in the 4 years of

the administration of President Bush. If you project this trend, as we have done, and put them in the form of a geometric progression, you find that the costs of Medicaid would double on the 29th of December of this year. So those outlays began to go up rapidly.

Then in 1981, there was a large tax reduction, and revenues ceased to grow. The income tax brackets were indexed so that there was not an inflationary increase in revenues that had previously been the case during the 1970's.

Mr. President, we passed five tax cuts, and indeed the level of inflation in 1980 was such that the Office of Management and Budget anticipated a surplus even with the tax reductions.

The 1982 recession brought that inflation down. The tax cut took hold. And so we were on a path simultaneously of increased outlays and reduced revenues, very much that which those who advocated this particular approach had anticipated.

What they had not anticipated was that President Reagan, who very much wanted a tax reduction, did not want programs reduced in any large amount and certainly in no very few particulars. Mr. David Stockman, President Reagan's Director of the Office of Management and Budget, in his memoirs, "The Triumph of Politics," records the options he would present the President. There was a program, it costs this much, it should be abolished, it should be left alone, it should be reduced a little, and the President, in the kind of generous nature we know he has—happily—cut it a little, perhaps, but nothing large was done. Instead, debt in enormous amount was incurred.

We went from a debt of about \$900 billion to a debt of almost \$5 trillion in a very short time, and debt service began to crowd out other activities of the Federal Government. While there had been very little articulation of this theory—"starve the beast"—the practice has gone forward with extraordinary, almost inexorable, relentless thoroughness. We are now in this 16th or 17th year since I first spoke on the matter, and the situation approaches crisis.

The crisis that we come to is the working out of the theory, if you might, the debt having attained to its present level, the decision is being talked about of not extending the debt any further, with the consequence not that we would reduce the size of the American Government—a legitimate strategic objective I did not necessarily share; I do not disavow it in every respect nor does anybody in this Chamber. The idea today would be not to extend the debt ceiling and let the U.S. Government default on its obligations for the first time in our history.

I was remarking, Mr. President, to the Democratic caucus at noon today that in 1814, the British invaded Washington, burnt the White House, burnt this Capitol Building, the part just the other side of the door here, the original building. They did not burn the Marine

Commandant's house, because they were staying there, but they overtook the Capitol completely. The President fled, the Congress fled, and the Nation seemed in the most dire possible circumstances: Our Capitol had been seized. Yet the service on the national debt continued to be paid. I think it probably was the case it was most paid overseas and in specie out of various subtreasuries.

In that degree of crisis in a newly formed nation, not fully even formed perhaps, we never defaulted. We never defaulted during the Civil War. The question did not arise in the great wars in the 20th century. But here, in a moment of peace, we may be about to do this. The consequences would be immeasurable. From the very height of its position in the world and in the history of the world, the United States would become a nation in default, a nation whose currency is in question, whose debt has, in effect, been repudiated.

We may not think of it this way. We may not imagine others thinking of it this way. It could happen, Mr. President, and if we do not do something in the next days, it very possibly will happen. The unimaginable, the unthinkable will happen.

We have reached the debt ceiling of \$4.9 trillion. Either we raise the debt ceiling or we undermine the foundations of American democracy and the American economy and who knows what in the world at large.

I might recede and say, Mr. President, during the last Congress, I then had the honor to be chairman of the Committee on Finance. We raised the debt ceiling twice, not out of any unconcern for the deficit, but out of the realistic appreciation of what we could do.

In August 1993, we passed in this body a deficit reduction package of \$500 billion. It was signed. It brought about the largest reduction in the deficit in history. Interest rates declined—a fiscal dividend—or as described by Secretary Rubin described, a reduction in the deficit premium on interest rates.

We did that, and we reduced the deficit. At the same time, we had to increase the debt ceiling. Twice we did that, leaving it at \$4.9 trillion. This last November 9, I came to the floor and offered an amendment to increase the debt ceiling just a very small amount to \$4,967,000,000,000, enough to get us through, as I hoped, until there was a Budget Reconciliation Act agreed to. And knowing what we would have to have in the way of additional debt expenditure in the course of the next 2 years, we could then pass a proper 2-year debt ceiling increased to perhaps \$5,500,000,000,000.

That measure—offered, as I say, on November 9—failed by a vote of 47 to 49, a very close margin. Two votes would have put us over into the present moment, but not to a true resolution of a 2-year prospect.

Mr. President, in the absence of that, the debt ceiling was soon reached, and

the Secretary of the Treasury was reduced to borrowing moneys in ways that were entirely lawful but not really anticipated as a more than temporary steps to avoid a debt crisis. He had to deal with the fact that the Federal Government was without a budget. I say, it is no accident that this was the 11th time since 1981 that the Federal Government has been without a budget and without resources.

Within 1 year of my having observed this strategy here on the Senate floor, it was in effect. They were short-term events. They were referred to as monument closings: The Government would close down for a day and some national facilities would not be available but with no real interruption of the Government itself.

This time, we have had the longest shut down ever. It is not perhaps noticed, but we almost shut down the Federal courts, the third branch of Government, indispensable to governing but of itself the least dangerous branch, as one of the "Federalist Papers" referred to it.

It depends entirely on the Congress and the Executive to provide these choices. It had none. It was at the point where it would not have had money to pay criminal and civil jurors or security guards. The prospect of the Federal courts closing was upon us, and we did finally act, but only almost reluctantly, not as if performing a duty, but dealing with an irritating necessity.

Now, here we are again. Yesterday, the Secretary of the Treasury told us in the most explicit terms that he has reached the end of measures that he can legally take, that he is willing to take, or legally can take, the two being coterminous. He has said that he has three final measures. He will suspend the reinvestment of approximately \$3.9 billion in Treasury securities held by the Exchange Stabilization Fund. That is the total amount of dollars in that fund. If we were to use the German mark and Japanese yen also, the dollar would be subject to the most extraordinary turbulence in world markets. The Secretary also said that the Federal Financing Bank will exchange \$9 billion in assets in its portfolio, primarily, I believe, from the Tennessee Valley Authority, with which the distinguished Presiding Officer is very familiar, and several other Government activities, which he can do. The exchange of assets will permit the Treasury to obtain \$9 billion in cash.

Finally, he has the ability to extend the 12-month debt issuance suspension period. That, I have to say, is what we are in, a debt issuance suspension period, from 12 months to 14 months. This will permit the Treasury to obtain an additional \$6.4 billion in cash by temporarily using interest-bearing assets of the civil service retirement fund. And that is it. Nothing more.

These actions would raise \$19.3 billion. They will take the U.S. Government through until February 29 or

March 1. At that point, sir, the U.S. Government will default on its obligations—something that could not have been imagined in the world 20 years ago. We are facing it, but we are not facing up to it. I had hoped that I might offer a measure to increase the debt ceiling, a clean simple increase, on tomorrow, or on Thursday, but I understand we may not be in session. On Friday, I will try to do this, but it is not clear whether it will be possible with the continuing resolution that keeps the Government open for certain purposes and the rest of the fiscal year. Then I am told we will not be back until February 26. That is 3 days before default.

I would hope something would concentrate our minds. This measure would simply allow the Federal Government to meet its obligations while the negotiations about the budget continue between the Congress and the administration. There is room for agreement in those negotiations. The distinguished senior Senator from Pennsylvania was on the floor just now talking about the areas where no principle is involved. It is just a question of at what rate Medicare outlays grow. They are growing at say 9 percent, and another party says 8 percent, and another party says 7 percent. They are only discussions of increments where if there is a will, there is surely a way to agreement.

Maybe there is no will to reach final agreement on some issues that are thought to be of principle. Very well, let us have a national election. We are going to do that. The Republican Party caucuses begin—I guess, caucuses for both parties will begin in Iowa and then primaries in New Hampshire, and off we go. It is an extended period. There are days when you can wish this were Canada and if we had to have a national election we could do it in 2 weeks' time, and people would know what the issues are and vote and settle them for the parties involved, and the Parliament would resume.

We have a Constitution and we will abide by it. It provides for quadrennial elections and we will have them. It is all very well if we do not create a catastrophic crisis or undergo a catastrophic failure in the interval. We have to increase the debt ceiling. Secretary Rubin, an honorable man, the able Secretary of the Treasury, has done what he can do under law. He is acting as his predecessors did in the Reagan administration and in the Bush administration. But he can do no more than the law allows. He will do no more than the law allows. And the world watches.

I would say, if I could direct my views principally to the Congress, reach some agreement with the President and agree on what you can agree to, let the rest be decided in the Presidential election, and let the Government go forward.

I would also speak to the President in this matter. The President has a re-

sponsibility that goes far beyond electoral politics. He is required under the Constitution—and I sometimes think this is the only thing in article II that he is required to do. It says, "He shall take care that the laws be faithfully executed."

Certainly, those laws extend to preserving the full faith and credit of the United States. If, in some measure, agreement with the Congress would permit the debt ceiling to be extended and the solvency of the U.S. Government, the value of U.S. currency, the worth of the American credit and faith in our word, if in some measure this requires giving more in the way of negotiations than otherwise might be the case, I would say, sir, he has that responsibility, just as the Congress has an equivalent responsibility. This is something that transcends the issue of which party will have a majority in the next Congress or what kind of majority, which party will have the White House and under what circumstances.

These are temporary measures. They come and they go. This comes with regularity. What happens in November—2 years from that there will be another set of congressional elections, and 4 years another Presidential election.

There will never be a moment after a default on the debt like the two centuries preceding. This will scar our national existence. We will be remembered in history for this—not for what we did to the Medicare trust funds, not for what we did to the Tax Code or this entitlement or that discretionary program. This is what will mark our time—mark our time in history.

We will not be forgiven nor would we deserve to be if, in a feckless, short-sighted, irritated, calculating, what-do-the-overnight-polls-say mode, we bring about an irreversible disaster to the American Nation.

That is the option before us. We do not need to. We clearly are of the view that we should not. On November 9, a mere two votes separated the decision to extend the debt ceiling. We know that. We know we have to do it. To fail to do it, we fail in our first obligations as Members of the Congress. The President, too, must understand he has an obligation to help see that this does not come about.

We can do it, Mr. President. It will require 20 minutes in either body. If it takes all day, we take all day. There is no argument against this measure. If there is one Member of the Senate who wishes to stand up and say I think it would be a good thing if the U.S. Government defaulted on its debt, such that every Treasury bond in every investment portfolio, every retirement trust becomes, suddenly, a piece of paper not backed by the full faith and credit of the United States, if we want that, if we want the yen to become the world reserve currency, if we want our inflation to double, if we want our unemployment to suddenly soar, or see our national growth collapse, it is all within our power, and it will not simply be a negative act, it will have been

an affirmative choice because we know what the consequences will be.

I cannot think we will do this. If there is any Member of the Senate who thinks we ought, he or she is welcome to come to the floor. There will be none. We know what to do, I hope in a bipartisan spirit as we have done in the past. This is something that the Nation needs, and no party would wish to deny. I hope we do this, Mr. President. I dare not think of the consequences if we do not.

I see my friend, the distinguished member of the Finance Committee on the floor. I yield the floor.

AGRICULTURE

Mr. GRASSLEY. Mr. President, I want to speak for a few minutes as a member of the Senate Agriculture Committee, not as a colleague of my colleague from New York as a member of the Finance Committee, and I want to discuss the 1995 farm bill, which obviously is not going to be a 1995 bill. It will be a 1996 farm bill if and when we ever get one passed.

It is January 23, 1996, but the farm bill that should have been in place by early fall, 1995, is still unresolved. So all across the country farmers are buying their seed, meeting with their bankers, making plans to cultivate and grow crop, all without knowing what the next farm program will be.

When I say it should have been done by early fall, I want to make clear to my colleagues that the reason for this is that when you do fall tillage, preparing the fields for the seed of the next spring, you need to make those decisions at harvest time of the crop that grew in 1995.

In a very real sense of the word for people who are planting crops in the Southern States of our great country, those are important agriculture regions, as well, they are only 2 or 3 weeks away from planting. In my State, it is going to be 2 months until we reach that point.

Everybody ought to understand that it is not the day you go to the field that you decide on certain things related to the 1996 crop. You need to know that months ahead of time. One of those factors—maybe farmers would rather not have this be a factor—but one of those factors is, what is the Government program toward agriculture? Probably in each of the last, except for 1 or 2 years out of the last 20 years, there has not been any slowness on the part of the Congress in this regard. Farmers have known well in advance what the Government's position was on agriculture and their decisions could wisely and timely be made in preparation for the next year's crop.

Now here we are, January 23, 1996, and we still do not let the farmers of America know what the Government's program is toward agriculture.

In the last few weeks, Mr. President, there has been a lot of finger pointing as to who was responsible for this situ-

ation. Some Members of the other side of the aisle would have you believe that Congress failed in its responsibilities to act on the farm bill last year. They would have you believe that Congress held no hearings, had no floor debate, and passed no farm bill.

Mr. President, not only do I come to the floor to urge quick resolution of the lack of a farm bill, but I think that we should also set the record straight. Basically it means taking the politics out of this debate. It is time to leave the ideology to the side. It is time to get down to the very important practical aspect that in the upper Midwest where my State of Iowa is, within 2 months of farmers going to the field, and right now in the Southern States of the United States they are probably 2 weeks from that point. It is time to put our constituents and our farmers above political posturing in Washington and enact a farm bill into law.

Contrary to the rhetoric coming from our Democratic colleagues in this body, in this Chamber, and also through the media, particularly my colleagues from the other side of the aisle, this Congress did act on the commodity provisions of the farm bill. Last year the Senate Agriculture Committee held at least 15 hearings, heard testimony from over 150 witnesses. Then in October the Senate debated and passed the commodity provisions of the farm bill as part of the Balanced Budget Act.

While I am talking about the Balanced Budget Act, and farmers are asking about the farm provisions that were in it, I also take advantage of the opportunity to say to the farmers of the United States, there are probably more important provisions in the Balanced Budget Act of 1995 than the commodity provisions that they ought to be aware of that are going to benefit agriculture to a greater extent than even the commodity provisions.

That would be, first of all, balancing the budget, reducing interest rates 1.5 to 2 percentage points a year. Multiply that times a \$160 billion debt in agriculture and that adds up to real money in the pockets of farmers of America, just from balancing the budget.

Two other provisions very helpful to getting young people into agriculture, passing land and operations on from one generation to another generation of farmers, are the capital gains tax reduction and increasing the exemption, the estate tax exemption, and also having a special exemption, which was in this bill, when small businesses and farms are passed on to people within the family, an exemption of \$1 million. This is what it is going to take, in rural America, to get young people into agriculture.

But I want to repeat that even though there were all these other good things for agriculture in the Balanced Budget Act, we did have the commodity provisions of the 1995 farm bill in that act. The Senate did debate and did pass a farm bill in 1995. Not only was

there debate on the floor of the Senate at that time, but there were at least five amendments relating to the farm bill that were offered, debated, and voted on by the Senate.

These amendments included a very comprehensive farm bill alternative, a proposal put forward by our colleagues on the other side of the aisle. That specific alternative was rejected by the Senate by a bipartisan vote of 68 to 31.

So, what happened to the farm bill that we passed last year? As you know, it passed both Houses of Congress and was sent to the President for his signature. Unfortunately, the farm bill, as well as all these other good provisions of the Balanced Budget Act of 1995, was vetoed by the President. That is the reason why, on January 24, 1996, we are still discussing a 1995 farm bill.

Let us start this year with a clean slate by setting the record straight. The Republican Congress debated, voted on and passed a farm bill in 1995. Now maybe we can get beyond the politics of this issue and do what is best for our farmers. The farmers of this country deserve to know what the farm program will be this year and they need to know as soon as possible. The time for delay is over. The farmers also need to know what both sides want in a new farm bill.

The farm bill passed by the Republican majority in 1995 represents the most significant reform in farm legislation in the last 60 years. Under this provision, farmers will no longer have their planting decisions dictated by the politicians and the bureaucrats in Washington, DC. The reality of the budget crisis in Washington dictates that farmers must—and it is what farmers want to do—earn more of their income from the marketplace as opposed to the Federal Treasury.

If that is the case—and that is the environment we are in, the budget realities as well as the realities of the foreign trade environment, the freeing up of foreign trade—if this is the case, then, the farmers are going to get less support from the Federal Treasury. The shackles of Government regulation and the red tape that is inherent therein must be removed so that U.S. farmers have a fair chance to compete with our foreign competitors.

The farm provisions contained in the Balanced Budget Act do this. They remove the planting restrictions imposed on the farmers. They remove the Federal Government's authority to require that productive farmland be removed from production. In short, they send a very clear signal to the rest of the world that the U.S. farmer will compete for every sale in every marketplace.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. GRASSLEY. Mr. President, I was not aware of a time restriction. Could I ask for 5 additional minutes?

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

Mr. GRASSLEY. Now, what has the other side had to offer as an alternative to the Republican plan? Most often, although not totally, we hear about a 1-year extension of the current program. To me, this idea has several problems. An extension of the current program ignores the reforms that have been made and that farmers have now come to expect. The farmers in my State want, they expect, and they deserve the regulatory relief provided by the Republican farm bill provisions. Furthermore, an extension would literally deprive rural America of billions of dollars. First, a 1-year extension would require farmers to pay back money they have already received as advance deficiency payments. Many of the farmers in Iowa had very poor crops this year due to heavy rain during the planting season. Particularly that is true of southern Iowa, northern Missouri, and western central Illinois. Yet by a 1-year extension, people are suggesting that they would force these farmers to write checks to the Treasury to pay back their advance deficiency payment. It is estimated that these provisions would cost farmers more than \$2.1 billion nationwide and, in my State of Iowa, \$217 million.

Second, any delay in passing a new farm bill could have a devastating effect on future farm programs. This is due to the Congressional Budget Office's baseline revision that continually shows that Congress will have less money to spend on farm programs in the future. When CBO revised its baseline in November, agriculture lost \$7.8 billion from that baseline. This is \$7.8 billion that we could have spent under the baseline if the President would have signed the farm bill enacted in October but now is lost, due to delay.

If we pass a 1-year extension, the House Agriculture Committee estimates that agriculture could lose an additional \$6 billion—an additional \$6 billion. So, it is time to be very candid with our constituents. An extension will take billions of dollars out of that baseline, or, another way of saying it, out of the pockets of the family farmers, and, at the same time, out of rural America. To this Senator, these numbers make a mere extension of the current program an unacceptable alternative. And, when the truth is known to the farmers and to our constituents, I think they will find it equally unacceptable.

I think it is interesting that the same Senators who have accused the Republican Congress of gutting rural America are willing to deprive these areas of billions of dollars by putting off the passing of a farm bill for another year, through a 1-year extension.

Mr. President, the conclusion is very clear to this Senator. The Senate should pass the farm bill provisions contained in the Balanced Budget Act once again. We should do this as soon as possible, preferably this week on the continuing resolution. The farmers, the

bankers, and the rest of rural America need the certainty as to what the next farm program will be.

It is high time that we put ideology aside and enact a new farm bill.

I yield the floor.

Mr. DORGAN addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

(The remarks of Mr. DORGAN, Mr. CONRAD, Mr. GRASSLEY, and Mr. EXON pertaining to the introduction of S. 1523 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

ORDER OF PROCEDURE

Mr. EXON. Mr. President, I came down for another matter that will take about 2 minutes, to clear some resolutions saluting the Nebraska Cornhuskers football team and the volleyball team which have been cleared on both sides.

I ask unanimous consent at this time I be allowed to proceed for a few more minutes for that purpose.

Mr. CRAIG. Mr. President, I will not object. The measures the Senator from Nebraska is presenting have been cleared by this side.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

COMMENDING THE CORNHUSKERS FOR WINNING THE 1994 AND 1995 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION FOOTBALL CHAMPIONSHIPS

Mr. EXON. Mr. President, I send a resolution to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 210) to commend the Cornhuskers of the University of Nebraska at Lincoln for winning both the 1994 and 1995 National Collegiate Athletic Association Football championships back-to-back.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. EXON. Mr. President, I rise today to congratulate one of the top college football programs in history—the Nebraska Cornhuskers. The Huskers have once again clinched a national championship earning back-to-back titles in 1994 and 1995. Nebraska won two consecutive championships also in 1970 and 1971. This year's repeat was made special by the fact that this is only the second time ever in college football history that a team was a consensus, undisputed champ in the major polls 2 years in a row. The last time this occurred was in the 1950's.

The Huskers decisively defeated the Florida Gators 62-24 in the Fiesta Bowl on January 2. This victory not only brought with it the national championship, but a perfect 25-0 record for the

past two seasons, a 36th victory for the Huskers in the last three seasons and the worst defeat of a number 1 versus number 2 in a championship game. As for the 36 victories, the Huskers are the only team to win that many games in 3 years time. Nebraska was 36-1 overall and the 1 loss came down to a last-second field goal attempt. That field goal was the difference between a repeat and a threepeat of the national title. The Huskers defeated the Miami Hurricanes in Miami 24-17 last year for the championship.

The Huskers this year managed to play nearly everyone on the roster in many of the games and crush opponents by averaging 52.4 offensive points per game. Also when matched against Top 10 opponents this season—Florida, Colorado, Kansas, Kansas State—the Huskers smacked each by an average of 49-18.

The Nebraska program has risen above all others on the field. The Huskers have the record for the most straight bowl game appearances at 27. Between 1970 and now, they have finished 19 times in the Top 10 and 4 of those were at number 1. Additionally, in this the final year of the Big Eight, the Huskers have dominated with the most Big Eight conference championships at 20. The Huskers were victorious in the Big Eight consecutively for the last 5 years. The Huskers likewise hold the record for overall conference championships—Big Six, Big Seven, Big Eight—at 41.

As it is clear that the Huskers have been winners on the field, they have been winners off the field as well. Coach Osborne, the coach with the highest winning percentage in college football, wrote "More Than Winning," a book which describes his philosophy. There is certainly more than winning and Coach Osborne, who holds a doctorate in educational psychology, tries to teach each of his players how to be winners in the bigger game of life. For example, the University of Nebraska has had the most Academic-All-Americans on its teams at 132 players. The next closest college has 82. The football program itself is number 1 with a total of first team Academic-All-Americans at 49. The next closest college has 35.

I am very pleased with the Huskers for the success that they have had over the years and another repeat of the national championship. While the 1971 match-up between Nebraska and Oklahoma has often been called the game of the century, the run the Huskers have made in the last three seasons, 1993, 1994, and 1995, deserves the caption—"the Team of the Century."

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 210) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 210

Whereas Dr. Tom Osborne, the winningest coach in college football, has led the Nebraska Cornhuskers to the last five Big Eight titles, a second perfect season, and repeat of the National Championship;

Whereas the Huskers have gone undefeated at 25-0 in the last two seasons and 36-1 in the last three seasons, the most victories ever in that time span for any collegiate team;

Whereas Tommie Frazier, the great Husker quarterback, continued the unmatched Nebraska tradition by being named Most Valuable Player in the last three Championship games and finished his brilliant career with a rushing high 199 yards in the 1996 Fiesta Bowl;

Whereas the Huskers decisively won the Fiesta Bowl becoming the second football team ever in collegiate history to earn a consensus #1 rank in the major polls for two consecutive years.

Resolved, That the Senate commends the Cornhuskers of the University of Nebraska at Lincoln for having won the 1995 National Collegiate Athletic Association Football Championship.

Mr. EXON. Mr. President, I move to reconsider the vote and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

COMMENDING THE CORNHUSKERS FOR WINNING THE 1995 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION WOMEN'S VOLLEYBALL CHAMPIONSHIPS

Mr. EXON. Mr. President, I send a resolution to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 211) to commend the Cornhuskers of the University of Nebraska at Lincoln for winning the 1995 National Collegiate Athletic Association Women's Volleyball Championship.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. EXON. Mr. President, I rise today to congratulate a great women's volleyball team, as a matter of fact, the best in the Nation—the Nebraska Cornhuskers. This is only the second time in the history of the volleyball championship tournament that a team east of California has won the title.

The Huskers had a spectacular season led by their great coach Terry Pettit. Coach Pettit has been with the Huskers for 18 years and has become a key part of their success. The season was also boosted by the help of Allison Weston who was named cowlinner of the national Player of the Year Award. And finally, the team was raised to a level above all others on the court by a team of national championship-winning players.

The Huskers have played for the title previously in the 1980's, so being in the limelight of college volleyball is nothing new for them. What it is, however,

is a feat only few have attained outside of the Pacific rim. The only other team was the Texas Longhorns.

The Huskers were incredible in a 3-1 title match versus the Texas Longhorns.

The volleyball program should be acclaimed for another great record as well and that is the success in the classroom. The University of Nebraska has 132 Academic-All-Americans, the most of any college sports, and 16 of them are on the volleyball team. Playing like champions and being champions in the classroom are two incredible accomplishments.

I am quite pleased and very impressed by the success of the Nebraska Huskers and look forward to continued excellence by our great volleyball program.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 211) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 211

Whereas the Cornhusker Volleyball team under the leadership and experience of Coach Terry Pettit has risen above all others in the volleyball arena;

Whereas Nebraska player Allison Weston was named co-winner of the national Player of the Year Award assisting her National Championship winning teammates in a spectacular season;

Whereas this year's Nebraska team was only the second east of California ever to win the Volleyball Championship Tournament by winning the title match;

Resolved, That the Senate commends the Cornhuskers of the University of Nebraska at Lincoln for having won 1995 National Collegiate Athletic Association Women's Volleyball Championship.

Mr. EXON. Mr. President, I move to reconsider the vote and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Idaho.

THE AGRICULTURAL RECONCILIATION ACT OF 1995

Mr. CRAIG. Mr. President, in a few moments I will propound a unanimous consent request that I know the minority will want to be on the floor to respond to.

While they are coming, let me speak for a few moments to the dilemma we find ourselves in here in the Congress, having passed a Budget Reconciliation Act, and in that budget reconciliation having a substantial portion of new farm policy that is known as the Agricultural Reconciliation Act of 1995. Of course that went to the President and, as we know, was vetoed.

The problem has been spoken to by the Senator from Nebraska, the Senator from North Dakota, the Senator from Iowa already this afternoon, with clearly differing points of view as to

how that was handled. But what is clear, in my State of Idaho, is that farmers and their bankers are now sitting down to determine which acres will go into potatoes or sugar beets or barley or wheat or alfalfa crops this coming season. That means that Idaho farmers are putting together their farm plans and determining their financial structure for the coming year. They prefer to do that in the presence of U.S. farm policy.

Of course, we know that on September 30 of this past year, the farm bill has expired. As a result of that, the Secretary of Agriculture is now at least looking at the possibility of our farm policy reverting to the Agriculture Act of 1949. All of us know that simply cannot be allowed to happen. The stalemate that has resulted from the budget considerations that we are now in simply has not produced farm policy as should be expected by American agriculture.

I serve on the Senate Agricultural Committee. Chairman Dick LUGAR and I and all Members of that committee now for over 10 months have been engaged in looking at and crafting farm policy on a title-by-title basis. But because of the necessary savings that we needed to acquire in fiscal 1996 as a result of the balanced budget process that this Congress is now in, the Budget Reconciliation Act handled a substantial portion of new farm policy. Whether you call it "Freedom to Farm" or whether you call it the Agricultural Reconciliation Act of 1995, all of us know that there were clear and substantial changes made. We had held extensive hearings with American agriculture and all segments of the commodity interest of agriculture to craft that farm policy. We had gone to conference with the House, the Senate and the House differing substantially on approaches toward this, but all of us coming together to agree on a policy, finally, that made its way into the Balanced Budget Act of 1995. Since that time, American agriculture has had an opportunity to review it, and I must say that the reviews have been favorable.

Early on, farmers scratched their heads and said, "How will this work," only to recognize the kind of new flexibility that we offer in farm policy which says to American agriculture, no longer will you have to farm to the program. You can now start farming to the marketplace, and you can begin to adjust your cropping patterns to move toward the market.

Farmers cannot wait now for this President. Farmers need to know what we are going to do. It is clearly time that we speak to that issue.

This past summer and fall, as I have mentioned, the Congress, the Senate and the House alike, have attempted to craft new farm policy resulting in an approach that brings us to a balanced budget. Somehow there appears to be a message on this floor this afternoon that American agriculture is not interested in a balanced budget.

Mr. President, that is not what we heard this year. We heard from every commodity group that they were willing to do their fair share in moving us toward that balanced budget, and in so recognizing, they would get greater flexibility in the marketplace to move their cropping programs toward the market with the kind of flexibility and planning, instead of being stuck, if you will, or found in lockstep to farm policy, afraid to lose and therefore afraid of stepping outside that.

We have provided a safety net, and that marketing loan will provide that. The loan will allow farmers a reasonable time period to market their crops. These loans will be stabilized in the market cycle and continue to protect consumers as well as the producer. It will avoid the kind of unnecessary market gyrations.

In crafting these sound programs, the Senate and the House committees worked hard and worked long, together, to solve this issue and to bring us to balance in a very diverse segment of America's economy. And that is American agriculture.

In my State of Idaho, in Florida, in Louisiana, in Colorado, in Montana, and in the Dakotas, sugar, sugar beet and cane raising remains a very important commodity crop. Inside the legislation that was vetoed by the President was, again, a new compromise, a new program, a reduction in the program. Listening to the consumer's side, we made the kind of changes that bring us to the marketplace in a variety of these areas, that allow the producer to say, "I am farming now to the market and not to the farm."

Planning flexibility, as I have already mentioned, could clearly be jeopardized. Traditional nonprogram crops like fruits and vegetables, in my State of Idaho, potatoes, could be thrown in jeopardy if we do not deal with this program and deal with it now.

When we saw in the Freedom to Farm Act limited flexibility, it was the Senate that spoke up and said we want flexibility so farmers can move to the marketplace in lieu of what we want to solve with a balanced budget. At the same time, we want to make sure that we protect a variety of these program crops.

Here we are, not at the 11th hour, not at the 12th hour, but well beyond that, into 1996, with a farm bill that expired on September 30, 1995, with a policy that was cautiously and carefully crafted between both the House and the Senate, put in the Budget Reconciliation Act, sent to the President, and the President vetoed it. Now, the Secretary of Agriculture—and I appreciate the Secretary's problem—is terribly frustrated by a need to conduct farm policy at the same time no law is in place as a result of that Presidential veto.

So I come to the floor tonight in behalf of our Speaker, Leader DOLE, myself, Chairman LUGAR, Chairman COCHRAN, Senator GRASSLEY, and others.

UNANIMOUS CONSENT REQUEST— H.R. 2491

Mr. CRAIG. Mr. President, I now ask unanimous consent that Title I, the Agricultural Reconciliation Act of 1995, of H.R. 2491, the 7-year Balanced Budget Reconciliation Act of 1995, as vetoed by the President, be introduced as a freestanding bill; that the Senate proceed to its immediate consideration; that the bill be advanced to the third reading and passed, and the motion to reconsider be laid upon the table, all without any intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. DORGAN addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I reserve the right to object, and I will object.

I would like to comment on the offering by the Senator from Idaho under the reservation, which, as I indicated, will result in an objection to this request.

The Senator from Idaho proposes that we strip from the budget reconciliation bill the cobbled version of the Freedom to Farm Act and bring it to the floor as a separate bill and deem it passed with this action. That is, in my judgment, not a good way to legislate farm policy. It follows last year's circumstances, rather than doing what has traditionally been done with 5-year farm bills. Instead of the development of a bipartisan approach in the Agriculture Committees of the House and Senate, and a markup in which there was bipartisan participation, there was a partisan writing of a farm proposal. It was brought to the committee with this statement, "Here is the proposal. We can have a few votes if you want, but we are all going to vote the same way. This is what we are reporting out." That is what was done last year. This tends, in my judgment, to follow in the same steps.

I am not ascribing any improper motives. The Senator has every right to do this, and I understand the purpose of it. But I am constrained to object, and I intend to offer a unanimous consent request on my time.

Mr. President, at this point I object to the unanimous consent request.

Mr. CRAIG. Mr. President, before the Chair puts the consideration, I would like to explain to the Senate that this would allow the Senate to once again pass the Agricultural Reconciliation Act of 1995, thereby giving the House their opportunity to once again enact the farm bill. Farmers of this country, as I have already explained, need this legislation now. The President has vetoed it. It is very clear he has vetoed this policy.

I certainly do not agree with my colleague that this has been cobbled up. We have been 5 months in the making of this legislation, in creating these difference. I think we are moving toward planting in the Southern parts of

our country. As I mentioned in my earlier comments, farmers are now sitting down with their bankers to put the farm policy together, or their farming programs together, for the year. And we certainly need legislation at this time.

UNANIMOUS CONSENT REQUEST— S. 1523

Mr. DORGAN. Mr. President, I rise to propound a unanimous consent request, and I shall explain the request.

I introduced earlier today a bill that is now deemed S. 1523 which provides for a 1-year extension of the current farm program. The bill provides for enormous planting flexibility for farmers who operate under this program to allow them to plant what they want on base acres and not having the Government tell them what to plant, when to plant it or where to plant it. So there is substantial flexibility. And third, it would provide for the forgiveness of the advanced deficiency payment for those farmers that suffered crop losses last year.

I will ask unanimous consent that the Senate proceed to the consideration of this because I agree with the Senator from Idaho that farmers deserve an answer. They deserve certainty. They deserve to know under what farm program will they be planting in just a matter of weeks in some parts of the country as they begin their spring's work.

I do not believe this is necessarily the first choice. It is not necessarily the best choice. But the piece of legislation that the President vetoed was a budget reconciliation bill which included a farm bill that I described as a cobbled product. The President vetoed a reconciliation bill which took with it a bad farm bill.

Now, why did that occur? Because this is the first time in history that rather than debate a 5-year farm bill on its own merits in this Chamber and the House, the majority party decided to stick the farm bill in the reconciliation bill which by last July people knew was going to be vetoed.

Now, that does not talk about the merits of the farm bill itself. The merits of this farm bill would be to say, "Disconnect the price support programs from need. If market prices are high, ignore that. Still give the farmers the payment. And if after 7 years market prices are low, ignore that. There will be no farm program."

I do not think and did not think this was a good approach. I believe the President thinks it is not a good approach for those who care about having a network of family farms in our country in the long term. That is why we did not support this approach.

It should never have been put in the reconciliation bill in the first place. It was never done previously. Doing so produced the jeopardy that now exists for farmers in January of 1996 in not knowing what the farm program will be for spring planting.

Mr. President, for purposes of trying to provide some certainty, I ask unanimous consent that the Senate proceed to the consideration of S. 1523, a bill I introduced earlier today providing for a 1-year extension of the current farm programs for increased planting flexibility and providing for the forgiveness of the advanced deficiency payment for those who suffered crop loss; that the bill be read a third time and passed and the motion to reconsider be laid on the table.

The PRESIDING OFFICER. Is there objection?

Mr. CRAIG. Mr. President, I will object. I do object.

The PRESIDING OFFICER. Objection is heard.

Mr. CRAIG. Mr. President, I think the Senator and I speak to the same concern, but there is one thing that has gone on this year that it is important the record reflect—the very extensive hearings, well over 6 months of hearings now on every title of the farm bill. But because we were in a uniquely different situation, and that is we had to deal with the cost and the cost impacts of farm policy, we brought those provisions of what would be a new farm bill to the floor in the budget reconciliation to gain those kinds of savings, to gain the \$15 billion in savings that was necessary.

What the Senator proposes in this extension under the current law would also wreak some peril. There is no question about it. Farmers are being required to repay nearly \$2 billion in 1995 advanced deficiency payments, and I think only in the freedom to farm package do we resolve that issue.

Mr. DORGAN. Mr. President, if the Senator will yield—

Mr. CRAIG. I would be happy to yield.

Mr. DORGAN. My unanimous consent request specifically includes, as my bill does, the forgiveness of the advanced deficiency payment.

Yes, it does. On page 3.

Mr. CRAIG. Obviously, the Senator does not have page 3 for me. He has a message that is less than legible, and I would like to see the full impact of this.

I must advise the Senator and my friend here that this is not a way to pass substantive legislation. We are dealing with an entire farm package here and it is critically necessary.

I do object. And I do object by the nature of the way this has been presented.

What I am offering and what has been objected to, Mr. President, is a full and complete package that has already been debated on the floor, well disseminated and understood by American agriculture, and I think largely accepted in their recognition of needing to participate.

The PRESIDING OFFICER. Objection is heard.

UNANIMOUS-CONSENT REQUEST

Mr. CRAIG. In light of the objections, and that which has just tran-

spired, I now ask unanimous consent that the Senate proceed to the immediate consideration of a bill I now send to the desk which would suspend further implementation of the Permanent Agricultural Law of 1949, that the bill be read for a third time, passed, and the motion to reconsider be laid on the table, without any intervening action or debate.

I now send that legislation to the desk on behalf of myself, Senator DOLE, Senator LUGAR, and Senator COCHRAN.

The PRESIDING OFFICER. Is there objection?

Mr. DORGAN. Reserving the right to object. The procedure the Senator from Idaho has just used was one he described about 2 minutes ago as a procedure that is unworthy on the floor of the Senate. That is bringing a bill that has had no hearings and which I have not received. So I do not quite understand the consistency here. But, nonetheless, repealing the underlying farm legislation, the Permanent Farm Act of 1949 makes no sense under any conditions given the circumstance we are in now.

We find ourselves in late January with no farm policy except an underlying permanent law. The reason I assume that some want to get rid of the permanent law—and they would get rid of the permanent law in the Freedom to Farm Act—is because they believe in the long term there ought not be a farm program, there ought not be a safety net for family farmers.

That is the reason this provision existed in the Freedom to Farm Act. It is one of the reasons I opposed the Freedom to Farm Act. I think there ought to be a farm program to provide some basic safety net for a family out there that is struggling with a few acres. Farm families are trying to make a living with twin risks: one, planting a seed that you do not know whether it will grow, and, second, if it grows you do not know whether you will get a price. Those risks are impossible for family farmers to overcome in circumstances where international grain prices dip and stay down.

The proposal being offered is a recipe for deciding we do not need family farms, what we need are agrifactories. So I cannot support that. I am here because I care about family farms, care about their future, and want them to have a decent opportunity to succeed.

I do not impugn the motives of anyone, and especially the Senator from Idaho. I am sure he wants the same thing for family farmers but probably finds a different way to achieve that. But I cannot support anyone who believes we ought not be left with some basic safety net for farm families out there who are struggling against those twin risks. So I am constrained to object to the unanimous-consent request.

The PRESIDING OFFICER. Objection is heard.

Mr. CRAIG. Mr. President, before the Chair rules, let me explain why I pre-

sented this legislation. It is detailed in the sense of the titles of the law of 1949 that it would repeal. Obviously, in hearing from the Secretary of Agriculture, he, by the action of his own President in vetoing the Budget Reconciliation Act that laid farm policy out in it, is in a tremendous quandary at this moment. He has to implement a very cumbersome and costly law, the provisions of the 1949 Agricultural Adjustment Act. It does not fit modern-day agriculture.

I am sure the Senator from North Dakota and I are extremely concerned about family farms. We have worked together on that issue on the Agriculture Committee of the Senate in an effort to resolve those problems. I do not impugn his intention nor do I believe he impugns mine. But clearly we need policy. Policy has been created. Policy has been passed by this Congress. And policy has been vetoed by this President, the very kind of policy that would have created the certainty, that would have avoided the kind of frustrations that the Senator and I are involved in right now.

So by action here tonight I have attempted to say that which has been worked on should be freestanding legislation, that we ought to have a right to vote up or down on it, and that I hope then that the President would sign it. It certainly offers the kind of budgetary savings that he has offered in the cuts in discretionary spending and at the same time it allows the flexibility to avoid the downsizing of purely a budget-driven farm policy.

It allows the flexibility of a market-driven farm policy that protects American agriculture, that certainly protects the family farm, but also recognizes that they too are businesses that have to compete like everybody else in the small business sector of our society. It does provide a safety net, but it does set together a plan, a 7-year plan that allows them to create and move into the market away from simply farming to the program.

If there is one thing I heard from Idaho agriculture and that I heard from Midwestern agriculture, it is "Give us the flexibility so we don't find ourselves totally constrained to a farm program that may not be all that profitable."

I laughed a bit this afternoon when there were my colleagues coming to the floor talking about the freedom to farm as a welfare program. When we talk about welfare, one of the phrases that has always gotten used is that we provide a safety net to the recipient. Yet the record shows that the words "safety net" were oftentimes used by my colleagues as they decried the idea of a welfare program.

Offering stability, offering baseline, and at the same time offering movement into the market is not welfare. And nobody that is a producer and a hard worker out there that I know in my State that is a farmer or rancher is going to argue they are a recipient of a

welfare program, whether it be the Freedom to Farm Act or whether it be current policy.

Mr. President, we need action. This President needs to act. He needs to come to the table to work with us on a balanced budget and in so doing to be able to craft and move or resolve the issue that we are currently involved in that has brought real stalemate to the agricultural communities of our country.

That is why I propounded these two very important unanimous consent requests this afternoon, to see if it would not move our President off center and allow flexibility, both for the Senate and for our Secretary, to get on with the business of telling American agriculture what they can expect in the coming crop year.

The PRESIDING OFFICER. Objection is heard.

Mr. DORGAN. Mr. President. Actually the words "safety net" came from President Ronald Reagan who described a series of programs that represented the safety net, an important one of which is Social Security. I do not expect anyone here would make the case that Social Security is welfare or that Ronald Reagan meant that Social Security was welfare. That is a program workers pay into and at some point get some returns when they reach retirement.

So to use the words "safety net," using the term of President Reagan, was to refer to the opportunity to try to provide some help for people who need some help through a series of programs, some of which might be welfare but many of which were not, including Social Security which is not a welfare program and the farm program which was never a welfare program.

EXTENDING THE CONTINUING RESOLUTION

Mr. DORGAN. Mr. President, I would propose one additional unanimous-consent request and am constrained, I guess, not to offer the third. I felt that as long as we were offering unanimous consent requests, the most logical-unanimous consent request is to come here and say, well, let us at least now understand that Friday we have a CR that needs extension or we will have a shutdown.

The shutdown, it seems to me, is an example of what we have been through a couple of times, of poking taxpayers in the eye by saying, "You pay for a couple hundred thousand people that will be prevented from coming to work, and we insist you pay for them," and then dangle Federal workers in front of this debate and say, "By the way, you're the pawns we're going to use."

If we have not been cured of Government shutdowns and the chaos that comes by using CR's as some kind of a line in the sand here where everybody else pays but nobody else suffers, if we have not cured ourselves of that apparently there is no cure for what ails us.

My urge is to offer a CR that says, let us extend the CR that expires on Friday at a minimum of 2 weeks, but I shall not do that. I will not do that in deference to the leadership. I think if one were to do this sort of thing, one would want to notify the leadership.

So my urge is to want to do this, and maybe sometime I will, as long as someone else comes out wanting to offer unanimous-consent requests. But I will not do that in deference to the leadership today.

UNANIMOUS-CONSENT REQUEST

Mr. DORGAN. I will offer one additional unanimous-consent request. It does deal specifically with something that I know the Senator from Idaho cares about because he raised it a few minutes ago. He was concerned I did not include it in my legislation. That is some forgiveness of the advanced crops deficiency payments for 1995.

My legislation on page 3, which I introduced earlier today, and is at the desk, provides for the forgiveness of certain advanced deficiency payments for those crop producers who suffered a loss.

The Senator from Idaho raised that. I know he cares about it and I care about it. If we cannot pass the entire bill, let us at least pass that entire provision that both of us care about and both of us think should be passed. The forgiveness of the advanced deficiency payments is critically important to a lot of family farm producers out there. We do not need a large debate about that. Let us go ahead and do this.

So I ask unanimous consent that the Senate proceed to the consideration of a bill to provide for forgiveness of 1995 advance crop deficiency payments, as I described, and that the bill be read a third time and passed, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER (Mr. GRAMS). Is there objection?

Mr. CRAIG. Mr. President, I have to object this evening. Maybe this is the kind of legislation that we could include in the CR this coming Friday. I think the Senator from North Dakota and I both know well that we are going to have to deal with a continuing resolution come Friday; that we are not going to shut the Government down anymore; that the President does not want to shut the Government down anymore.

At least out of all of this budget discussion that has gone on for the last good number of weeks, both the executive branch and the legislative branch have come to that conclusion, and I agree that that is the proper conclusion.

The Senator brings up an important point, that is why I brought it up, because it was not in his original unanimous consent, and I had hoped that we be thorough in dealing with this issue. I am glad the Senator has brought it up. It is a question of great concern. It is a repayment of nearly \$2 billion of advance deficiency payments.

I hope that we can resolve this issue, but it is not a separate issue to be resolved tonight. I think the Senator has brought it to the floor with just intention, and because he has raised the issue to the level of visibility that he does tonight, I hope that maybe that is something we will consider as we deal with final resolution toward the end of the week of a continuing resolution, but I do object at this time.

Mr. DORGAN addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I know it is technical, but I did include that in my first unanimous-consent request. It was something I mentioned in connection with three provisions in the UC that I offered. But I observe, this is not a rider that needs a horse. This is a provision that does not need to wait for Friday. It does not need to wait for next July. It does not need to wait for something else that is moving. It can be done any time.

The reason I offer it is, I would like to see an extension of the current farm bill for a year with the provisions I suggested. If that is not possible, I would like to see us decide to tell farmers what is possible. It ought to be possible for us to deal with the forgiveness of advance deficiency payments. It does not, as I said, need something else coming along to jump on. This is not a cargo looking for a train. This is an idea we ought to advance.

I encourage us, if we cannot do it tonight, let us do it tomorrow. If we cannot do it tomorrow, let us do it the next day.

The one thing I suggest to the Senator from Idaho, when we talk about continuing appropriations and shutdowns—I am delighted there will not be any more shutdowns, and I pray there will not be, because I do not think it serves anyone's interest. Nobody wins. The way we are able to avoid that is the way we are able to convince everybody in this Capitol Building on all sides that they cannot use this as leverage any longer; they cannot threaten someone over a CR—"If you don't have this, we won't enact a CR"—and that is what results in a shutdown.

Let me say, I understand the objection. I expected the objection. My hope is that perhaps tomorrow—I do not know if anybody will be doing unanimous-consent requests tomorrow, but if we do, I have a number of good ideas. This is one of them, and I would like this idea to sort of lead the parade here. We should do the things that both of us would agree on, that both of us think are important for our farmers, that both of us believe would represent good policy. If that is the case, let both of us do it together, either now or tomorrow morning.

I guess since there is an objection now, maybe we can talk about it again tomorrow. Again, I understand exactly what has happened. This, one way or another, needs to get resolved.

The Senator from Nebraska was on the floor, the Senator from Iowa, the

Senator from Idaho, my colleague from North Dakota. All of us have said exactly the same thing. We have said it with fingers pointing in different directions, I guess. That is a habit I hope we get over this month and maybe the rest of the year, not talking so much about what happened but what should happen, what must happen, what must we do to make this a better country.

We all described one common goal today, and that is, we ought to provide an answer to rural America. The Senator from Idaho probably has had the same experience I have. I went to a farm show, and I was talking to a lot of farmers. I was talking to a fellow who sells Ford pickup trucks. He was talking to me. He said, "You know, I need to find out from you, when on Earth are you going to pass a farm bill?"

I said, "Why are you so interested in that? Do you have crop acreage out there?"

He said, "Oh, no, I don't have crops. What I have are farm customers. I have farm customers who were going to buy a pickup who now say, 'I am not going to be able to make this purchase until I find out what the circumstances are going to be for the farm bill.'"

You need to understand it is not just farmers. It is agribusiness. It is people who sell vehicles and supplies. Everybody out there is facing the same kind of problems as a result of this uncertainty.

So my hope is that the expression by all of us in the last few hours might result in some common good here. If we can get together and talk about this, we can probably find a key to unlock this and move ahead and give farmers the answer they deserve.

We only do this once every 5 years. It is pretty hard to foul this up. But, in my judgment, a mistake was made when it was decided to piggyback it on something else that was moving along. That is to piggyback it on reconciliation. We have never done that before. I do not think it is the right thing to do.

What is past is past. The question now is: How do we extract from this and decide to do this the right way?

The interesting thing, I say to the Senator from Idaho, is we have two leaders in this Senate who come from farm country. Senator DOLE, of course, is from a big grain-producing State, and Senator DASCHLE has represented farmers many years from the State of South Dakota.

We have two leaders who know a lot about agriculture. Both of them know a great deal about these issues. I know both of them have tried—in fact, Senator DASCHLE is a cosponsor of the legislation I just discussed and introduced today—to provide some answers.

My hope is all of us can get together and start figuring out a way to bridge this gap and solve this problem. I hope perhaps the Senator and I could talk again in the next day or so and see if we can just incrementally address these issues. Maybe the first increment is the advance deficiency payment.

So, with that, I ask unanimous consent to add Senator EXON as a cosponsor to the legislation that I introduced today.

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

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

Mr. CRAIG addressed the Chair.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Mr. President, the Senator from North Dakota and I probably agree more than we disagree on agricultural policy, and I think both he and I recognize the importance of our concerns this afternoon and what we have tried to say from the Senate to the leaders of the Senate and to the President.

The President cannot be allowed to only have rhetoric on this issue. He must show action. He has to come forward, and he has not yet come forward with a farm plan.

Clearly, this morning at the White House, with the discussion among our agricultural leaders, our Senate and House leaders and the Secretary, in all fairness but with no criticism, this administration is without a plan as we speak. That simply has to change if we are to work out our differences on farm policy.

Budget reconciliation, Mr. President, over the years has taken a variety of forms, and it takes those forms as the budget requires it to. Those provisions of the farm bill or farm policy that are in budget reconciliation are those that drive budgets—conservation, farm credit, some of those that are not there. We are not through with those. We will ultimately package a farm bill this year, and I think the Senator from North Dakota and I both recognize that for it to be freestanding on this floor, a very large part of it has to be bipartisan, and we will work at every effort to solve that.

The work that we did earlier this year that found its way into budget reconciliation did get a lot of support. It is not to say that it did not get support. The American Farm Bureau supported it, the National Corn Growers Association supported it, the National Grain Trade Council supported it. I noticed the North Dakota Grain Growers Association lent their support to it, the Iowa Cattlemen, the Iowa Corn Growers. Obviously, my colleague mentioned the majority leader. Well, Kansas was right in there offering the support to it from the Kansas Association of Wheat Growers and bankers and feed and grain associations and Kansas Fertilizer and Chemical Association. It is a bill that offers broad-based support to American agriculture, and I think it is important that the Record show that.

There are disagreements, and there are differences. My colleague from North Dakota and I are tremendously concerned about what has happened in discretionary spending over the last good number of years, to see that di-

rect payments to American agricultural producers from 1986 to today has been reduced in real dollars about 60 percent. The problem we have now is trying to balance all of that out.

Ironically enough, when we gained majority here in the U.S. Congress, we knew that to get the kind of budget control we had to have, we could no longer go to the discretionary side, as my colleagues party has gone for one too many year, and we had to go to entitlements. Even though we brought agricultural spending down, there is no question that that happened with policy change. We are gridlocked here today over entitlement battles. If we are still going to get the budget savings and leave entitlements untouched, I am afraid that my colleague from North Dakota and I are going to be locked together in a battle to protect agriculture.

This administration still wants to take much too much out of discretionary spending and free up or allow relatively untouched a variety of the entitlement areas. What we tried to offer was some balance. There is disagreement at this time, and I hope we can arrive at a balanced budget. The President has finally agreed to 7 years and CBO. But there is a lot of difference out there still.

The one thing I think my colleague and I agree on this evening is the immediacy of the situation with American agriculture. We are not going to see another shutdown. Programs are going to be funded. But how long will they be funded, and how far into the next cropping season? The signals we send now and in the next few months are going to be ever so important, as American agriculture begins to farm and puts together its budgets and farm programs, buys the new pickup, if you will, looks at the new combine, puts the budget together for the fertilizer, seed grain, corn, and all of that. That is what it is all about. I hope that by the weekend, possibly, we can have resolved this issue. Maybe it will come with a CR on Friday, maybe it will not. But I certainly hope that all parties involved will engage and get it resolved so that we can send a critical message to agriculture in this country, which they are now asking for.

Mr. DORGAN. Mr. President, the Senator from Idaho and I have, long ago, worn out our welcome. But I did just want to add a point about the administration. The Senator from Idaho said gingerly that this administration had no farm plan, was not active or engaged in the farm bill debate. I do not want that to pass. We have an Agriculture Secretary, former Congressman Dan Glickman, who comes from Kansas, who was confirmed with unanimous support. He knows agriculture and had served on the House Agriculture Committee. He knows it very well. He is a strong advocate for family

farmers, as is the President. In fact, because I was part of the budget negotiations, Senator EXON and I were involved in many of the negotiations, some at the White House.

I have seen the President's reaction weighing in on the agriculture issues. He very much wants there to be a safety net or a farm program that helps family-size farms in this country. He hired and appointed an Agriculture Secretary who believes that very strongly. I do not want the moment to go and let someone listening say, "Well, gee, they said nobody down at the White House cares." Secretary Glickman, I think, is a terrific Secretary of Agriculture, selected by this President, representing this President, to try to get a better farm program. Hopefully, all of us can work together. There will be no solution to the problem without Secretary Glickman and President Clinton's active involvement. The meeting this morning, I think, was called by Secretary Glickman. They are active, engaged, and involved, and they want to solve this problem.

I hope, along with the Senator from Idaho, that by the end of this week we will have advanced by this discussion today the interest of providing some answers to family farmers in this country, but especially providing the right answers for the long-term.

I yield the floor.

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

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

TWO HEROES

Mr. DORGAN. Mr. President, I would like to talk just briefly about two Americans I want to bring to the attention of my colleagues—two heroes of mine.

I have never met these men. I talked to one of them on the phone the other day, a fellow named Robert Naegele. Mr. Naegele started a company called Rollerblade, which some of you may know about. It is the largest in-line skate company in America. I learned about Mr. Naegele and his company in an article I read in the Minneapolis Star Tribune when I was travelling through Minneapolis the other day by plane.

Robert Naegele sold his company 2 months ago. He apparently made an enormous amount of money. He started the company from scratch, ran it, turned it into a \$250 million business and then sold it recently. Then, about a week before Christmas, 280 employees of this company began to get letters in the mail from Mr. Naegele and his wife, Ellis. It turns out that he decided to

give the people who had worked for his company—the people who worked in the factories and made the skates and made him a very wealthy man—a Christmas bonus equal to \$160 a month for every month these folks had worked for the company.

For some of them who had been there the entire 10 years he owned the company, it meant more than \$25,000. But he wasn't done. He and his wife had prepaid the income taxes on the bonuses so when these folks opened up their check, totally unexpected, from someone who no longer owned the company, they got a check that was tax free.

What this man was saying to them was: You mattered. You people who worked in the plant and factories and helped make this product, you are the ones who made me successful. You made me some money, and I want to share it with you. What a remarkable story. What a hero!

This guy is out of step with the CEOs in our country who now say the way to the future is to downsize, lay off and cut the ground out from under the feet of people who have worked for a company for 20 years. Mr. Naegele, on the other hand, says to his workers, who are weeping with joy about his unexpected benevolence: "You matter to me. You made a difference. You made this company successful, and I want to share it with you."

What a remarkable man! It seems to me if more CEOs in this country would understand what Mr. Naegele understands, this country would be a better place. Our companies could be better able to compete. You would have more loyalty and more job security for people who have spent 10 and 20 years investing their time in a company.

The day after I read the article about Mr. Naegele, I read a similar one. It was about a fellow whose company began to burn down on December 11 in a small town in Massachusetts. The man's name was Aaron Feuerstein. He was about to go to his 70th birthday party—a surprise party that was being thrown for him—when he learned that a boiler had exploded at his textile mill setting off a fire. It injured 27 people and destroyed three of the factory's century-old buildings. His plant employs 2,400 people in an economically depressed area.

The people who watched the mill burn felt that they were going to lose their jobs and lose their futures. When Feuerstein arrived to assess the damage to a business his grandfather had started 90 years ago, he kept himself from crying by thinking back to the passage from King Lear in which Lear promises not to weep even though his heart would "break into a hundred thousand flaws." Mr. Feuerstein said, "I was telling myself I have to be creative." And 3 days after the fire, he had a plan.

According to the Time magazine article:

On the night of Dec. 14, more than 1,000 employees gathered in the gym of Central

Catholic High School to learn the fate of their jobs and of the cities of Methuen and Lawrence. Feuerstein entered the gym from the back, and as he shook the snow off his coat, the murmurs turned to cheers. The factory owner, who had already given out \$275 Christmas bonuses, and pledged to rebuild, walked to the podium. "I will get right to my announcement," he said. "For the next 30 days—and it might be more—all our employees will be paid their full salaries. But over and above the money, the most important thing Malden Mills can do for our workers is to get you back to work. By Jan. 2, we will restart operations, and within 90 days we will be fully operational."

* * * * *

True to his word, Feuerstein has continued to pay his employees in full, at a cost of some \$1.5 million a week and at an average of \$12.50 an hour—already one of the highest textile rates in the world. And even better than his word, Malden Mills was up and running last week at 80% of its Polartec capacity, thanks to round-the-clock salvage work and the purchase of 15 new machines. "I haven't really done anything," says Feuerstein. "I don't deserve credit. Corporate America has made it so that when you behave the way I did, it's abnormal."

I just want to say again that I think Robert Naegele and Aaron Feuerstein are heroes. I think they both recognize what a lot of people in this country have forgotten. A company is its workers. Yes, it is its investors, it is its innovators, it is its scientists, and it is also its workers. Workers matter, and these heroes have done what more American business leaders should do. Too many American businesses now say to those workers, "You are like a wrench. We use you, and we get rid of you when we choose to."

What Mr. Naegele and Mr. Feuerstein are saying is that workers are their business. The workers determined whether their businesses were successful. And both of them have committed themselves to their workers. And I say to Mr. Naegele and Mr. Feuerstein that they are American heroes to me, and I wish there were more employers like them in this country.

Mr. President, I ask unanimous consent that the full text of the two articles I mentioned be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Minneapolis Star Tribune]

IT WAS A SURPRISINGLY GREEN CHRISTMAS
FOR ROLLERBLADE EMPLOYEES

(By Dee DePass)

Two weeks ago Rollerblade employee Ann Reader, six months pregnant with her third child, called her husband, Tim, from work sobbing. He immediately thought the worst, she said.

But it was good news for Reader and all of Rollerblade's 280 employees. Former Rollerblade co-owner Robert Naegele and his wife, Ellis, played Santa over the holidays, giving each of Rollerblade's employees thousands of dollars in tax-free money, figured at about \$160 for each month of service with the company. Sources familiar with the giveaway estimated the combined gifts to be \$1.5 million.

Reader, team programs manager, has worked there for more than 6 years—making

her check worth more than \$11,000. None of the employees contacted would confirm the amount of their checks.

"It made me cry," said Reader in a shaky voice. "I think it was so generous of them. It was an amazing gesture."

Rollerblade spokesperson Deborah Autrey said, "It was a complete surprise that came out of the blue. People were laughing and crying and hugging. I have never seen people in such a stupor."

Autrey has worked at Rollerblade for four years. More than half of the employees are warehouse workers with most receiving hourly wages.

Naegele, who was chairman during the phenomenal growth of the 15-year old firm, could not be reached for comment. Two months ago he sold his 50 percent share of Rollerblade to Nordica Inc. of Italy for an undisclosed amount. He bought 50 percent of the in-line skate company in 1985, when sales were only \$500,000. Sales in 1994 were \$265 million.

In Christmas cards to employees, Naegele wrote that he had reaped great rewards from his Rollerblade investment because of the employees' hard work and that he wanted to show his thanks, Autrey said. Enclosed in the cards were the gift checks, on which the Naegeles paid federal taxes.

"That way the employees did not get hit with a double whammy. It is a tax-free gift," said Autrey.

The checks were mailed to employees' homes the week before Christmas. The first arrived on Dec. 21 to an employee who was home on maternity leave. From there word spread among the workers, and later that day it was confirmed by the company's chief executive, John Hetterick, who had only found out the day before.

When the good news reached Matt Majka, 33, the director of product marketing, he immediately phoned his wife, Kym, and asked her to open the mail. When she did, Majka heard sobs. He has been with the company for 11 years, making his check worth an estimated \$21,120.

"It was very moving," he said.

"It was very heartfelt for us. We were extremely shocked and extremely grateful for his generosity. . . . All the words he talked about for so many years—about teamwork and that we are a family—he put his words into action."

Majka and his wife have a 4-month-old baby and a 2-year-old son, and the Naegeles' gift went to start a college fund for them, he said. The couple also had a new IBM computer under the Christmas tree.

Reader said she bought bikes for her two children (and a bike baby carrier for the newest family member) and she plans to put some of the money away in savings.

Majka marveled at what the gift meant to scores of his co-workers. "There are some people who have worked in our warehouse and have been here for a long time," he said. "For some people, they have received a very substantial check, maybe half of their year's salary. It's pretty amazing." At least two employees have been there for all of the company's 15 years.

"I happened to talk to Bob [Naegele] later that night," Majka said. "I told him, 'You can't imagine the impact you have had on everyone.' He bellowed and said, 'That is just what I wanted to hear.' He said, 'This is not mine. It is a gift I had to share.'"

[From Time Magazine, Jan. 8, 1996]

THE GLOW FROM A FIRE

(By Steve Wulf)

Methuen, Massachusetts, is a small city not unlike the Bedford Falls of *It's a Wonderful Life*. Over the years, the working-class

town on the border of New Hampshire and Massachusetts has come to rely on the good heart of one man. While Aaron Feuerstein may not look much like Jimmy Stewart, he is the protagonist of a Christmas story every bit as warming as the Frank Capra movie—or the Polartec fabric made at his Malden Mills.

On the night of Dec. 11, just as Feuerstein was being thrown a surprise 70th birthday party, a boiler at Malden Mills exploded, setting off a fire that injured 27 people and destroyed three of the factory's century-old buildings. Because Malden Mills employs 2,400 people in an economically depressed area, the news was as devastating as the fire, according to Paul Coorey, the president of Local 311 of the Union of Needletrades, Industrial and Textile Employees. "I was standing there seeing the mill burn with my son, who also works there, and he looked at me and said, 'Dad, we just lost our jobs.' Years of our lives seemed gone."

When Feuerstein arrived to assess the damage to a business his grandfather had started 90 years ago, he kept himself from crying by thinking back to the passage from King Lear in which Lear promises not to weep even though his heart would "break into a hundred thousand flaws." "I was telling myself I have to be creative," Feuerstein later told the New York Times. "Maybe there's some way to get out of it." Feuerstein, who reads from both his beloved Shakespeare and the Talmud almost every night, has never been one to run away. When many other textile manufacturers in New England fled to the South and to foreign countries, Malden Mills stayed put. When a reliance on fake fur bankrupted the company for a brief period in the early '80s, Feuerstein sought out alternatives.

What brought Malden Mills out of bankruptcy was its research and development team, which came up with a revolutionary fabric that was extremely warm, extremely light, quick to dry and easy to dye. Polartec is also ecologically correct because it is made from recycled plastic bottles. Clothing made with Polartec or a fraternal brand name, Synchronia, is sold by such major outdoors clothiers as L.L. Bean, Patagonia, Eastern Mountain Sports and Eddie Bauer, and it accounts for half of Malden's \$400 million-plus in 1995 sales.

Even though the stock of a rival textile manufacturer in Tennessee, the Dyersburg Corp., rose sharply the day after the fire, L.L. Bean and many of Malden's other customers pledged their support. Another apparel company, Dakotah, sent Feuerstein a \$30,000 check. The Bank of Boston sent \$50,000, the union \$100,000, the Chamber of Commerce in the surrounding Merrimack Valley \$150,000. "The money is not for Malden Mills," says Feuerstein, "It is for the Malden Mills employees. It makes me feel wonderful. I have hundreds of letters at home from ordinary people, beautiful letters with dollar bills, \$10 bills."

The money was nothing to the workers compared to what Feuerstein gave them three days later. On the night of Dec. 14, more than 1,000 employees gathered in the gym of Central Catholic High School to learn the fate of their jobs and of the cities of Methuen and Lawrence. Feuerstein entered the gym from the back, and as he shook the snow off his coat, the murmurs turned to cheers. The factory owner, who had already given out \$275 Christmas bonuses and pledged to rebuild, walked to the podium. "I will get right to my announcement," he said. "For the next 30 days—and it might be more—all our employees will be paid their full salaries. But over and above the money, the most important thing Malden Mills can do for our workers is to get you back to

work. By Jan. 2, we will restart operations, and within 90 days we will be fully operational." What followed, after a moment of awe, was a scene of hugging and cheering that would have trumped the cinematic celebration for *Wonderful Life's* George Bailey.

True to his word, Feuerstein has continued to pay his employees in full, at a cost of some \$1.5 million a week and at an average of \$12.50 an hour—already one of the highest textile wages in the world. And even better than his word, Malden Mills was up and running last week at 80 percent of its Polartec capacity, thanks to round-the-clock salvage work and the purchase of 15 new machines. "I haven't really done anything," says Feuerstein. "I don't deserve credit. Corporate America has made it so that when you behave the way I did, it's abnormal."

Union chief Coorey begs to differ. Says he: "Thank God we got Aaron."

THE BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, almost 4 years ago I commenced these daily reports to the Senate to make a matter of record the exact Federal debt as of close of business the previous day. +

In that report of February 27, 1992, the Federal debt stood at \$3,825,891,293,066.80, as of close of business the previous day. The point is, the Federal debt has increased by more than \$1.1 trillion—\$1,162,159,313,063.99—since February 26, 1992.

As of the close of business yesterday, Monday, January 22, the Federal debt stood at exactly \$4,988,050,606,130.79. On a per capita basis, every man, woman and child in America owes \$18,933.07 as his or her share of the Federal debt.

REPORT OF THE STATE OF THE UNION ADDRESS—MESSAGE FROM THE PRESIDENT—PM 111

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was ordered to lie on the table:

Mr. Speaker, Mr. Vice President, Members of the 104th Congress, distinguished guests, my fellow Americans all across our land.

I want to begin by saying to our men and women in uniform around the world, and especially those helping peace take root in Bosnia, and to their families. Thank you. America is very proud of you.

My duty tonight is to report on the State of the Union, not the state of our government but of our American community, and to set forth our responsibilities—in the words of our Founders—to "form a more perfect union."

The State of the Union is strong.

Our economy is the healthiest it has been in three decades. We have the lowest combined rate of unemployment and inflation in 27 years.

We have created nearly 8 million new jobs, over a million of them in basic industries like construction and automobiles. America is selling more cars than Japan for the first time since the 1970's, and for 3 years in a row, we have

had a record number of new businesses started.

Our leadership in the world is also strong, bringing new hope for peace. And perhaps most important, we are gaining ground in restoring our fundamental values. The crime rate, the welfare and food stamp rolls, the poverty rate, and the teen pregnancy rate are all down. And as they go down, prospects for America's future go up.

We live in an Age of Possibility. A hundred years ago we moved from farm to factory. Now we move to an age of technology, information, and global competition.

These changes have opened vast new opportunities, but they also present stiff challenges. While more Americans are living better lives, too many of our fellow citizens are working harder just to keep up. And they are concerned about the security of their families.

We must answer three fundamental questions: How do we make the American dream of opportunity a reality for all who are willing to work for it? How do we preserve our old and enduring values as we move into the future? And how do we meet these challenges together, as one America?

We know Big Government does not have all the answers. There is not a program for every problem. We know we need a smaller, less bureaucratic government in Washington—one that lives within its means.

The era of Big Government is over. But we cannot go back to the time when our citizens were left to fend for themselves. Instead, we must go forward as one America—one nation working together, to meet the challenges we face together. Self-reliance and teamwork are not opposing virtues—we must have both.

I believe our new, smaller government must work in an old-fashioned American way—together with all our citizens, through state and local governments, in the workplace, in religious, charitable, and civic associations.

Our goal must be: to enable all our people to make the most of their own lives with stronger families, more educational opportunity, economic security, safer streets, a cleaner environment, a safer world.

To improve the state of our Union, we must ask more of ourselves; we must expect more of each other; and we must face our challenges together.

Our responsibility here begins with balancing the budget in a way that is fair to all Americans. There is now broad bipartisan agreement that permanent deficit spending must come to an end.

I compliment the Republicans for the energy and determination they have brought to this task. And I thank the Democrats for passing the largest deficit reduction plan in history in 1993, which has already cut the deficit nearly in half in just 3 years.

Since then, we have all begun to see the benefits of deficit reduction: lower

interest rates have made it easier for business to create new jobs, and have brought down the cost of home mortgages, car payments, and credit card rates to ordinary citizens. Now it is time to finish the job. Though differences remain among us, the combined total of the proposed savings common to both plans is more than enough, using numbers from your Congressional Budget Office, to balance the budget in 7 years and to provide a modest tax cut. These cuts are real; they will require sacrifice from everyone.

But these cuts do not undermine our fundamental obligations to our parents, our children, and our future by endangering Medicare, Medicaid, education or the environment, or by raising taxes on the hardest pressed working families.

I am willing to work to resolve our remaining differences. I am ready to meet tomorrow. But I ask you at least to enact these savings so we can give the American people their balanced budget, a tax cut, lower interest rates, and a brighter future.

We must make permanent deficits yesterday's legacy.

Now it is time to look to the challenges of today and tomorrow. Our Nation was built on challenges, not promises. When we work together to meet them, we never fail. That is the key to a more perfect union: our individual dreams must be realized by our common efforts.

Tonight, I want to speak about the challenges we face as a people.

Our first challenge is to cherish our children and strengthen American families.

Families are the foundation of American life. If we have stronger families, we will have a stronger nation.

Strong families begin with taking more responsibility for our children. It is hard to be a parent today; but it is even harder to be a child. All of us—our parents, our media, our schools, our teachers, our communities, our churches, our businesses, and government—have a responsibility to help children make it.

To the media: I say you should create movies, CD's and television shows you would want your own children and grandchildren to enjoy. I call on Congress to pass the requirement for a "V" chip in TV sets, so parents can screen out programs which they believe are inappropriate for their younger children. When parents control what their children see, that's not censorship. That's enabling parents to assume more responsibility for their children. And I urge them to do it. The "V" chip requirement is part of the telecommunications bill now pending. It has bipartisan support, and I urge you to pass it now.

To make the "V" chip work, I challenge the broadcast industry do what movies have done, to identify your programming in ways that help parents protect their children.

I invite the leaders of major media corporations and the entertainment industry to come to the White House next month to work with us on concrete ways to improve what our children see on television. I am ready to work with you.

I say to those who make and market cigarettes. Every year, a million children take up smoking; 300,000 of them will have their lives shortened as a result. My administration has taken steps to stop the massive marketing campaign that appeals to our children. We are saying: Market your products to adults, if you wish—but draw the line on children.

I say to those on welfare: For too long, our welfare system has undermined the values of family and work, instead of supporting them. Congress and I are near agreement on sweeping welfare reform.

We agree on time limits, tough work requirements, and the toughest possible child support enforcement. But we must also provide child care so that mothers can go to work without worrying about their children. So I challenge Congress: Send me a bipartisan welfare reform bill that will really move people from welfare to work and do right by our children, and I will sign it.

But passing a law is only the first step. The next step is to make it work. I challenge people on welfare to make the most of this opportunity for independence. And I challenge American business to give them a chance to move from welfare to work. I applaud the work of religious groups that care for the poor.

More than anyone else, they know the difficulty of this task, and they are in a position to help. Every one of us should join with them.

To strengthen the family, we must do everything we can to keep the teen pregnancy rate going down. It is still too high: Tonight I am pleased to announce that a group of prominent Americans is responding to that challenge by forming an organization that will support grass roots community efforts in a national campaign against teen pregnancy. And I challenge every American to join them.

I call on American men and women to respect one another. We must end the deadly scourge of domestic violence. I challenge America's families to stay together.

In particular, I challenge fathers to love and care for their children. If your family has separated, you must pay your child support. We are doing more than ever to make sure you do, and we are going to do more. But let's all admit: A check will never be a substitute for a father's love and guidance, and only you can make the decision to help raise your children—no matter who you are, it is your most basic human duty.

Our second challenge is to provide Americans with the educational opportunities we need for a new century.

Every classroom in America must be connected to the information superhighway, with computers, good software, and well-trained teachers. We are working with the telecommunications industry, educators and parents to connect 20 percent of the classrooms in California by this spring, and every classroom and library in America by the year 2000. I ask Congress to support our education technology initiative to make this national partnership successful.

Every diploma ought to mean something. I challenge every community, school, and State to adopt national standards of excellence, measure whether schools are meeting those standards, cut redtape so that schools have more flexibility for grassroots reform, and hold them accountable for results. That's what our Goals 2000 initiative is all about.

I challenge every State to give all parents the right to choose which public school their children attend, and let teachers form new schools with a charter they can keep only if they do a good job.

I challenge all schools to teach character education: good values, and good citizenship. And if it means teenagers will stop killing each other over designer jackets, then public schools should be able to require school uniforms.

I challenge parents to be their children's first teachers. Turn off the TV. See that the homework gets done. Visit your children's classroom.

Today, higher education is more important than ever before. We have created a new student loan program that has made it easier to borrow and repay loans; and dramatically cut the student loan default rate. Through AmeriCorps, our national service program, this year 25,000 students will earn college money by serving in their local communities. These initiatives are right for America; we should keep them going.

And we should open the doors to college even wider. I challenge Congress to expand work study and help one million young Americans work their way through college by the year 2000; to provide a \$1,000 merit scholarship for the top 5 percent of graduates in every high school; to expand Pell grant scholarships for deserving students; and to make up to \$10,000 a year of college tuition tax deductible.

Our third challenge is to help every American achieve economic security.

People who work hard still need support to get ahead in the new economy—education and training for a lifetime, more support for families raising children, retirement security, and access to health care.

More and more Americans are finding that the education of their childhood simply does not last a lifetime.

I challenge Congress to consolidate 70 overlapping job training programs into a simple voucher worth \$2,600 for unemployed or underemployed workers to

use for community college tuition or other training. Pass this GI bill for America's workers.

More and more Americans are working hard without a raise. Congress sets the minimum wage. Within a year, the minimum wage will fall to a 40-year low in purchasing power. Four dollars and twenty-five cents an hour is not a living wage. But millions of Americans and their children are trying to live on it. I challenge you to raise their minimum wage.

In 1993, Congress cut the taxes of 15 million hard-pressed working families, to make sure no parents who worked full time would have to raise their children in poverty. This expanded earned income tax credit is now worth about \$1,800 a year to a family of four living on \$20,000. The budget bill I vetoed would have reversed this achievement, and raised taxes on nearly 8 million of these people. We must not do that.

We need a tax credit for working families with children. That's one thing most of us in this Chamber can agree on. And it should be part of any final budget agreement.

I challenge every business that can possibly afford it to provide pensions for your employees, and I challenge Congress to pass a proposal recommended by the White House Conference on Small Business, that would make it easier for small businesses and farmers to establish their own pension plans.

We should also protect existing pension plans. Two years ago, with bipartisan support, we protected the pensions of 8 million working people and stabilized the pensions of 32 million more. Congress should not now let companies endanger their worker's pension funds. I vetoed such a proposal last year, and I would veto it again.

Finally, if working families are going to succeed in the new economy, they must be able to buy health insurance policies that they don't lose when they change jobs or when someone in their family gets sick. Over the past 2 years, over one million Americans in working families lost their health insurance. We must do more to make health care available to every American. And Congress should start by passing the bipartisan bill before you that requires insurance companies to stop dropping people when they switch jobs, and stop denying coverage for pre-existing conditions.

And we must preserve the basic protections Medicare and Medicaid give, not just to the poor, but to people in working families, including children, people with disabilities, people with AIDS, and senior citizens in nursing homes. In the past 3 years we have saved \$15 billion just by fighting health care fraud and abuse. We can save much more. But we cannot abandon our fundamental obligations to the people who need Medicare and Medicaid. America cannot become stronger if they become weaker.

The GI bill for workers, tax relief for education and child-rearing, pension

availability and protection, access to health care, preservation of Medicare and Medicaid, these things—along with the Family and Medical Leave Act passed in 1993—will help responsible hard-working American families to make the most of their own lives.

But, employers and employees must do their part as well, as they are in so many of our finest companies, working together, putting long-term prosperity ahead of short-term gains.

As workers increase their hours and their productivity, employers should make sure they get the skills they need and share the benefits of the good years as well as the burdens of the bad ones. When companies and workers work as a team, they do better. And so does America.

Our fourth great challenge is to take back our streets from crime, gangs, and drugs.

At last, we have begun to find the way to reduce crime—forming community partnerships with local police forces to catch criminals and to prevent crime. This strategy, called community policing, has begun to work. Violent crime is coming down all across America.

In New York City, murders are down 25 percent, in St. Louis 18 percent, in Seattle 32 percent. But we still have a long way to go before our streets are safe and our people are free of fear.

The Crime Bill of 1994 is critical to the success of community policing. It provides funds for 100,000 new police in communities of all sizes. We are already a third of the way there. I challenge the Congress to finish the job. Let's stick with a strategy that's working, and keep the crime rate coming down.

Community policing also requires bonds of trust between our citizens and our police. So I ask all Americans to respect and support our police. And to our police, I say: Our children need you as role models and heroes. Don't let them down.

The Brady bill has already stopped 44,000 people with criminal records from buying guns. The assault weapons ban is keeping 19 kinds of assault weapons out of the hands of violent gangs. I challenge Congress to keep those laws on the books.

Our next step in the fight against crime is to take on gangs the way we took on the mob. I am directing the FBI and other investigative agencies to target gangs that involve juveniles in violent crime and to seek authority to prosecute as adults teenagers who maim and kill like adults.

And I challenge local housing authorities and tenant associations: Criminal gang members and drug dealers are destroying the lives of decent tenants. From now on, the rule for residents who commit crimes and peddle drugs should be: One strike and you're out.

I challenge every State to match Federal policy: to assure that serious violent criminals serve at least 85 percent of their sentence.

More police and punishment are important, but not enough. We must keep more of our young people out of trouble, with prevention strategies not dictated by Washington, but developed in communities. I challenge all communities and adults to give these children futures to say yes to. And I challenge Congress not to abandon the crime bill's support of these grassroots efforts.

Finally, to reduce crime and violence, we must reduce the drug problem. The challenge begins at home, with parents talking to their children openly and firmly. It embraces our churches, youth groups, and our schools.

I challenge Congress not to cut our support for drug-free schools. People like DARE officers are making an impression on grade school children that will give them the strength to say no when the time comes.

Meanwhile, we continue our efforts to cut the flow of drugs into America. For the last 2 years, one man in particular has been on the front lines of that effort. And tonight I am nominating a hero of the Persian Gulf and the commander-in-chief of the U.S. Military's Southern Command, Gen. Barry McCaffrey, as America's new drug czar.

General McCaffrey has earned three purple hearts and two silver stars fighting for America. Tonight I ask that he lead our Nation's battle against drugs at home and abroad.

To succeed, he needs a force larger than he has ever commanded. He needs all of us. Every one of us will have a role to play on this team. Thank you, General McCaffrey, for agreeing to serve your country one more time.

Our fifth challenge is to leave our environment safe and clean for the next generation.

Because of a generation of bipartisan effort, we have cleaner air and water. Lead levels in children's blood has been cut by 70 percent, and toxic emissions from factories cut in half. Lake Erie was dead. Now it is a thriving resource.

But 10 million children under 12 still live within 4 miles of a toxic waste dump. A third of us breathe air which endangers our health. And in too many communities, water is not safe to drink. We still have much to do.

Yet Congress has voted to cut environmental enforcement by 25 percent. That means more toxic chemicals in our water, more smog in our air, more pesticides in our food.

Lobbyists for the polluters have been allowed to write their own loopholes into bills to weaken laws that protect the health and safety of our children. And some in this Congress want to make taxpayers pick up the tab for toxic waste and let polluters off the hook.

I challenge Congress to reverse those priorities. I say the polluters should pay. We can expand the economy without hurting the environment. In fact we can create more jobs over the long run by cleaning it up.

We must challenge businesses and communities to take more initiative in protecting the environment and make it easier for them to do so. To businesses, we are saying: If you can find a cheaper, more efficient way than government regulations require to meet tough pollution standards, then do it—as long as you do it right.

To communities, we say: we must strengthen community right-to-know laws requiring polluters to disclose their emissions, but you must use the information to work with business to cut pollution. People do have a right to know that their air and water are safe.

Our sixth challenge is to maintain America's leadership in the fight for freedom and peace.

Because of American leadership, more people than ever before live free and at peace, and Americans have known 50 years of prosperity and security. We owe thanks especially to our veterans of World War II. To Senator BOB DOLE, and all the others in this Chamber and throughout our country who fought in World War II and all the conflicts since, I salute your service.

All over the world, people still look to us. And trust us to help them seek the blessings of peace and freedom.

But as the cold war fades, voices of isolation say America should retreat from its responsibilities. I say they are wrong. The threats we Americans face respect no nation's borders: terrorism, the spread of weapons of mass destruction, organized crime, drug trafficking, ethnic and religious hatred, aggression by rogue states, environmental degradation. If we fail to address these threats today, we will suffer the consequences of our neglect tomorrow.

We can't be everywhere. We can't do everything. But where our interests and our values are at stake—and where we can make a difference—America must lead.

We must not be isolationist or the world's policeman. But we can be the world's best peacemaker. By keeping our military strong, by using diplomacy where we can, and force where we must, by working with others to share the risk and the cost of our efforts, America is making a difference for people here and around the world.

For the first time since the dawn of the nuclear age, there are no Russian missiles pointed at America's children. North Korea has now frozen its dangerous nuclear weapons program. In Haiti, the dictators are gone, democracy has a new day, and the flow of desperate refugees to our shores has subsided.

Through tougher trade deals for America, over 80 of them, we have opened markets abroad, and now exports are at an all-time high, growing faster than imports and creating American jobs.

We stood with those taking risks for peace, in Northern Ireland, where Catholic and Protestant children now tell their parents that violence must never return, and in the Middle East,

where Arabs and Jews, who once seemed destined to fight forever, now share knowledge, resources, and dreams.

And, we stood up for peace in Bosnia. Remember the skeletal prisoners, the mass graves, the campaigns of rape and torture, endless lines of refugees, the threat of a spreading war—all these horrors have now given way to the hope of peace. Now our troops and a strong NATO, together with its new partners from Central Europe and elsewhere, are helping that peace to take hold.

Through these efforts, we have enhanced the security of the American people. But important challenges remain. The START II treaty with Russia will cut our nuclear stockpiles by another 25 percent; I urge the Senate to ratify it—now.

We must end the race to create new nuclear weapons by signing a truly comprehensive nuclear test ban treaty—this year. We can outlaw poison gas forever, if the Senate ratifies the Chemical Weapons Convention—this year. We can intensify the fight against terrorists and organized criminals at home and abroad, if Congress passes the anti-terrorism legislation I proposed after the Oklahoma City bombing—now.

We can help more people move from hatred to hope, if Congress gives us the means to remain the world's leader for peace.

The six challenges I have discussed thus far are for all Americans. But our seventh challenge is America's challenge to us here tonight: to reinvent our Government and make our democracy work for them.

Last year, this Congress applied to itself the laws that it applies to everyone else, banned gifts and meals from lobbyists. It forced lobbyists to disclose who pays them and what legislation they are trying to pass or kill. I applaud you for that.

Now I challenge Congress to go further: curb special interest influence in politics by passing the first truly bipartisan campaign finance reform bill in a generation.

Show the American people we can limit spending and that we can open the airwaves to all candidates.

And I appeal to Congress to pass the line-item veto you promised the American people.

We are working hard to create a government that works better and costs less. Thanks to the work of Vice-President GORE, we are eliminating 16,000 pages of unnecessary rules and regulations and shifting more decision making out of Washington back to States and local communities.

As we move into an era of balanced budgets and smaller government, we must work in new ways to enable people to make the most of their own lives.

We are helping America's communities, not with bureaucracy, but with opportunity. Through our successful

empowerment zones and community development banks, we are helping people find jobs and start businesses. And with tax incentives for companies that clean up abandoned industrial property, bringing jobs back to the places that desperately need them.

But there are some areas that the Federal Government must address directly and strongly. One of these is the problem of illegal immigration. After years and years of neglect, this administration has taken a strong stand to stiffen protection on our borders.

We are increasing border controls by 50 percent, we are increasing inspections to prevent the hiring of illegal immigrants. And tonight, I announce I will sign an executive order to deny Federal contracts to businesses that hire illegal immigrants.

Let me be clear: we are still a nation of immigrants; we honor all those immigrants who are working hard to become new citizens. But we are also a nation of laws.

I want to say a special word to those who work for our Federal Government. Today, the Federal workforce is 200,000 employees smaller than the day I took office. The Federal Government is the smallest it has been in 30 years, and it is getting smaller every day. Most of my fellow Americans probably didn't know that, and there's a good reason. The remaining Federal workforce is composed of Americans who are working harder and working smarter to make sure that the quality of our services does not decline.

Take Richard Dean. He is a 49-year-old Vietnam veteran who has worked for Social Security for 22 years. Last year he was hard at work in the Federal building in Oklahoma City when the terrorist blast killed 169 people and brought the rubble down around him.

He re-entered the building four times and saved lives of three women. He is here with us this evening. I want to recognize Richard and applaud both his public service and his extraordinary heroism.

But Richard's story doesn't end there. This last November, he was forced out of his office when the Government shut down.

And the second time the Government shut down, he continued helping Social Security recipients, but he was working without pay.

On behalf of Richard Dean and his family, I challenge all of you in this Chamber: never—ever—shut the Federal Government down again.

And on behalf of all Americans, especially those who need their Social Security payments at the beginning of March, I challenge Congress to preserve the full faith and credit of the United States, to honor the obligations of this great nation as we have for 220 years, to rise above partisanship and pass a straightforward extension of the debt limit. Show them that America keeps its word.

I have asked a lot of America this evening. But I am confident. When

Americans work together in their homes, their schools, their churches, their civic groups or at work, they can meet any challenge.

I say again: The era of Big Government is over. But we can't go back to the era of fending for yourself. We must go forward, to the era of working together, as a community, as a team, as one America, with all of us reaching across the lines that divide us, rejecting division, discrimination and racism, to find common ground. We must work together.

I want you to meet two people tonight who do that. Lucius Wright is a teacher in the Jackson, MS public school system, a Vietnam veteran. He has created groups that help inner city children turn away from gangs and build futures they can believe in.

Sgt. Jennifer Rodgers is a police officer in Oklahoma City. Like Richard Dean, she helped pull her fellow citizens out of the rubble and deal with that awful tragedy. She reminds us that, in their response to that atrocity, the people of Oklahoma City lifted us all with their basic sense of decency and community.

Lucius Wright and Jennifer Rogers are special Americans. I have the honor to announce tonight that they are the very first of several thousand Americans who will be chosen to carry the Olympic torch on its long journey from Los Angeles to the centennial of the modern Olympics in Atlanta this summer—not because they are star athletes, but because they are star citizens—community heroes meeting America's challenges—our real champions.

Now each of us must hold high the torch of citizenship in our own lives. But none of us can finish the race alone. We can only achieve our destiny together, one hand, one generation, one American connecting to another.

There have always been things we could do together—dreams we could make real—which we could never have done on our own. We Americans have forged our identity, our very union, from every point of view and every point on the planet. But we are bound by a faith more powerful than any doctrines that divide us—by our belief in progress, our love of liberty, and our relentless search for common ground. America has always sought and always risen to the challenge.

Who would say that, having come so far together, we will not go forward from here? Who would say that this Age of Possibility is not for all Americans?

America is—and always has been—a great and good country. But the best is yet to come. If we all do our part.

Thank you, God bless you, and God bless the United States of America.

MESSAGES FROM THE HOUSE

ENROLLED BILLS SIGNED

At 4:12 p.m., a message from the House of Representatives, delivered by

Mr. Hays, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 1606. An act to designate the U.S. Post Office building located at 24 Corliss Street, Providence, RI, as the "Harry Kizirian Post Office Building."

H.R. 2061. An act to designate the Federal building located at 1550 Dewey Avenue, Baker City, OR, as the "David J. Wheeler Federal Building."

The enrolled bills were signed subsequently by the President pro tempore [Mr. THURMOND].

At 5:31 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 1341. An act to provide for the transfer of certain lands to the Salt River Pima-Maricopa Indian community and the city of Scottsdale, AZ, and for other purposes.

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. HELMS (for himself, Mr. FAIRCLOTH, Mr. HATCH, Mr. SIMPSON, Mr. WARNER, Mr. MURKOWSKI, Mrs. HUTCHISON, Mrs. KASSEBAUM, Mr. ABRAHAM, Mr. SPECTER, Mr. KYL, Mr. NICKLES, Mr. SHELBY, Mr. CRAIG, Mr. BURNS, Mr. HATFIELD, Mr. HEFLIN, Mr. SANTORUM, Mr. LOTT, Mr. ASHCROFT, Mr. KEMPTHORNE, Mr. COCHRAN, and Mr. FRIST):

S. 1520. A bill to award a congressional gold medal to Ruth and Billy Graham; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DOLE:

S. 1521. A bill to establish the Nicodemus National Historic Site in Kansas, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. ABRAHAM (for himself and Mr. LEVIN):

S. 1522. A bill to provide for the transfer of six obsolete tugboats of the Navy; to the Committee on Armed Services.

By Mr. DORGAN (for himself, Mr. CONRAD, Mr. DASCHLE, and Mr. EXON):

S. 1523. A bill to extend agricultural programs through 1996, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. EXON (for himself and Mr. KERREY):

S. Res. 210. A resolution to commend the Cornhuskers of the University of Nebraska at Lincoln for winning both the 1994 and 1995 National Collegiate Athletic Association Football Championships back-to-back; considered and agreed to.

S. Res. 211. A resolution to commend the Cornhuskers of the University of Nebraska at Lincoln for winning the 1995 National Collegiate Athletic Association Women's Volleyball Championship; considered and agreed to.

By Mr. DASCHLE:

S. Res. 212. A resolution to constitute the minority party's membership on the Ethics Committee for the 104th congress, or until their successors are chosen; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HELMS (for himself, Mr. FAIRCLOTH, Mr. HATCH, Mr. SIMPSON, Mr. WARNER, Mr. MURKOWSKI, Mrs. HUTCHISON, Mrs. KASSEBAUM, Mr. ABRAHAM, Mr. SPECTER, Mr. NICKLES, Mr. SHELBY, Mr. CRAIG, Mr. BURNS, Mr. HATFIELD, Mr. HEFLIN, Mr. SANTORUM, Mr. LOTT, Mr. ASHCROFT, Mr. KEMPTHORNE, Mr. COCHRAN, and Mr. FRIST):

S. 1520. A bill to award a congressional gold medal to Ruth and Billy Graham.

THE BILLY AND RUTH GRAHAM CONGRESSIONAL MEDAL AWARD ACT

Mr. HELMS. Mr. President, I have a bill that Senator FAIRCLOTH and I are joining to offer. It is sponsored by many other Senators. It is at the desk.

Mr. BUMPERS. Mr. President, reserving the right to object, I am not sure I understood what the Senator from North Carolina said. Was the Senator calling up a bill?

Mr. HELMS. This is a bill to authorize a congressional gold medal to Billy Graham and Ruth Graham, his wife of 52 years.

Mr. BUMPERS. Is the Senator calling a bill up for debate and consideration?

Mr. HELMS. No, sir, it is to be appropriately referred.

Mr. BUMPERS. I have no objection.

The PRESIDING OFFICER. Without objection, the Senator from North Carolina is recognized.

Mr. HELMS. Mr. President, before I begin, several Senators have already asked to be identified as cosponsors of this measure.

I ask unanimous consent that the Senator from Utah, Mr. HATCH; the Senator from Wyoming, Mr. SIMPSON; the Senator from Virginia, Mr. WARNER; the Senator from Alaska, Mr. MURKOWSKI; the Senator from Texas, Mrs. HUTCHISON; the Senator from Kansas, Mrs. KASSEBAUM; and Senator ABRAHAM; and Senator SPECTER of Pennsylvania be added as cosponsors, and I ask that the bill be held at the desk until the close of business today for Senators to add their names as cosponsors.

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

Mr. HELMS. Mr. President, Senator FAIRCLOTH and I are genuinely honored to offer this legislation to award a congressional gold medal to two wonderful North Carolinians, Dr. Billy Graham and his remarkable wife of 52 years, Ruth Graham. I have known them for years. Billy Graham was born not far from where I was born, and I have known him very, very well since the early 1950's, when I attended his very

first crusade right here at the U.S. Capitol in Washington, DC.

When the bill is signed into law, Congress will be paying tribute to a deserving couple who have spent their lives exemplifying the miracle of America—faith in God, morality, charity, and family.

Most Senators have met the Grahams; many are personal friends, as are Senator FAIRCLOTH and I. Billy and Ruth are marvelous servants of the Lord. Anybody even vaguely familiar with the Grahams' witness will agree that Billy's and Ruth's relationships with God, their love for each other and their family, and their deep-seated compassion for humanity are unsurpassed. This is the genuine spirituality that has led literally millions of Americans, and millions of others around the world, to grasp the meaning and hope of salvation.

The incredible millions who have heard the message of salvation through Billy Graham's evangelistic campaigns are testimony to his devout magnetism. For the past half century, more than 100 million people in 180 countries have personally heard Billy Graham's thrilling messages in person when they attended his rallies. Others have worshipped with him by television. An estimated total of more than 2 billion people have worshipped with Billy Graham on television. Countless others have sought spiritual help and counsel through his books, magazines, newspaper editorials, radio broadcasts, and the Billy Graham Training Center at Black Mountain, NC.

The Grahams have responded to the physical needs of people around the world through a legacy inherited from Ruth Graham's father, the distinguished Dr. L. Nelson Bell, who was a missionary to China. Dr. Bell and his family served as medical missionaries to China for nearly 25 years before returning to the Memorial Mission Hospital in Asheville, NC.

Today, the Grahams continue Dr. Nelson Bell's legacy through the ministry of the Ruth and Billy Graham Children's Health Center where the children of western North Carolina and the surrounding area receive special medical care that was unavailable before the advent of the Graham Children's Health Center. Moreover, the Grahams, through their various ministries, have extended their love and their caring by extending their loving and helping hands to the victims of disasters, the medical needy, and the disadvantaged.

Mr. President, it is fitting and proper, I think, for the U.S. Congress to honor Billy and Ruth Graham, who if anybody ever has, they have earned not only the respect of the Congress, they have earned the keys to the kingdom.

Mr. FAIRCLOTH. Mr. President, today Senator HELMS and I will introduce legislation that will authorize the Congress to present a gold medal to Ruth and Billy Graham in honor of their contributions to mankind.

The striking of the medal will have no cost to the taxpayer. Most importantly, all of this effort will benefit children in southern Appalachia and internationally.

Ruth and Billy Graham stand as shining examples of faith, family, morality, and charity. These two great North Carolinians are truly servants of the Lord and His work has been further accomplished through their lifelong efforts.

Dr. Graham's crusades have reached 100 million people in person and over 2 billion worldwide on television. He is America's most respected and admired evangelist. His newspaper columns and books reach legions of people in need of spiritual counseling. And, his loving marriage of 52 years to Ruth Graham is a touching personal achievement.

The Ruth and Billy Graham Children's Center, located at Memorial Mission Hospital in Asheville, NC, is testimony to the difference they have made in lives of others. The center's goal is to improve the health and well-being of children and to become a new resource for ending the pain and suffering of children.

Mr. President, I ask the Senate to quickly act on this honor for Dr. Graham and his wife. The prayers of many deserving children could be answered by this touching tribute to Ruth and Billy Graham.

By Mr. DOLE:

S. 1521. A bill to establish the Nicodemus National Historic Site in Kansas, and for other purposes; to the Committee on Energy and Natural Resources.

THE NICODEMUS NATIONAL HISTORIC SITE ACT OF 1996

Mr. DOLE. Mr. President, time, it is said, is the savior and nemesis of history. The savior because it is the very passage of time that creates history. The nemesis because that same passage of time obliterates history. Today, in Nicodemus, KS, a community is waging a losing battle against time. To bolster them in that fight, I am introducing legislation that would establish Nicodemus, KS, as a national historic site.

Kansas is not the first place that comes to mind when people think of the Civil War and reconstruction, but we Kansans know that Kansas is to the Civil War what Sarajevo was to World War I. Border ruffians, the sack of Lawrence, John Brown, and the Pottawatomie massacre are as familiar to Kansas schoolchildren as Fort Sumter and Gettysburg. The guerrilla war that rent bleeding Kansas was the opening skirmish in the armed conflict between abolitionist and slaveholder that ended at Appomattox.

Even less well known is that out of that bitter struggle emerged a period of hope for the newly emancipated. During the 1870's, Kansas was the scene of a great migration of southern blacks seeking their fortune in what some African-American leaders described as

the promised land. One of the most important settlements founded during that time was Nicodemus. From sod burrows carved out of the prairie by the original colonists, Nicodemus flourished into a leading center of black culture and society through the turn of the century.

Today, a cluster of five buildings is all that remains of that once vibrant community. National historic landmark status has not halted the gradual decay of this monument to the struggle of African-Americans for freedom and equality. In fact, in its report entitled "Nicodemus, Kansas Special Resource Study," the National Park Service indicated that "[i]f Nicodemus is not protected and preserved by a public or private entity, it seems inevitable that the historic structures will continue to deteriorate and eventually be razed." It was that finding that prompted my legislation granting the town of Nicodemus, KS, national historic site status.

It is my hope that colleagues will join me in working to save this unique piece of American history.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1521

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the town of Nicodemus, in Kansas, has national significance as the only remaining western town established by African-Americans during the Reconstruction period following the Civil War;

(2) the town of Nicodemus is symbolic of the pioneer spirit of African-Americans who dared to leave the only region they had been familiar with to seek personal freedom and the opportunity to develop their talents and capabilities; and

(3) the town of Nicodemus continues to be a viable African-American community.

(b) PURPOSES.—The purposes of this Act are—

(1) to preserve, protect, and interpret for the benefit and enjoyment of present and future generations, the remaining structures and locations that represent the history (including the settlement and growth) of the town of Nicodemus, Kansas; and

(2) to interpret the historical role of the town of Nicodemus in the Reconstruction period in the context of the experience of westward expansion in the United States.

SEC. 2. DEFINITIONS.

In this Act:

(1) HISTORIC SITE.—The term "historic site" means the Nicodemus National Historic Site established by section 3.

(2) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

SEC. 3. ESTABLISHMENT OF NICODEMUS NATIONAL HISTORIC SITE.

(a) ESTABLISHMENT.—There is established the Nicodemus National Historic Site in Nicodemus, Kansas.

(b) DESCRIPTION.—

(1) IN GENERAL.—The historic site shall consist of the First Baptist Church, the St. Francis Hotel, the Nicodemus School Dis-

trict Number 1, the African Methodist Episcopal Church, and the Township Hall located within the approximately 161.35 acres designated as the Nicodemus National Landmark in the Township of Nicodemus, Graham County, Kansas, as registered on the National Register of Historic Places pursuant to section 101 of the National Historic Preservation Act (16 U.S.C. 470a), and depicted on a map entitled "Nicodemus National Historic Site", numbered 80,000 and dated August 1994.

(2) MAP AND BOUNDARY DESCRIPTION.—The map referred to in paragraph (1) and an accompanying boundary description shall be on file and available for public inspection in the office of the Director of the National Park Service and any other office of the National Park Service that the Secretary determines to be an appropriate location for filing the map and boundary description.

SEC. 4. ADMINISTRATION OF THE HISTORIC SITE.

(a) IN GENERAL.—The Secretary shall administer the historic site in accordance with—

(1) this Act; and

(2) the provisions of law generally applicable to units of the National Park System, including the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (16 U.S.C. 1 et seq.), and the Act of August 21, 1935 (49 Stat. 666, chapter 593; 16 U.S.C. 461 et seq.).

(b) COOPERATIVE AGREEMENTS.—To further the purposes specified in section 1(b), the Secretary may enter into a cooperative agreement with any interested individual, public or private agency, organization, or institution.

(c) TECHNICAL AND PRESERVATION ASSISTANCE.—

(1) IN GENERAL.—The Secretary may provide to any eligible person described in paragraph (2) technical assistance for the preservation of historic structures of, the maintenance of the cultural landscape of, and local preservation planning for, the historic site.

(2) ELIGIBLE PERSONS.—The eligible persons described in this paragraph are—

(A) an owner of real property within the boundary of the historic site, as described in section 3(b); and

(B) any interested individual, agency, organization, or institution that has entered into an agreement with the Secretary pursuant to subsection (b).

SEC. 5. ACQUISITION OF REAL PROPERTY.

(a) IN GENERAL.—Subject to subsection (b), the Secretary is authorized to acquire by donation, exchange, or purchase with funds made available by donation or appropriation, such lands or interests in lands as may be necessary to allow for the interpretation, preservation, or restoration of the First Baptist Church, the St. Francis Hotel, the Nicodemus School District Number 1, the African Methodist Episcopal Church, or the Township Hall, as described in section 3(b)(1), or any combination thereof.

(b) LIMITATIONS.—

(1) ACQUISITION OF PROPERTY OWNED BY THE STATE OF KANSAS.—Real property that is owned by the State of Kansas or a political subdivision of the State of Kansas that is acquired pursuant to subsection (a) may only be acquired by donation.

(2) CONSENT OF OWNER REQUIRED.—No real property may be acquired under this section without the consent of the owner of the real property.

SEC. 6. GENERAL MANAGEMENT PLAN.

(a) IN GENERAL.—Not later than the last day of the third full fiscal year beginning after the date of enactment of this Act, the Secretary shall, in consultation with the officials described in subsection (b), prepare a general management plan for the historic site.

(b) CONSULTATION.—In preparing the general management plan, the Secretary shall consult with an appropriate official of each of the following:

(1) The Nicodemus Historical Society.

(2) The Kansas Historical Society.

(3) Appropriate political subdivisions of the State of Kansas that have jurisdiction over all or a portion of the historic site.

(c) SUBMISSION OF PLAN TO CONGRESS.—Upon the completion of the general management plan, the Secretary shall submit a copy of the plan to—

(1) the Committee on Energy and Natural Resources of the Senate; and

(2) the Committee on Resources of the House of Representatives.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Department of the Interior such sums as are necessary to carry out this Act.

By Mr. DORGAN (for himself, Mr. CONRAD, Mr. EXON, and Mr. DASCHLE):

S. 1523. A bill to extend agricultural programs through 1996, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

FARM LEGISLATION

Mr. DORGAN. Mr. President, farmers, farm suppliers, farm credit agencies, and bankers are waiting. They need to know what the farm program will be in 1996. Every day that they wait for that answer is another day in which they cannot plan or prepare for planting the 1996 crops.

They are waiting for Congress to act, because the farm bill that was supposed to be debated and adopted in 1995 has not been debated nor adopted.

Congress has a responsibility to farmers to tell them what kind of farm program they will be operating under this spring. Farmers should not be the victims of the failure of Congress to enact a 5-year farm program. It was not their fault that a farm bill didn't get enacted on a timely basis.

We are rapidly running out of time. I would prefer a full 5-year farm bill that provides some fundamental reform to our current farm policies. I believe in providing a solid safety net for our Nation's family farmers, and making preservation and enhancement of our Nation's family farm system as the primary goal of our Nation's farm policy.

But we have not had a real opportunity to debate a multiyear farm bill. Nor have we had full and open hearings and committee meetings in which our Nation's farmers could effectively participate in the shaping of a farm bill. That should have been done last year, but it wasn't.

Today I am introducing legislation to provide a 1-year extension of the farm bill. I am pleased Senators DASCHLE and CONRAD have joined as cosponsors. This is not a perfect solution—but I hope it will get the ball rolling. Farmers deserve an answer about what the farm bill will be.

This bill extends our current farm law, including the Food for Progress program, conservation programs, and commodity programs for the 1996 crop year.

In addition, it provides the full flexibility that our producers have requested for permitted crops. The need for flexibility has been a common feature in almost all of the farm legislation that has been introduced and discussed this past year.

There is no reason why we shouldn't provide that flexibility this crop year, especially in recognition of the higher market prices that we are currently experiencing. This will allow producers to respond to the market signals, while maintaining the loan programs and the basic safety net available to them.

It also provides for forgiveness of advanced deficiency payments related to disaster and prevented planting situations. We need to recognize that the improved market prices do little for those producers who had short crops as a result of cropping problems this past year.

My purpose in introducing the bill today is simply to provide a vehicle for Congress to move rapidly to respond to the needs of farmers as they finalize their planning for this crop year.

I believe a 1-year extension should provide adequate time for Congress to get the farm bill job done. The delay in farm legislation has already been long enough. We should not delay it further.

If, instead of extending the current farm bill, we can on an expedited basis, debate and pass a new 5-year farm bill, then I'm all for it. But we shouldn't delay any longer. One way or another we should give farmers some certainty about the future farm bill.

Mr. President, I listened with interest to my colleague from Iowa. He is someone for whom I have substantial respect. The Senator from Iowa and I, in fact, are co-chairing one of the few bipartisan groups that exist in the Congress, and I am delighted to be doing that. I think he has a vast reservoir of knowledge on agriculture, and I have great respect for him.

I must say I disagree with some of what he just said. I disagree with the characterization of part of this debate. In fact I have sought the floor today for the specific purpose of introducing an extension for 1 year of the current farm bill. I will do that following this discussion.

I would extend the current farm bill for 1 year and make some modifications to it so that we would provide substantial planting flexibility. This is one of the features that the Senator from Iowa mentioned in the other legislation that was considered last year. I think there should be substantial flexibility with respect to any farm program, including the current farm program if it is extended for a year.

We need to give farmers the opportunity to decide what to plant, where to plant, and when to plant on base acres. My proposal to extend the current farm bill for 1 year would provide substantial additional flexibility in planting decisions for family farmers.

I would also propose that we provide a forgiveness for the advanced defi-

ciency payments for those farmers that suffered crop losses. That is also in the legislation that I offer.

The reason I offer this legislation today is not because I think it is necessarily the best choice nor it is my first choice for farm legislation. I hope to get the ball rolling here in the Congress to do something that gives farmers some certainty.

It is now the end of January 1996. A 5-year farm bill should have been agreed to last year. The Senator from Iowa mentioned, and he is absolutely correct, that the Congress had some hearings, and so on, and passed a bill. But Congress passing a bill with a majority of the votes in the House and the Senate is just a series of steps on a long stairway by which legislation becomes law.

That farm legislation was put in the budget reconciliation bill that everybody by last July knew was going to be vetoed. So the exercise to put their farm bill, called the Freedom to Farm Act, in the budget reconciliation bill that everybody knew was going to be vetoed puts us in a position in January of not having farm legislation today.

Again, I respect the notion that it is "his side" and "your side" and "our side" and "he said" and "she said." But the fact is, regardless of what happened last year, we end up in January in a situation in which farmers do not know under what conditions they will plant this year. The people who are selling farm machinery do not know the circumstances under which farmers will plant. All the other folks who are concerned about our rural economy do not know what the farm bill will be.

One way or another, it seems to me the Congress, Republicans and Democrats, need to provide an answer. What is going to happen this year when farmers go in the field? Under what conditions will they be planting a crop? What will be the support prices?

It probably does not matter much to the very largest operators. It certainly does not matter to the largest agrifactories in America. It does not matter to corporate farms, the big ones. But it does matter a lot to a man and wife on a family farm out there who are trying to raise a family and who have a very thin financial statement and who, if they come into a year of low market prices, have no price supports. It is not simply a matter of inconvenience. For them it is bankruptcy. It matters to them.

It does not matter to the big operators. They can get by. They can get by a year or two or three. It is the family farmer out there struggling from year to year, just one bad crop away from losing their farm. That is who is deeply concerned with this matter.

Now, what should we do? Well, I'll tell you my first choice. My first choice is for all of us to get together and come up with the best possible series of ideas that all of us have.

There should not be anyone in this Chamber who in a meeting between all

of us would not agree that farmers ought to have much more flexibility in planting decisions than they now have. All of us agree on that. So that is one step. Let us agree on that.

There are a number of other steps that we could agree on that would represent the elements of a new farm plan. But I will tell you one area where we will not agree. That is an area where we say that what we want to do is to build a stairway to Heaven. And, Heaven is described as a circumstance where after 7 years there is no safety net for family farms. That stairway to Heaven is not going to happen. It is a definition of Heaven I do not accept.

If you pull the rug out from under family farmers after 7 years there is no heavenly rescue. There is no real safety net. I am sorry but the fact is I wish to see yard lights in rural America. The only way family farm operators will be able to make it is if we have a real safety net when bad years come and international prices drop down and stay down. The only way we will retain a network of family farmers in this country is if we have that safety net.

Some say it does not matter who farms. If it really does not matter who farms, then the agrifactories will farm America from California to Maine. Then we will see what the price of food is. But it does matter for a whole series of social and economic reasons that we retain a network of family farms in this country's future.

How we do that? Well, we do that by writing a farm program. Have we had a very good farm program in the past? No, I do not think so. It is not the kind of farm program I would have written. But we are required to write a new 5-year farm plan.

The farm plan that was offered last year was put into the budget reconciliation bill. Incidentally, that is the first time this has ever happened. I think the Senator would concur with that. We have not previously taken a farm bill and said, "Oh, by the way, let's dump it into a reconciliation bill and let it travel along on that train."

That has never happened before. We have always done a farm bill in a separate debate, and then we moved it to the President and he signed it and we had farm legislation. But last year was different. It was put in a bill that everybody by June or July knew was going to be vetoed, and so it was vetoed, and we end up now at the end of January without a farm plan.

My first choice would be for all of us to get together and hammer out some compromise and say let us get the best of all ideas here and construct a farm plan that really does work for family farms.

If we cannot do that, in my judgment, why mess around at all? Our goal should be to try to help family farmers make a decent living when international grain prices collapse and stay down. If we cannot help them in those circumstances, I say get rid of the whole thing.

The U.S. Department of Agriculture was developed and started under Abraham Lincoln with nine employees—nine. Well, it has grown to be a behemoth organization, as all of us know, involved in the lives of farmers in some positive ways and in other ways in a negative way.

If we cannot construct new farm legislation that tries to provide a safety net for family-sized farms, get rid of it all. Shut down USDA. Get rid of the Secretary. Get rid of all the apparatus. Get rid of the program. I am not interested in developing a set of golden arches for the largest agrifactories in this country. They hold no interest for me. They are big enough to manage on their own. They can have their own celebrations when they make a profit. They can compete on their own in the international marketplace.

It is mom and pop out there on the family farm that cannot make it when international prices drop and stay down. They are the ones who lose their dream. All of us have had those calls. I had one not too long ago from a woman who was, with her husband, losing their farm. She began crying on the phone and saying that for 19 years they have tried to make a go of this farm. She said, "We do not go places on the weekend. We do not go out on Saturday night. Our kids wear hand-me-downs."

She said, "We are not people who spend money just for the sake of spending money. We save every dime we can."

"But," she said, "the fact is we are going to lose our farm, and it has been our dream. It is the only thing we have done since we got out of high school."

We have all heard those stories from people who are not just losing their farm, but they are losing their dream. The question now for all of us, it seems to me is what can we do? What can we do to help? What can we do to provide a safety net that works for family-sized farmers?

My first choice would be for us to find a range of agreement and pass a new 5-year bill that makes some sense. We would have to do that quickly, within a matter of weeks. I am certainly willing to engage in that process and would like to engage in that process. If we cannot do that, my second choice is to extend the current bill 1 year, provide substantial added flexibility and provide forgiveness of advanced deficiency payments for those who suffered losses. That would give us time. Then farmers could go into the fields to plant knowing under what conditions they are planting and knowing the kind of farm program they will have. This would give us time to wrestle again on a new approach of how do we construct a 5-year plan that will really work?

So I intend to offer today, for myself and a couple of colleagues, an extension of 1 year with some modifications, including substantial flexibility, and forgiveness of the repayment of advanced deficiency payments under certain conditions.

Is it the best approach? No, not necessarily. Do we need to provide some answers to farmers? You bet your life. It is not just farmers. It is everybody out there trying to do business. This Congress needs to take action and take action soon.

I hear people say, "Well, it is so and so's fault. It is somebody else's fault." That is not my interest. I am not interested in whose fault it is at this point.

My interest is how do we solve this problem in the next couple of weeks. I think that is what I heard the Senator from Iowa say as well. Let us figure out a way to do it for the farmers who live in Iowa and the farmers who live in North Dakota. For the family operators who are trying to make a living, let us figure out a way that we can answer this problem. We are required to do that.

It is not satisfactory to say, "Well, we passed a bill. That is the end of our obligation." If the bill got vetoed, it is not law. And that is what happened.

We do not have a farm bill. We must, it seems to me, struggle now to find a way to create one or to extend the current program in a way that will be helpful to family farms in our country.

It is interesting, people ask me from time to time, "What is a family farmer? You always talk about family farms. What is a family farmer?" I always say, "I don't know what the specific definition of a family farmer is." They asked Michelangelo how he sculpted "David." "I took a big piece of marble and chipped away everything that was not David."

I suppose if we just chipped away everything that we thought was not a family farm, we could come up with a core definition that we could probably all reasonably agree to on what a family farm is. But we do not have enough money for a farm bill to provide unlimited price supports all the way up the range of production. So let us define a family farm in terms of what we can afford to do to provide a reasonable safety net under a certain increment of production. That is what we attempted to do when we offered something called the Family Farm Security Act, and I think it made a lot of sense.

Some will say, "Well, that did not pass the Congress." That is true; it did not. There are often times when good ideas are not successful the first time.

Mr. President, I ask unanimous consent for an additional 4 minutes.

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

Mr. DORGAN. The Farm Security Act is an approach that does say we are going to retool this farm program so that we are focusing on the people we want to help, the family-sized farm. It would provide a targeted marketing loan with the highest support price for the first increment of production. That is exactly what we ought to do, in my judgment. We were not successful in this past year in doing that. Somewhere in the context of reaching an agreement and in reaching a com-

promise, I hope some elements of that approach will be considered again.

But, most of all, those of us who come from rural States—Republicans and Democrats, the Senator from Iowa, the Senator from North Dakota, and others,—I think all of us have a responsibility now in the next couple of weeks to urgently press for the Congress and the President to answer the question for family farmers. When they start that tractor up and pull that plow out to begin spring's work in not too many weeks, under what farm program will they be plowing and seeding and harvesting?

It is pretty frustrating for people whose economic lives are on the line to see all of this rancor and all of this wrangling going on in the Congress when all they want are simple answers.

Tonight the President is going to give his State of the Union Address. Someone asked me today, a press person asked me, what do I think the President will say or should say? I said one of the things I hope he addresses, and I think he probably will, is this past year of 1995 when we have seen some of the most truculent, difficult debate resulting in policies that just defy all common sense, of shutdowns and threatened defaults and gridlock. I hope the message from everyone who will speak tonight, the President, who gives the State of the Union Address, and Democrats and Republicans who react to that address, will be it is time to have a New Year's resolution that all of us stop shouting and start listening. It is time we decide no one sent us here to advance the economic or political interests of the political party we belong to. They sent us here to advance the interests of this country.

This is a wonderful country with boundless opportunity and whose best days are still ahead of us, if we in this Congress can decide to do things that are positive for this country. That means a little less feuding and a lot more cooperation. I hope that is part of the speech tonight. I hope it will be. I hope the reaction to that is positive.

Part of that reaction, in my judgment, could be a reaction, even on agriculture and, yes, even on the farm bill, to decide what separates us is a lot less important than what unites us. What unites us in every State that we represent as farm legislators are families out there struggling against the odds to plant a seed that they do not know will grow into a crop. If they do get the seed to grow, they do not know what the price will be or if there will be a price to cover their costs.

Those twin risks are economic risks that can literally kill the dream of family farmers, and literally does kill that dream in tens of thousands of cases every single year. That is what we need to care about. That is the root and genesis of this debate about farm policy.

I know a lot of people do not think much about it and do not care much about farm policy. They think milk

comes from Safeway and butter comes from a carton and pasta comes inside cellophane. But it does come from cows and it comes from a wheat field and it comes from seeds and sweat. It comes from farmers breathing the diesel fumes as they plant and harvest.

This is a lot more important than just theory. This is an economic imperative in rural America that is important to many of us. I hope we can find reason to cooperate. I hope, as my colleagues will look at this piece of legislation, they will consider it. If not the extension of the current program, then let us consider something else that we can agree on that will advance the economic interests of farmers.

I do not share the notion that this in any way jeopardizes anybody's baseline. If it did, I would not be offering it. I am talking about the budget baseline, which my colleague will probably speak more about.

With that, Mr. President, I thank the Senator from Iowa for his attention and for staying. Again, I look forward to the cooperation that we have had on many rural issues. I hope we can cooperate on this issue as the weeks unfold.

Mr. President, I yield the floor.

Mr. CONRAD addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. I thank the President. I thank my colleague from North Dakota for his excellent presentation on why it is critically important that we have a farm bill and that we have a set of rules that our farmers know will be in place as they enter into the next crop year.

Let me say that I believe the Senator from North Dakota has introduced something, that while not perfect, is something we are going to have to do in terms of extending the current farm bill so that farmers at least know what the rules of the road are going to be for this next crop year. There has been an absolute failure by this Congress to pass farm legislation that could become law.

Mr. President, the legislation that my colleague has introduced would dramatically increase the flexibility that farmers have and dramatically improve the competitive position of American farmers. I think that is in everyone's interest.

I think the Senator from Iowa is correct when he says that we need to know what farmers can expect. Farmers are right now sitting around their kitchen tables trying to figure out what their strategy for this next year should be, and much is at stake. Their families' livelihoods are at stake. What money the family is going to have for the next year is at stake. Whether or not that farm family is going to be able to meet their bills is at stake. The health of rural economies is at stake. What happens on the Main Streets of every city and town in the heartland of America is at stake.

The economic health of an industry that, along with airplanes, is the big-

gest producer of a trade surplus for America is at stake. An industry that is one of America's very biggest is at stake. Our competitive position in the world is at stake.

There is a lot riding on this debate and this discussion. The Senator from Iowa is right: We need a plan. Let me say what we do not need is the plan that the Republican Party has advanced in both the House and the Senate. The Republican proposal was for deep and Draconian cuts in farm programs that would dramatically reduce farm income. That has been their plan. Repeatedly Republicans have called for phasing out farm programs, for eliminating that support mechanism that has been the genius of American farm policy.

Mr. President, I believe that represents unilateral disarmament when we are in the midst of a fierce trade fight with other countries who recognize the importance of maintaining their competitive position in agriculture. The last thing we would do in a military confrontation is to engage in unilateral disarmament. Why we would ever do it in a trade fight is beyond me.

Make no mistake, we are in a trade fight in agriculture. Europe, which is our biggest competition, is spending three to four times as much as we are spending to support their agricultural producers.

Let me repeat that. Europe, our chief competitors, are spending three to four times as much as we are spending supporting their producers. Why? Because they understand the critical importance of agriculture to the economic health of their countries, and they do not intend to lose this trade battle. They intend to fight it. They intend to win it, and they think the United States is going to cave in. They think the United States is ready to roll over. They think the United States is ready to throw in the towel.

I have spent hours and hours with the chief trade negotiators for the Europeans, and they have done everything but draw me a picture of what their long-term strategy is. They believe the United States is losing its resolve to fight for agricultural markets, and they are going to win them the old-fashioned way. They are going to go out and buy them, and that is precisely what is happening. We would be fools to allow them to win this battle and see tens of thousands of jobs leave this country because we are not willing to fight.

Mr. President, let us recall what has happened with respect to farm policy this year. On the House side, they had a proposal they called "Freedom to Farm." Most of us would consider it "Freedom from Farming," because if that thing was ever put in place, there would be a whole lot of farmers forced off the land in very short order. It is not "Freedom to Farm," it is "Freedom from Farming." Others have called it "Welcome to Welfare," be-

cause what it did was to say that no matter what prices are, farmers would get a payment from the Federal Government for the next 7 years, and then we would wash our hands of farm producers in this country.

That proposal was so radical, it suggested we eliminate the underlying authority passed in 1938 and 1949 to even have farm legislation. That is how radical and how extreme the proposal was on the House side. They could not even get that proposal through the House Agriculture Committee, although it was authored by and offered by the chairman of the House Agriculture Committee. They could not even get it through the relevant committee on the House side. Mr. President, that is how flawed that proposal was.

On the Senate side, they authored legislation that went through the Senate Agriculture Committee on a straight party-line vote after very little debate and very little discussion. Frankly, our colleagues on the other side did not want much debate, did not want much discussion, because they knew that policy was an invitation to liquidation. It would have cut farm support 60 percent in real terms in the seventh year of that proposal. I can just say, for my State, that would have represented an unmitigated disaster.

Interestingly enough, in the Senate, they did not even offer the House "Freedom to Farm" proposal for a vote. They did not even offer it for a vote, because they knew it would not enjoy much in the way of support, even in the Senate Agriculture Committee. So, then what happened, they came out on the floor and they stuck the farm legislation in the reconciliation bill.

What does that mean, "reconciliation"? It is confusing to people. That is where all of the programs are put together in order to meet the budget resolution requirements, and you do not have a separate discussion and debate on the bill itself. It is wrapped into a piece of legislation that contains many other issues.

They did that because they knew they could not pass their farm legislation on its own. Typically, the way we have handled farm legislation is to have a separate bill and a debate and a discussion on that bill and a vote on that bill. They did not want to do it that way. They wanted to wrap it in another package and vote on an entire package, with agriculture being just a small part of it, because they did not want people to be paying very much attention to what that farm policy represented, that was contained in that legislation.

Mr. President, that reconciliation bill was vetoed by the President of the United States. There were many reasons for his veto. There were many elements of that legislation, apart from farm legislation, that called for a veto. But part of the reason he vetoed it was the farm proposals, which the President saw as radical and extreme and as going too far and of putting the United

States at risk of losing the significant advantages it has had in competing for world agriculture markets.

The President of the United States was called on by farmers all across this country to veto that reconciliation bill, and veto it he did. I am proud the President did veto that bill, for reasons other than the farm legislation, but the farm legislation alone would have been enough for me.

I joined those farmers in asking the President to veto that bill. It was terrible policy. It represented unilateral disarmament in this world trade battle, a battle for markets that are critically important to the economic future of this country. It is not just the economic future of America that was at stake, not just our trade situation that was at stake. It was the lives of literally thousands of American farmers at stake.

Very often when I go home to North Dakota, I go to farm families and sit around the kitchen table and talk about the future of agriculture policy and what it means to that family. Over and over this year, farm families have told me, if the policy that is being voted on in Washington, that which was offered by our colleagues on the other side of the aisle, ever became law, they would be finished, they would be out, they would be forced off the land.

I think the best estimate in my State is that we would lose a third of the farmers if that bill ever became law. That is not in the interest of family farmers. That is not in the interest of the economic health of my State. More broadly, I do not think it is in the economic interest of the country.

So I urge my colleagues to closely consider the course my colleague from North Dakota has proposed. I thank the Chair and yield the floor.

Mr. GRASSLEY addressed the Chair. The PRESIDING OFFICER (Mr. ABRAHAM). The Senator from Iowa.

Mr. GRASSLEY. Mr. President, this summary action would not conflict with the goals of the two Senators from North Dakota who have just spoken, but is to point out where we are.

If, in fact, we have a year extension of the present farm bill, a couple things for certain will happen. First, immediately farmers will have to pay out of their cash flow last year's advance deficiency payment, because grain prices are higher now, at a time when some farmers did not get any crops and do not have that capability. If you have a 1-year extension, as opposed to the Freedom to Farm Act, money that would have gone from the Federal Treasury to the farm economy absolutely will not go.

So I do not quite understand why people on the other side of the aisle say that the "Freedom to Farm" agriculture bill is a sure, certain way to kill off the family farmers when their 1-year extension puts no money into agriculture whatsoever and the Freedom to Farm Act would.

What we get with the Freedom to Farm Act is certainty. We know in the bill that the President vetoed, albeit less money than has been spent on agriculture over a long period of time, we know the certainty of \$43.5 billion in agriculture programs over the next 7 years. That is \$6 billion to \$7 billion for 1996 that would go into agriculture that under the Democratic proposal that we have been talking about here in the last hour would not be going to agriculture.

That \$6 to \$7 billion next year, because of moving toward the marketplace for income from agriculture, will gradually decline probably to \$4 billion in the year 2002. But we know right now in the bill that the President vetoed that there would be \$43.5 billion going into agriculture. We know that it would be under contract to the individual farmers, and because of that contractual obligation, the same as the annual payment that goes for the Conservation Reserve Program being honored by subsequent budget decisions made by Congress, will not be changed. That \$43.5 billion is a sure thing.

Would my colleagues who promote a simple 1-year extension of the existing farm bill say that that 1-year extension brings certainty to agriculture? They are proposing something good for agriculture as opposed to what we Republicans propose of \$43.5 billion for certain to go into agriculture? That is what the President of the United States vetoed.

The other thing is, as we delay making decisions for agriculture with a 1-year extension, we are going to be delaying it until 1997. If you have a 2-year extension, you are going to be delaying it to 1998. The way the Congressional Budget Office scores anything in the budget, and as you apply that to agriculture, we could be losing baseline flexibility to do something for agriculture in the near future. We have already lost \$8 billion just because the President vetoed the farm bill. It is proposed by the House Agriculture Committee that if we have a 1-year extension, we could lose another \$6 billion from the baseline.

Now, for people on the other side of the aisle that want a 1-year extension of the farm bill, how can you say that you are helping agriculture if you are gradually chipping away at the baseline, the fiscal baseline for agriculture in our budget? You say you are a friend of agriculture, and you want to do that? That would not sell in my State to the very same farmers that my friends from North Dakota say that they talked to in the coffee shops.

The other is a simple extension of the 1995 farm bill for 1 or 2 years, which denies the reality of the international trade situation, the environment of the new GATT agreement, which this Congress approved a year ago. The GATT agreement is freeing up trade in agriculture and other commodities so that we are going to have a much more free-trading environment and an agri-

culture that tends to take more in 1999, 2000, 2001, 2002 than in the early years of the GATT agreement. But we are moving to a point where, by freeing up trade in agriculture, farmers are going to be able to get more money from the marketplace and less from the Federal Treasury. Where I come from, that is what the farmers want. They want to be able to compete. They know that with our efficiency in agriculture, we can compete, we will compete, and the provisions of the Freedom to Farm Act, besides nailing down \$43.5 billion from this transition from a Government-regulated agriculture to a free market agriculture, where we can compete in the world market, it also has the flexibility for the farmers to plant according to the marketplace, not according to the political decisions made here in Washington. That means that they are going to be able to plant the number of acres of corn or soybeans—those are the two prominent crops in my State—that fit the marketplace, the realities of the marketplace, not decisions that are made in the U.S. Department of Agriculture downtown by bureaucrats, who are removed from the realities of the marketplace that end up having farmers plant according to the historical bases that there are for corn and other crops on their respective farms.

What a way to make a decision in agriculture. Is that better than the market planting decision that can respond to the marketplace, a planting decision that fits into the reality of the freeing up of international trade, where our farmers can compete very well with any foreign competition?

The first thing is the \$43.5 billion. The second is flexibility to plant according to the marketplace. The third point is that we will no longer be setting aside our productive capacity that we have and letting acres of rich farmland lay idle from year to year. We are going to allow every acre to be planted so that we send a signal to all of our competitors around the world that we know there is a growing world demand for exports out there. We are going to compete in that, and we are going to produce to maximum to fill the demand of the marketplace. We are going to do that in a way that is not going to encourage any of the farmers of any of the countries of the world where productivity is not quite as good as ours to plow up their marginal farmlands and put it into productivity because they know we are taking some of our land out of production.

If there is anything about the freedom to farm proposal, it is the absolute certainty that is there. If there is anything about a 1- or 2-year extension of the present farm bill, it is the uncertainty over the period of transition to the free market and the new GATT environment in trade. Second, it is going to take, for certain, money from the farmers of America at the very same time that some of our colleagues are pleading the financial plight of those very same farmers.

So I think common sense dictates giving the farmers as much certainty as you can. They get that with freedom to farm. And it is absolutely not a part of a 1-year extension of the present farm bill.

Mr. EXON addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. EXON. Mr. President, would you advise me of the present status of the Senate?

The PRESIDING OFFICER. We are in morning business.

Mr. EXON. Mr. President, I am a Senator who has been close to agriculture for a long time. I want to speak with regard to the remarks made preceding my statement by my farm State colleague from the State of North Dakota, Senator DORGAN, and likewise, my farm State Senator next door, CHUCK GRASSLEY, who both are Senators I have worked with for a long time on farm policy.

I think we have an awful lot to do in this particular area. The most significant concern that I have in this regard, Mr. President, is the fact that here we are dilly-dallying on a farm program, and the farmers across the United States of America are justifiably concerned. Many in the South are beginning to plant now. The grain crop farmers in Nebraska and the rest of the major grain-producing States are now preparing to plant. They are trying to work out their financial needs with their bankers. They are totally at a loss and do not know what we are going to do.

I suggest that never before in history have we been so late in deciding what a farm program is going to be in the year that the crop is going to be planted. That has to stop. I do not know how to end this impasse that we have but the impasse must be broken for the good of the food producers of the United States of America.

I happen to feel that probably the best way to resolve this matter in an expeditious fashion, if we could reach an agreement between the two leaders in the Senate to bring up a freestanding farm bill with some kind of restrained debate, something to move things along and then have an up-or-down vote. That would be one way to solve the problem and let the Senate work its will. Whether that is possible or not I do not know at this juncture, but I know that is one of the suggestions that are being mulled over.

The initiative by the Senator from North Dakota today to essentially extend the present farm program for 1 year is not the best of all worlds but it is a whole lot better than no action whatever.

I must say that I have studied with great interest the so-called Freedom to Farm Act and I understand that the sponsors of that measure over on the House side, as the House has the penchant for these days is to say, "Do it our way or we will not do it at all." That is not the way which you handle farm

policy or the way we should handle the budget. Certainly, we have 435 Members of the House of Representatives and 100 of us here in the U.S. Senate. We have an obligation to work our will, using the procedures that are in place in both bodies, and we cannot have some people, one, two, or three individuals, say "Doing it my way is the only way, and I will not do anything unless you do it my way."

It is not the way to get things done or accomplish anything in a body where you have 435 over there and 100 of us over here, 535 all strongly willed individuals with their own ideas. I suppose it would be self-serving to say, Mr. President, that maybe I should say 534 because the Chair and everybody in the Senate knows this Senator from Nebraska is not a strong-willed individual. I set myself apart from all of the other Members.

With that facetious statement, I come back to the core issue here, and that is we have got to move. I cannot support the so-called Freedom to Farm Act in its present form. Certainly, the Freedom to Farm Act eliminates a great deal of the red tape. It gives the farmers what I like to see them have and what they want. That is to make decisions on their own about where they plant and how they plant it.

That concept is also basically included in a measure that was introduced by the minority leader, Senator DASCHLE, another farm State senator, myself, and my colleague, Senator KERREY from Nebraska, and others, known as the Democratic farm bill. It also incorporates all of those good features of allowing more flexibility on the part of the individual farmer, eliminates a lot of the red tape but does not go as far into what I think is making the farm program a welfare program, as I am very fearful the Freedom to Farm Act would eventually encounter.

Let me cite an example, and I will ask at the appropriate time that the facts be printed in the RECORD. As a farm State Senator who recognizes that our prediction of many of our farmers today, especially those with limited acres on which they farm, continue to be in dire straits, I also cite today the fact that the cattle-producing industry is in deep, deep trouble today. While the Farm Act today or any of the Farm Acts we are talking about is not going to provide any relief basically for the cattle producer, they are part of the important food chain. I simply cite this as a fact. They are in deep, deep trouble today because of the steady decline in the cattle at all levels.

Coming back to the Freedom to Farm Act, I think that the main criticism I have of that act—and once the farmers of the United States fully understand it, I think that they would come out resoundingly against it because in essence it would turn the farm program into a welfare program which is something that they do not want. To

say that, Mr. President, and having said that I am a farm State Senator, have fought for good farm programs for a long, long time, I recognize they cost some money but I also recognize that the American public today spend less of their disposable income for food of any industrialized nation in the world. Food is a bargain primarily because of the good work, the production ability and the genius production of our family farmers going to make good food, clean food at more than affordable prices.

However, if we decouple completely the farm program from the marketplace we are marching down a road that I think farmers and the food industry eventually would come to recognize is a big mistake.

The welfare provisions in the so-called Freedom to Farm Act we all should know about, and I cite a typical example which is very accurate. Under the Freedom to Farm Act, which is a step down to phasing out the program in total in 7 years, as I understand it, we will take a typical farm and talk about typical farm, typical numbers. The facts of the matter are that as I indicated, the livestock industry, the beef industry in particular, the pork industry as well, are in deep, deep problems these days. If you go along with the Freedom to Farm Act, that will not be necessarily true of the row crop producers.

I cite, for example, if the Freedom to Farm Act became a reality and if we took, Mr. President, a 500-acre corn farm which is not a particularly big farm, not particularly little farm, but use that as an example, and if that individual farmer planted his 500 acres to corn, under the Freedom to Farm Act, and if that 500-acre farm produces 120-bushel yield, and if the price for corn were, for example, \$3.10 a bushel, 500 acres, 120-bushel yield, and a cash price of \$3.10, you multiply 500 by 120 bushels and come up with 60,000 bushels. And 60,000 bushels at \$3.10 cash price produces \$186,000 gross cash income. Not net, but gross cash income. In addition to that figure under the Freedom to Farm Act that same farmer would get from the Government, he would be paid, sent a check by the Government over and above the \$186,000 gross for 1996 using 60,000 bushels, he gets a 27-cent payment. That is \$16,200 in 1996 that typical farm would receive over and above the \$186,000 gross. In 1997, that goes up to 37 cents a bushel for \$22,200, which I think could be described as a welfare payment. In 1998, it goes up to 40 cents a bushel or a \$24,000 welfare payment.

I simply say that the example that I have used at the cash price of \$3.10 for corn producing for the farm that I have outlined, \$186,000 in gross cash income, on top of that the individual farmer would receive basically for doing nothing, or to put it another way, the 500-acre farmer with the ability to produce corn, assume that farmer planted nothing, he did not do anything, he just sat

and watched television all day long. Well, he would not get the \$186,000 but still under that kind of a scenario that farmer who planted nothing and did nothing would receive \$16,200 from the Federal Government in 1996, \$22,200 welfare-type payment in 1997, and \$24,000 in a welfare-type payment in 1998.

Mr. President, I now ask unanimous consent the figures I have just referenced be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. EXON. I simply say that when you look at these kind of facts, I think one would have to conclude that any time you are going to have a welfare payment on top of what I have just outlined here at \$3.10 a bushel—I would add that even if corn went up to \$5 a bushel or \$8 a bushel, which I suspect it will not, but even if it should—under the Freedom to Farm Act, that typical farmer that I just outlined would still receive the \$16,000 to \$22,000 or \$24,000 depending on which year and so on down the road, on top of whatever he got from the marketplace. Therefore, there are dangers, because I happen to feel that when this information comes out, and with the stringent budget terms we are working under now, it would not be long before somebody would come up and say we are not going to do that anymore. Then some of the farmers who signed on to this program as some kind of a cash windfall would be hurt.

We have to have a farm program that gives the farmers some relief from what the situation is now with regard to the payback that they have to make for their advanced deficiency payments. But I think we can get together and work out a reasonable proposal and not one that is embodied in what is generally called the Freedom to Farm Act.

EXHIBIT 1 FREEDOM TO FARM

500 acre corn farm.
120 bushel yield.
\$3.10 cash price.
500 acres times 120 bushels equals 60,000 bushels.
60,000 bushels times \$3.10 cash price equals \$186,000 gross cash income.
Plus Government Payment (whether they plant or not).
1996—60,000 bushels times \$.27 payment equals \$16,200 welfare payment.
1997—60,000 bushels times \$.37 payment equals \$22,200 welfare payment.
1997—60,000 bushels times \$.40 payment equals \$24,000 welfare payment.

ADDITIONAL COSPONSORS

S. 969

At the request of Mr. BRADLEY, the names of the Senator from Maine [Mr. SNOWE] and the Senator from Wyoming [Mr. SIMPSON] were added as cosponsors of S. 969, a bill to require that health plans provide coverage for a minimum hospital stay for a mother and child

following the birth of the child, and for other purposes.

S. 1039

At the request of Mr. ABRAHAM, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 1039, a bill to require Congress to specify the source of authority under the United States Constitution for the enactment of laws, and for other purposes.

S. 1317

At the request of Mr. D'AMATO, the name of the Senator from Hawaii [Mr. INOUE] was added as a cosponsor of S. 1317, a bill to repeal the Public Utility Holding Company Act of 1935, to enact the Public Utility Holding Company Act of 1995, and for other purposes.

S. 1364

At the request of Mr. KEMPTHORNE, the name of the Senator from Alaska [Mr. MURKOWSKI] was added as a cosponsor of S. 1364, a bill to reauthorize and amend the Endangered Species Act of 1973, and for other purposes.

S. 1419

At the request of Mrs. KASSEBAUM, the names of the Senator from North Dakota [Mr. CONRAD], the Senator from Kentucky [Mr. MCCONNELL], and the Senator from North Dakota [Mr. DORGAN] were added as cosponsors of S. 1419, a bill to impose sanctions against Nigeria.

S. 1439

At the request of Mr. GLENN, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of S. 1439, a bill to require the consideration of certain criteria in decisions to relocate professional sports teams, and for other purposes.

S. 1480

At the request of Mrs. BOXER, the name of the Senator from Rhode Island [Mr. PELL] was added as a cosponsor of S. 1480, a bill to provide for the comparable treatment of Federal employees and Members of Congress and the President during a period in which there is a Federal Government shut-down.

S. 1519

At the request of Mr. DOLE, the names of the Senator from Montana [Mr. BURNS], the Senator from South Dakota [Mr. PRESSLER], the Senator from Mississippi [Mr. COCHRAN], and the Senator from Ohio [Mr. DEWINE] were added as cosponsors of S. 1519, a bill to prohibit United States voluntary and assessed contributions to the United Nations if the United Nations imposes any tax or fee on United States persons or continues to develop or promote proposals for such taxes or fees.

SENATE RESOLUTION 210—TO COM- MEND THE CORNHUSKERS OF THE UNIVERSITY OF NEBRASKA

Mr. EXON (for himself and Mr. KERREY) submitted the following resolution; which was considered and agreed to:

S. RES. 210

Whereas Dr. Tom Osborne, the winningest coach in college football, has led the Nebraska Cornhuskers to the last five Big Eight titles, a second perfect season, and repeat of the National Championship;

Whereas the Huskers have gone undefeated at 25-0 in the last two seasons and 36-1 in the last three seasons, the most victories ever in that time span for any collegiate team;

Whereas Tommie Frazier, the great Husker quarterback, continued the unmatched Nebraska tradition by being named Most Valuable Player in the last three Championship games and finished his brilliant career with a rushing high 199 yards in the 1996 Fiesta Bowl;

Whereas the Huskers decisively won the Fiesta Bowl becoming the second football team ever in collegiate history to earn a consensus #1 rank in the major polls for two consecutive years;

Resolved, That the Senate commends the Cornhuskers of the University of Nebraska at Lincoln for having won the 1995 National Collegiate Athletic Association Football Championship.

SENATE RESOLUTION 211—TO COM- MEND THE CORNHUSKERS OF THE UNIVERSITY OF NEBRASKA

Mr. EXON (for himself and Mr. KERRY) submitted the following resolution; which was considered and agreed to:

S. RES. 211

Whereas the Cornhusker Volleyball team under the leadership and experience of Coach Terry Pettit has risen above all others in the volleyball arena;

Whereas Nebraska player Allison Weston was named co-winner of the national Player of the Year Award assisting her National Championship winning teammates in a spectacular season;

Whereas this year's Nebraska team was only the second east of California ever to win the Volleyball Championship Tournament by winning the title match;

Resolved, That the Senate commends the Cornhuskers of the University of Nebraska at Lincoln for having won 1995 National Collegiate Athletic Association Women's Volleyball Championship.

SENATE RESOLUTION 212—TO CON- STITUTE THE MINORITY PAR- TY'S MEMBERSHIP ON THE ETH- ICS COMMITTEE

Mr. DASCHLE submitted the following resolution; which was considered and agreed to:

S. RES. 212

Resolved, That the following shall constitute the minority party's membership on the Ethics Committee for the 104th Congress, or until their successors are chosen:

The Senator from North Dakota [Mr. DORGAN], Vice Chairman;

The Senator from Nevada [Mr. REID]; and

The Senator from Washington [Mrs. MURRAY].

BUDGET SCOREKEEPING REPORT ADDITIONAL STATEMENTS

•Mr. DOMENICI. Mr. President, I hereby submit to the Senate the budget scorekeeping report prepared by the

Congressional Budget Office under section 308(b) and in aid of section 311 of the Congressional Budget Act of 1974, as amended. This report meets the requirements for Senate scorekeeping of section 5 of Senate Concurrent Resolution 32, the first concurrent resolution on the budget for 1986.

This report shows the effects of congressional action on the budget through January 10, 1996. The estimates of budget authority, outlays, and revenues, which are consistent with the technical and economic assumptions of the 1996 concurrent resolution on the budget (H. Con. Res. 67), show that current level spending is above the budget resolution by \$9.5 billion in budget authority and by \$13.3 billion in outlays. Current level is \$43 million below the revenue floor in 1996 and \$0.7 billion below the revenue floor over the 5 years 1996-2000. The current estimate of the deficit for purposes of calculating the maximum deficit amount is \$258.9 billion, \$13.3 billion above the maximum deficit amount for 1996 of \$245.6 billion.

Since my last report, dated December 19, 1995, Congress cleared and the President signed the ICC Termination Act, Public Law 104-88; the Smithsonian Institution Commemorative Coin Act, Public Law 104-96; and further continuing appropriations, Public Law 104-94. These actions changed the current level of budget authority and outlays.

This is my first report for the second session of the 104th Congress.

The report follows:

CONGRESSIONAL BUDGET OFFICE,
U.S. CONGRESS,
Washington, DC, January 22, 1996.

Hon. PETE V. DOMENICI,
Chairman, Committee on the Budget, U.S. Senate,
Washington, DC.

DEAR MR. CHAIRMAN: The attached report for fiscal year 1996 shows the effects of Congressional action on the 1996 budget and is current through January 10, 1996. The estimates of budget authority, outlays and revenues are consistent with the technical and economic assumptions of the 1996 Concurrent Resolution on the Budget (H. Con. Res. 67). This report is submitted under Section 308(b) and in aid of Section 311 of the Congressional Budget Act, as amended.

This is my first report for the second session of the 104th Congress.

Sincerely,

JUNE E. O'NEILL.

THE CURRENT LEVEL REPORT FOR THE U.S. SENATE, FISCAL YEAR 1996, 104TH CONGRESS, 2D SESSION, AS OF CLOSE OF BUSINESS JANUARY 10, 1996

[In billions of dollars]			
	Budget resolution (H. Con. Res. 67)	Current level ¹	Current level/over under resolution
ON-BUDGET			
Budget Authority	1,285.5	1,295.0	9.5
Outlays	1,288.1	1,301.4	13.3
Revenues:			
1996	1,042.5	1,042.5	² 0
1996-2000	5,691.5	5,690.8	-0.7
Deficit	245.6	258.9	13.3
Debt Subject to Limit	5,210.7	4,900.0	-310.7
OFF-BUDGET			
Social Security Outlays:			
1996	299.4	299.4	0.0
1996-2000	1,626.5	1,626.5	0.0
Social Security Revenues			
1996	374.7	374.7	0.0

THE CURRENT LEVEL REPORT FOR THE U.S. SENATE, FISCAL YEAR 1996, 104TH CONGRESS, 2D SESSION, AS OF CLOSE OF BUSINESS JANUARY 10, 1996—Continued

[In billions of dollars]			
	Budget resolution (H. Con. Res. 67)	Current level ¹	Current level/over under resolution
1996-2000	2,061.0	2,061.0	0.0

¹ Current level represents the estimated revenue and direct spending effects of all legislation that Congress has enacted or sent to the President for his approval. In addition, full-year funding estimates under current law are included for entitlement and mandatory programs requiring annual appropriations even if the appropriations have not been made. The current level of debt subject to limit reflects the latest U.S. Treasury information on public debt transactions.

² Less than \$50 million.

THE ON-BUDGET CURRENT LEVEL REPORT FOR THE U.S. SENATE, 104TH CONGRESS, 2ND SESSION, SENATE SUPPORTING DETAIL FOR FISCAL YEAR 1996, AS OF CLOSE OF BUSINESS JANUARY 10, 1996

	Budget authority	Outlays	Revenues
ENACTED IN PREVIOUS SESSIONS			
Revenues			1,042,557
Permanents and other spending			
legislation	830,272	798,924	
Appropriation legislation		242,052	
Offsetting receipts	-200,017	-200,017	
Total previously enacted	630,254	840,958	1,042,557
ENACTED IN FIRST SESSION			
Appropriation bills:			
1995 rescissions and Department of Defense Emergency Supplementals Act (P.L. 104-6)	-100	-885	
1995 rescissions and Emergency Supplementals for Disaster Assistance Act (P.L. 104-19)	22	-3,149	
Agriculture (P.L. 104-37)	62,602	45,620	
Defense (P.L. 104-61)	243,301	163,223	
Energy and Water (P.L. 104-46)	19,336	11,502	
Legislative Branch (P.L. 105-53)	2,125	1,977	
Military Construction (P.L. 104-32)	11,177	3,110	
Transportation (P.L. 104-50)	12,682	11,899	
Treasury, Postal Service (P.L. 104-52)	15,080	12,584	
Authorization bills:			
Self-Employed Health Insurance Act (P.L. 104-7)	-18	-18	-101
Alaska Native Claims Settlement Act (P.L. 104-42)	1	1	
Fishermen's Protective Act Amendments of 1995 (P.L. 104-43)		(³)	
Perishable Agricultural Commodities Act Amendments of 1995 (P.L. 104-48)	1	(³)	1
Alaska Power Administration Sale Act (P.L. 104-58)	-20	-20	
ICC Termination Act (P.L. 104-88)			(³)
Total enacted this session	366,191	245,845	-100
ENACTED IN SECOND SESSION			
Smithsonian Institution Commemorative Coin Act (P.L. 104-96)	3	3	
CONTINUING RESOLUTION AUTHORITY			
Further continuing appropriations (P.L. 104-94) ¹	167,467	86,812	
ENTITLEMENTS AND MANDATORIES			
Budget resolution baseline estimates of appropriated entitlements and other mandatory programs not yet enacted	131,056	127,749	
Total current level ²	1,294,970	1,301,368	1,042,457
Total budget resolution	1,285,500	1,288,100	1,042,500
Amount remaining:			
Under budget resolution ..			43

[In billions of dollars]			
	Budget resolution (H. Con. Res. 67)	Current level ¹	Current level/over under resolution
ON-BUDGET			
Budget Authority	1,285.5	1,295.0	9.5
Outlays	1,288.1	1,301.4	13.3
Revenues:			
1996	1,042.5	1,042.5	² 0
1996-2000	5,691.5	5,690.8	-0.7
Deficit	245.6	258.9	13.3
Debt Subject to Limit	5,210.7	4,900.0	-310.7
OFF-BUDGET			
Social Security Outlays:			
1996	299.4	299.4	0.0
1996-2000	1,626.5	1,626.5	0.0
Social Security Revenues			
1996	374.7	374.7	0.0

THE ON-BUDGET CURRENT LEVEL REPORT FOR THE U.S. SENATE, 104TH CONGRESS, 2ND SESSION, SENATE SUPPORTING DETAIL FOR FISCAL YEAR 1996, AS OF CLOSE OF BUSINESS JANUARY 10, 1996—Continued

	Budget authority	Outlays	Revenues
Over budget resolution	9,470	13,268	

¹ This is an estimate of discretionary funding based on a full year calculation of the continuing resolution that expires January 26, 1996. Included in this estimate are the following appropriation bills: Commerce, Justice, State; District of Columbia; Foreign Operations; Interior; Labor, HHS, Education; and Veterans, HUD. Under this assumption, Public Laws 104-91 and 104-92, providing appropriations for certain activities, have no additional effect at this time.

² In accordance with the Budget Enforcement Act, the total does not include \$3,401 million in budget authority and \$1,590 million in outlays for funding of emergencies that have been designated as such by the President and the Congress.

³ Less than \$500,000.

Notes.—Detail may not add due to rounding.

RULES INHIBIT RETRAINING

•Mr. SIMON. Mr. President, Pete DuPont, former Member of the House and former Governor of Delaware, chairs the National Center for Policy Analysis. Recently he had an op-ed piece in the Washington Times about giving prisoners skills and giving them a chance to work which I ask to be printed in full in the RECORD.

I don't know how this gets worked out, but there really is a need to face this problem. And it is a need that should be worked out with labor unions and people who are trying to protect other workers.

We hear a great deal about slave labor in China producing things. I remember a conversation I had with the late Chief Justice Warren Burger in which he said there is another aspect of this. First of all, China has nowhere near the numbers of people in prison that we have in prison. But while they are in prison they are required to work and produce things, and it reduces the recidivism rate.

Obviously, the restrictions on freedom in China have something to do with the lower prison rate, but many nations with a great deal of freedom have a tiny fraction of our incarceration rate.

I urge my colleagues to read the Pete DuPont article. There are no simple answers but the answer we have now is simplistic and wrong.

The article follows:

RULES INHIBIT RETRAINING

Most people would agree that if prisoners learned a skill while they were in jail they could more easily get a job when they got out, and that an ex-prisoner with a job is less likely to commit another crime. Since nearly one-half of people released from prison return to prison within three years, job skills could mean a significant decline in the crime rate.

The problem is that most productive prison work—other than food or laundry work within the prison itself—is against the law.

In 1936, Congress banned convict labor on federal contracts exceeding \$10,000 in value. In 1940, the Ashurst-Summers Act made it a federal crime to transport convict-made goods in interstate commerce. And many state legislatures have enacted laws to prohibit the sale of convict-made goods within their borders. States like New York compromised and adopted the "state-use" system, which permitted convicts to manufacture goods for sale to governmental agencies

only, which provides a very limited market for the fruits of convict labor.

These statutes were a form of protectionism—to protect providers of goods and services in the free market from having to compete with convict labor. Small businesses and labor unions view such competition as unfair, and have successfully prevented relaxation of the statutes. When Congress tried to change the laws in 1979, the best it could do was allow prisoner work if they are paid the prevailing wage, labor union officials approve, local labor is unaffected, and no local unemployment is produced. These criteria are nearly impossible to meet, so a mere 1,660 prisoners, out of 1 million, were working under these waivers in 1994.

It was not always this way. In the last century, prisons earned a major part of their daily cost by leasing convict labor to private employers. In 1885, three-fourths of prison inmates were involved in productive labor, the majority working for private employers under contract and leasing arrangements.

By the 1930s only 44 percent worked, and nearly all worked for state industries rather than for private employers. A 1990 Census found that only 11 percent of prisoners worked in prison manufacturing or farming, down from 16 percent in 1984. If part-time work in laundry and food services is included, only about half of prisoners work.

Many prisoners are eager to work, if only to relieve the tedium of prison life. But more important is that the work is good for society in the long run because it reduces crime. A 1983-87 Federal Post-Release Employment Project study confirmed that employed prisoners do better than others without jobs. Prisoners who work have fewer disciplinary problems in prison and lower rates of re-arrest; they are more likely to get a full-time job; more likely to quit their job in favor of a better-paying job; and less likely to have their supervision revoked for a parole violation or new crime. In the words of Thomas Townsend, president of the Corrections Industry Association, "It's a matter of public safety; inmates who have worked in prison, and gained new skills have a significantly better chance of not returning to crime and prison."

The only disadvantages of more work opportunities for prisoners are the feared competitive effects on local labor markets. But the government's first responsibility is to citizens, not to narrow interest groups. New production benefits all Americans. It raises the demand for their services and creates new goods for purchase. Competition is the strength of our economic system, not a wrong to be righted, so our policies should be breaking down, not erecting, barriers to work—especially when the work will make the streets safer for the rest of us.

Allowing prisoners to work makes sense. Begin by repealing state and federal limitations on inmate pay. Let responsible private businesses competitively bid for the use of prison labor. Let prisons "profit" from accepting these contracts. Provide monetary incentives to prisons and their wardens for leading their institutions to self-sufficiency.

It won't be easy for the private-sector bidders, because prison labor is not easy to use. Difficulties include security problems, lack of skills and good work habits, remote prison locations, and poor worker productivity. At least at the beginning, the market value of prisoner labor will be very low and the quality of their work poor. But both will improve as skills improve.

Across the country a million prisoners are serving time in jail. Each month, 40,000 of them are released under mandatory supervision, on parole, or at the conclusion of their sentences. Our streets would be safer and the crime rate lower if these men had a skill, a job, and the beginning of a future. •

TRIBUTE TO REV. WAYNE SMITH

Mr. McCONNELL. Mr. President, I rise today to recognize Rev. Wayne B. Smith, a man who has served his church, and central Kentucky, for more than 40 years. Reverend Smith is retiring as senior minister of Southland Christian Church in Lexington, which has the area's largest Protestant congregation.

Reverend Smith was 27 years old when he became Southland's founding pastor in 1956. Forty years later he is the only senior minister the church has had and is now one of the most well-known ministers in central Kentucky. Southland Christian has flourished under Reverend Smith, who has a congregation of more than 3,800 plus 50,000 on TV and radio. Known for his sense of humor, Reverend Smith is often referred to as "the Bob Hope of the ministry."

Reverend Smith has been named 1 of the 13 most influential people in Lexington. He served two terms as president of the Lexington Ministerial Association and is a past president of the North American Christian Convention. He is also the charter president of the Lexington Bluegrass Breakfast Lions Club.

Many of Reverend Smith's friends and colleagues have praised him for his humility and his many acts of kindness. Upon his announcement of retirement to the congregation, one Southland member said, "It won't be the same. He is one of those people who you don't replace. There were several people, including me, who had tears in their eyes."

At a farewell ceremony for Reverend Smith, which attracted a crowd of approximately 7,000, his friends gave testimonial after testimonial praising him for being a great servant of the Lord. In his resignation letter, Smith addressed his congregation saying, "You have been a wonderful flock; but also * * * my friends. We have never, for even a moment, felt unloved."

Reverend Smith and his wife Marjorie have two daughters and five grandchildren. Although he is retiring, Reverend Smith won't be able to rest for long as his future plans include speaking engagements and revival meetings across the country.

Mr. President, I would like to pay special tribute to Rev. Wayne B. Smith for his dedicated service to his church, his family, and his community.

HONORING AARON FEUERSTEIN

• Mr. KERRY. Mr. President, after the devastation of a mill fire in Methuen, MA, threatened the community and 2,400 workers who depended on it, Aaron Feuerstein could have turned his back on his employees and closed the factory or moved it out of State. But he chose to stay. He chose to help, and to give something back to those who worked for him. He offered to pay everyone, and he even gave his employees

their Christmas bonuses, will pay their health care premiums for 90 days, and is working to open the factory again as soon as possible.

Mr. President, Aaron Feuerstein's extraordinary generosity during this holiday season has moved Massachusetts and the Nation, and made all of us believe again in the power of community and the real spirit of America. What he has done to help so many families will never be forgotten, and I know that my colleagues in the Senate join me in congratulating him for setting an example of loyalty, leadership, and compassion which is too often lacking in contemporary American society.

He has shown us what true success in business is all about, and what our economy is all about. It's about helping people and families to prosper and to grow together—build together and work together toward a common goal.

The news reports of the reactions of Aaron's workers to his generosity are heartwarming; and the warm response of his loyal employees is a tribute to him and should be the greatest holiday gift anyone could receive.

Mr. President, Aaron Feuerstein has earned a special place in our hearts, and has set a new standard for American corporate leadership.

I have joined with the distinguished senior Senator from Massachusetts and the Massachusetts congressional delegation in pledging to do what we can, at the Federal level, to help this factory and community recover from this catastrophic fire, and I know that my colleagues in the Senate will join me in congratulating Aaron for showing America that loyalty is an essential ingredient not only in business but in the life of a community.

Mr. President, I ask that a recent editorial from the Boston Globe by David Nyhan about the generosity of Aaron Feuerstein be printed in the RECORD.

The editorial follows:

THE MENSCH WHO SAVED CHRISTMAS

(By David Nyhan)

Were it not for the 45-mile-an-hour winds ripping out of the Northwest, the sparks that they carried and the destruction they wrought, Aaron Feuerstein today would be just another rich guy who owned a one-time factory, in a country full of the same.

But the fire that destroyed New England's largest textile operation Monday has turned this 70-year-old businessman into a folk hero. If a slim, determined, devoutly-Jewish textile manufacturer can be Santa Claus, then Feuerstein is, to 2,400 workers whose jobs were jeopardized by the fire.

The flames, so intense and widespread that the smoke plume appeared in garish color on TV weathermen's radar maps, presented Feuerstein with a stark choice: Should he rebuild, or take the insurance money and bag it?

Aaron Feuerstein is keeping the paychecks coming, as best he can, for as long as possible, while he rushes to rebuild, and restore the jobs a whole valley-full of families depend upon.

Everybody got paid this week. Everybody got their Christmas bonus. Everybody will get paid at least another month. And Feuerstein will see what he can do after

that. But the greatest news of all is that he will rebuild the factory.

The man has a biblical approach to the complexities of late-20th-century economics, capsulated by a Jewish precept:

"When all is moral chaos, this is the time for you to be a mensch."

In Yiddish, a mensch is someone who does the right thing. The Aaron Feuerstein thing. The chaos was not moral but physical in the conflagration that began with an explosion and soon engulfed the four-building Malden Mills complex in Methuen, injuring two dozen workers, a half-dozen firemen and threatening nearby houses along the Merrimack River site.

The destruction was near-absolute. It is still inexplicable how no one perished in a fast-moving firestorm that lit up the sky. This was one of New England's handful of manufacturing success stories, a plant that emerged from bankruptcy 14 years ago. The company manufactures a trademark fabric, Polartec fleece, used extensively in outdoor clothing and sportswear by outfits such as L. L. Bean and Patagonia.

The company was founded by Feuerstein's grandfather in 1907, and its history over the century has traced the rise, fall and rise again of textile manufacturing in New England mill towns.

Most of the textile makers fled south, leaving hundreds of red brick mausoleums lining the rocky riverbeds that provided the water-power to turn lathes and looms before electricity came in. The unions that wrested higher wages from flinty Yankee employers were left behind by the companies that went to the Carolinas and elsewhere, to be closer to cotton and farther from unions.

The Feuerstein family stuck it out while many others left, taking their jobs and their profits with them. The current boss is one textile magnate who wins high praise from the union officials who deal with him.

"He's a man of his word," says Paul Coorey, president of Local 311 of the Union of Needleworkers, Industrial and Textile Employees. "He's extremely compassionate for people." The union's New England chief, Ronald Alman, said: "He believes in the process of collective bargaining and he believes that if you pay people a fair amount of money, and give them good benefits to take care of their families, they will produce for you."

If there is an award somewhere for a Compassionate Capitalist, this man should qualify, hands-down. Because he is standing up for decent jobs for working people at a time when the vast bulk of America's employer class is chopping, slimming, hollowing-out the payroll.

Job loss is the story of America at the end of the century. Wall Street is going like gangbusters, but out on the prairie, and in the old mill towns, and in smalltown America, the story is not of how big your broker's bonus is this Christmas but of how hard it is to keep working.

The day after the fire, Bank of Boston announced it will buy BayBanks, a mega-merger of financial titans that will result in the elimination of 2,000 jobs. Polaroid, another big New England employer, announced it would pare its payroll by up to 2,000 jobs. Across the country, millions of jobs have been eliminated in the rush to lighten the corporate sled by tossing overboard anyone who could be considered excess baggage by a Harvard MBA with a calculator for a heart.

Aaron Feuerstein, who went from Boston Latin High School and New York's Yeshiva University right into the mill his father owned, sees things differently: The help is part of the enterprise, not just a cost center to be cut.

"They've been with me for a long time. We've been good to each other, and there's a

deep realization of that, that is not always expressed, except at times of sorrow."

And it is noble sentiments like those, coming at a time when they are most needed, that turns times of sorrow into occasions of triumph. ●

VICTIMS RESTITUTION ENFORCEMENT ACT OF 1995

● Mr. ABRAHAM. Mr. President, I ask that the text of my bill, S. 1504, the Victims Restitution Enforcement Act of 1995 be printed in the RECORD.

The text of the bill follows:

S. 1504

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Victims Restitution Enforcement Act of 1995".

SEC. 2. PROCEDURE FOR ISSUANCE AND ENFORCEMENT OF RESTITUTION ORDER.

(a) IN GENERAL.—Section 3664 of title 18, United States Code, is amended to read as follows:

"§3664. Procedure for issuance and enforcement of order of restitution

"(a) For orders of restitution under this title, the court shall order the probation service of the court to obtain and include in its presentence report, or in a separate report, as the court directs, information sufficient for the court to exercise its discretion in fashioning a restitution order. The report shall include, to the extent practicable, a complete accounting of the losses to each victim, any restitution owed pursuant to a plea agreement, and information relating to the economic circumstances of each defendant. If the number or identity of victims cannot be reasonably ascertained, or other circumstances exist that make this requirement clearly impracticable, the probation service shall so inform the court.

"(b) The court shall disclose to both the defendant and the attorney for the Government all portions of the presentence or other report pertaining to the matters described in subsection (a) of this section.

"(c) The provisions of this chapter, chapter 227, and Rule 32(c) of the Federal Rules of Criminal Procedure shall be the only rules applicable to proceedings under this section.

"(d)(1)(A) Upon application of the United States, the court may enter a restraining order or injunction, require the execution of a satisfactory performance bond, or take any other action to preserve the availability of property or assets necessary to satisfy a criminal restitution order under this subchapter. Such order may be entered in the following circumstances:

"(i) Prior to the filing of an indictment or information charging an offense that may result in a criminal restitution order, and upon the United States showing that—

"(I) there is a substantial probability that the United States will obtain a criminal restitution order;

"(II) the defendant has or is likely to take action to dissipate or hide the defendant's property or assets; and

"(III) the need to preserve the availability of the property or assets through the requested order outweighs the hardship of any party against whom the order is entered.

"(ii) Upon the filing of an indictment or information charging an offense that may result in a criminal restitution order, and upon the United States showing that the defendant has or is likely to take action to dissipate or hide the defendant's property or assets.

"(iii) Upon the conviction, or entry of a guilty plea, to an indictment or information charging an offense that may result in a criminal restitution order, and upon the United States showing that the defendant may take action to dissipate or hide the defendant's property or assets or that an order is necessary to marshal and determine the defendant's property or assets.

"(B) An order entered pursuant to subparagraph (A) shall be effective for not more than 90 days, unless extended by the court for good cause shown or unless an indictment or information described in subparagraph (A)(ii) has been filed.

"(2)(A) Except as provided in paragraph (3), an order entered under this subsection shall be after notice to persons appearing to have an interest in the property and opportunity for a hearing, and upon the United States carrying the burden of proof by a preponderance of the evidence.

"(B) The court may receive and consider, at a hearing held pursuant to this subsection, evidence and information that would be inadmissible under the Federal Rules of Evidence.

"(3)(A) A temporary restraining order may be entered without notice or opportunity for a hearing if the United States demonstrates that—

"(i) there is probable cause to believe that the property or assets with respect to which the order is sought would be subject to execution upon the entry of a criminal restitution order;

"(ii) there is a substantial probability that the United States will obtain a criminal restitution order; and

"(iii) the provision of notice would jeopardize the availability of the property or assets for execution.

"(B) A temporary order under this paragraph shall expire not later than 10 days after the date on which it is entered, unless—

"(i) the court grants an extension for good cause shown; or

"(ii) the party against whom the order is entered consents to an extension for a longer period.

"(C) A hearing requested concerning an order entered under this paragraph shall be held at the earliest possible time, and prior to the expiration of the temporary order.

"(4)(A) Information concerning the net worth, financial affairs, transactions or interests of the defendant presented to the grand jury may be disclosed to an attorney for the government assisting in the enforcement of criminal restitution orders, for use in the performance of that attorney's duties.

"(B)(i) An attorney for the government responsible for the prosecution of criminal offenses, or responsible for the enforcement of criminal restitution orders, may obtain and use consumer credit reports to—

"(I) obtain an order under this section;

"(II) determine the amount of restitution that is appropriate; or

"(III) enforce a criminal restitution order.

"(ii) This subparagraph does not limit the availability of grand jury subpoenas to obtain such credit reports.

"(iii) Upon conviction, such reports may be furnished to the United States Probation Service.

"(e)(1)(A) Within 60 days after conviction, and in any event not later than 10 days prior to sentencing, the attorney for the United States after consulting with all victims (when practicable), shall promptly provide the probation service of the court all information readily available to the attorney, including matters occurring before the grand jury relating to the identity of the victim or victims, the amount of loss, and financial matters relating to the defendant.

"(B) The attorney for the government shall, if practicable, provide notice to all victims. The notice shall inform the victims of the offenses for which the defendant was convicted, the victim's right to submit information to the probation office concerning the amount of the victim's losses, and the scheduled date, time, and place of the sentencing hearing.

"(C) Upon ex parte application to the court, and a showing that the requirements of subparagraph (A) may cause harm to any victim, or jeopardize an ongoing investigation, the court may limit the information to be provided to or sought by the probation service of the court.

"(D) If any victim objects to any of the information provided to the probation service by the attorney for the United States, the victim may file a separate affidavit with the court.

"(2) After reviewing the report of the probation service of the court, the court may require additional documentation or hear testimony. The privacy of any records filed, or testimony heard, pursuant to this section shall be maintained to the greatest extent possible and such records may be filed or testimony heard in camera.

"(3) If the victim's losses are not ascertainable by the date that is 10 days prior to sentencing as provided in paragraph (1), the United States Attorney (or the United States Attorney's designee) shall so inform the court, and the court shall set a date for the final determination of the victim's losses, not to exceed 90 days after sentencing. If the victim's losses cannot reasonably be ascertained, the court shall determine an appropriate amount of restitution based on the available information. If the victim subsequently discovers further losses, the victim shall have 60 days after discovery of those losses in which to petition the court for an amended restitution order. Such order may be granted only upon a showing of good cause for the failure to include such losses in the initial claim for restitutionary relief.

"(4) The court may refer any issue arising in connection with a proposed order of restitution to a magistrate or special master for proposed findings of fact and recommendations as to disposition, subject to a de novo determination of the issue by the court.

"(5) In no case shall the fact that a victim has received or is entitled to receive compensation with respect to a loss from insurance or any other source be considered in determining the amount of restitution.

"(f) Any dispute as to the proper amount or type of restitution shall be resolved by the court by the preponderance of the evidence. The burden of demonstrating the amount of the loss sustained by a victim as a result of the offense shall be on the attorney for the Government. The burden of demonstrating the financial resources of the defendant and the financial needs of the defendant and such defendant's dependents shall be on the defendant. The burden of demonstrating such other matters as the court deems appropriate shall be upon the party designated by the court as justice requires.

"(g)(1)(A) In each order of restitution, the court shall order restitution to each victim in the full amount of each victim's losses as determined by the court and without consideration of the economic circumstances of the defendant.

"(B) If—

"(i) the number of victims is too great;

"(ii) the actual identity of the victims cannot be ascertained; and

"(iii) or the full amount of each victim's losses cannot be reasonably ascertained;

the court shall order restitution in the amount of the total loss that is reasonably ascertainable.

"(2) The restitution order shall be for a sum certain and payable immediately.

"(3) If the court finds from facts on the record that the economic circumstances of the defendant do not allow and are not likely to allow the defendant to make more than nominal payments under the restitution order, the court shall direct the defendant to make nominal periodic payments in the amount the defendant can reasonably be expected to pay by making a diligent and bona fide effort toward the restitution order entered pursuant to paragraph (1). Nothing in the paragraph shall impair the defendant's obligation to make full restitution pursuant to paragraphs (1) and (2).

"(4) Notwithstanding any payment schedule entered by the court pursuant to paragraph (2), each order of restitution shall be a civil debt, payable immediately, and subject to the enforcement procedures provided in subsection (n). In no event shall a defendant incur any criminal penalty for failure to make a restitution payment under the restitution order because of the defendant's indigency.

"(h)(1) No victim shall be required to participate in any phase of a restitution order. If a victim declines to receive restitution made mandatory by this title, the court shall order that the victim's share of any restitution owed be deposited in the Crime Victims Fund in the Treasury.

"(2) A victim may at any time assign the victim's interest in restitution payments to the Crime Victims Fund in the Treasury without in any way impairing the obligation of the defendant to make such payments.

"(3) If the victim cannot be located or identified, the court shall direct that the restitution payments be made to the Crime Victims Fund of the Treasury. This paragraph shall not be construed to impair the obligation of the defendant to make such payments.

"(i) If the court finds that more than 1 defendant has contributed to the loss of a victim, the court may make each defendant jointly and severally liable for payment of the full amount of restitution or may apportion liability among the defendants to reflect the level of contribution to the victim's loss and economic circumstances of each defendant.

"(j) If the court finds that more than 1 victim has sustained a loss requiring restitution by a defendant, the court may issue an order of priority for restitution payments based on the type and amount of the victim's loss accounting for the economic circumstances of each victim. In any case in which the United States is a victim, the court shall ensure that all individual victims receive full restitution before the United States receives any restitution.

"(k)(1) If a victim has received or is entitled to receive compensation with respect to a loss from insurance or any other source, the court shall order that restitution shall be paid to the person who provided or is obligated to provide the compensation, but the restitution order shall provide that all restitution of victims required by the order be paid to the victims before any restitution is paid to such a provider of compensation.

"(2) Any amount paid to a victim under an order of restitution shall be reduced by any amount later recovered as compensatory damages for the same loss by the victim in—

"(A) any Federal civil proceeding; and

"(B) any State civil proceeding, to the extent provided by the law of the State.

"(3) If a person obligated to provide restitution receives substantial resources from any source, including inheritance, settle-

ment, or other judgment, such person shall be required to apply the value of such resources to any restitution still owed.

"(l) The defendant shall notify the court and the Attorney General of any material change in the defendant's economic circumstances that might affect the defendant's ability to pay restitution. Upon receipt of the notification, the court may, on its own motion, or the motion of any party, including the victim, adjust the payment schedule, or require immediate payment in full, as the interests of justice require.

"(m)(1) The court shall retain jurisdiction over any criminal restitution judgment or amended criminal restitution judgment for a period of 5 years from the date the sentence was imposed. This limitation shall be tolled during any period of time that the defendant—

"(A) was incarcerated;

"(B) was a fugitive; or

"(C) was granted a stay that prevented the enforcement of the restitution order.

"(2) While within the jurisdiction of the court, if the defendant knowingly fails to make a bona fide effort to pay whatever amount of restitution is ordered by the court, or knowingly and willfully refuses to pay restitution, the court may—

"(A) modify the terms or conditions of the defendant's probation or supervised release;

"(B) extend the defendant's probation or supervised release until a date not later than 10 years from the date the sentence was imposed;

"(C) revoke the defendant's probation or supervised release;

"(D) hold the defendant in contempt; or

"(E) increase the defendant's sentence to any sentence that might originally have been imposed under the applicable statute, without regard to the sentencing guidelines.

"(n)(1) An order of restitution may be enforced—

"(A) through civil or administrative methods during the period that the restitution lien provided for in section 3613 of title 18, United States Code, is enforceable;

"(B) by the United States in the manner provided for in subchapter C of chapter 227 and subchapter B of chapter 229;

"(C) by the United States regardless of whether for the benefit of the United States, in accordance with the procedures of chapter 176 of part VI of title 28, or in accordance with any other administrative or civil enforcement means available to the United States to enforce a debt due the United States; or

"(D) by any victim named in the restitution order as a lien pursuant to section 1962 of title 28.

"(2) A conviction of a defendant for an offense giving rise to restitution under this section shall estop the defendant from denying the essential allegations of that offense in any subsequent Federal civil proceeding or State civil proceeding, regardless of any State law precluding estoppel for a lack of mutuality. The victim, in such subsequent proceeding, shall not be precluded from establishing a loss that is greater than the loss determined by the court in the earlier criminal proceeding."

(b) TECHNICAL AMENDMENT.—The item relating to section 3664 in the analysis for chapter 232 of title 18, United States Code, is amended to read as follows:

"3664. Procedure for issuance and enforcement of order of restitution."

SEC. 3. CIVIL REMEDIES.

Section 3613 of title 18, United States Code, is amended—

(1) in the heading, by inserting "or restitution" after "fine"; and

(2) in subsection (a)—

(A) by striking "A fine" and inserting the following:

"(1) FINES.—A fine";

(B) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting accordingly; and

(C) by adding at the end the following new paragraphs:

"(2) RESTITUTION.—(A) An order of restitution shall operate as a lien in favor of the United States for its benefit or for the benefit of any non-Federal victims against all property belonging to the defendant or defendants. The lien shall arise at the time of the entry of judgment or order and shall continue until the liability is satisfied, remitted, or set aside, or until it becomes otherwise unenforceable. Such lien shall apply against all property and property interests owned by the defendants at the time of arrest as well as all property subsequently acquired by the defendant or defendants.

"(B) The lien shall be entered in the name of the United States in behalf of all ascertained victims, unascertained victims, victims entitled to restitution who choose not to participate in the restitution program and victims entitled to restitution who cannot assert their interests in the lien for any reason.

"(3) JOINTLY HELD PROPERTY.—(A)(i) If the court enforcing an order of restitution under this section determines that the defendant has an interest in property with another, and that the defendant cannot satisfy the restitution order from his or her separate property or income, the court may, after considering all of the equities, order such jointly owned property be divided and sold, upon such conditions as the court deems just, regardless of any Federal or State law to the contrary.

"(ii) The court shall take care to protect the reasonable and legitimate interests of the defendant's innocent spouse and minor children, especially real property used as the actual home of such innocent spouse and minor children, except to the extent that the court determines that the interest of such innocent spouse and children is the product of the criminal activity of which the defendant has been convicted, or is the result of a fraudulent transfer.

"(B) In determining whether there was a fraudulent transfer, the court shall consider whether the debtor made the transfer—

"(i) with actual intent to hinder, delay, or defraud the United States or other victim; or

"(ii) without receiving a reasonably equivalent value in exchange for the transfer.

"(C) In determining what portion of such jointly owned property shall be set aside for the defendant's innocent spouse or children, or whether to have sold or divided such jointly held property, the court shall consider—

"(i) the contributions of the other joint owner to the value of the property;

"(ii) the reasonable expectation of the other joint owner to be able to enjoy the continued use of the property; and

"(iii) the economic circumstances and needs of the defendant and dependents of the defendant and the economic circumstances and needs of the victim and the dependents of the victim.".

SEC. 4. FINES.

Section 3572(b) of title 18, United States Code, is amended to read as follows:

"(b) Any fine, special assessment, restitution, or cost shall be for a sum certain and payable immediately. In no event shall a defendant incur any criminal penalty for failure to make a payment on a fine, special assessment, restitution, or cost because of the defendant's indigency."

SEC. 5. RESENTENCING.

Section 3614 of title 18, United States Code, is amended by inserting "or may increase the defendant's sentence to any sentence that might originally have been imposed under the applicable statute" after "imposed".

ERNEST L. BOYER

●Mr. SIMON. Mr. President, in the early part of December, the Nation lost one of the finest public officials it has ever had, Ernest L. Boyer, who was a commissioner of education under President Carter and head of the Carnegie Foundation for the Advancement of Teaching.

I have had the opportunity of working with him on a number of issues. He was a genuinely fine human being and an unusually competent and dedicated public servant.

Those of us who worked with him know that in addition to everything else, he was simply "a nice guy."

His loss is a huge loss to the Nation.

I was pleased with the editorial comment of the Washington Post which I ask to be printed in full in the RECORD.

The article follows:

[From the Washington Post]

ERNEST L. BOYER

The progress of "education reform" is always hard to track: Where are all these "reforms" going, and how can we tell when they get there? One of the few voices that helped answer the latter question was that of Ernest L. Boyer, who died last week. Mr. Boyer, head of the Carnegie Foundation for the Advancement of Teaching, had been commissioner of education under President Carter and before that the president of the State University of New York. He was once introduced to a Washington gathering as "a man who has never had an unpublished thought."

But Mr. Boyer's real contribution, in a debate that tends to be by turns faddish and cacophonous, was not just to be widely heard but to cling tenaciously over the years to a few simple principles. One was that the high school diploma should mean something: Schools, school systems and state legislatures should cease giving graduation credit for shopping-mall-style electives or "business math" and insist on solid fare such as four years of English, two of algebra, history in place of "social studies."

That insistence prevailed in enough places and has been in effect long enough to have produced results, as high schools report toughened standards and a few colleges say students are better prepared. Another strongly held Boyer view was that early childhood education and nutrition made a dramatic difference in children's futures; yet another, that the large schools so popular in the 1960s and 1970s were bad for students who, especially in urban systems and at the critical junior high school level, were suffering already from a lack of adult attention in their lives. "Too often when students 'drop out,'" he wrote, "nobody has ever noticed they had 'dropped in.'"

These ideas, neither complicated nor trendy, can be all the harder to focus public attention on for their lack of drama. But they need to be stated, and stated over and over as the wave of "education reform" launched by the 1983 report called "A National At Risk" gets increasingly diffuse and degenerates into political quarreling. More than anything else, education—real edu-

cation that gets somewhere—implies long and low-key effort, sustained attention to the child at hand. Mr. Boyer was such an educator, whose patience and consistency carried as much influence as the quality of the ideas he put forward.●

CARMEN AND VINCENT AITRO

●Mr. LIEBERMAN. Mr. President, I rise today to recognize two exemplary citizens from the State of Connecticut, Carmen and Vincent Aitro. These two men, twin brothers, have worked tirelessly to help their community and to improve the lives of Connecticut's youths. The Aitro brothers have a long-standing history of dedication to the New Haven area community-service organizations.

Carmen and Vincent Aitro have used sports to instill positive values and principles into the young people they involve. They have directed or coached numerous teams and athletic organizations in sports, including baseball, basketball, and softball. Many of their teams excelled on the field, winning numerous league and State championships. The young people coached by the twins have received invaluable benefits, not just in terms of athletic skills, but also, more importantly, skills and attitudes that will aid and guide them throughout their lives.

The Aitro brothers have already been recognized by their community. They have served on the board of directors of many organizations, among which are the Walter Camp Football Foundation, the New Haven Boys and Girls Club Board of Managers, and the Commissioner of the New Haven Housing Authority. The honors Carmen and Vincent have accrued are numerous, but include The Dante Club Old Timers Award, the Andy Papero Bronco League Man of the Year, the Boys Club Alumni Gold Ring Award, and the Walter Camp Award.

Therefore, Mr. President, I believe that these two outstanding individuals should be commended for their many years of service and dedication. These are two men who truly made a difference through their accomplishments, and their nature of generosity and selflessness will long be remembered.●

ARTHUR M. WOOD, JR.

●Mr. MACK. Mr. President, I rise today to honor Arthur M. Wood, Jr., who will be awarded the Institute of Human Relations Award on February 20, 1996 by the southwest Florida chapter of the American Jewish Committee. The award is given annually to a member of the community who best exemplifies what the institute stands for—building mutual respect and understanding among America's diverse populations.

Arthur M. Wood, Jr. was born in Chicago on October 11, 1950. After growing up in northern Illinois and southern California, he graduated from Princeton University with a B.A. degree in

English in 1972. In 1975, he received his master's degree from Northwestern University's Kellogg Graduate School of Management with a concentration in finance, marketing, and organizational behavior.

Art was appointed president of Northern Trust Bank in 1987. Since that time he and his wife Peggy, a former vice president of J. Walter Thompson Co., helped raise millions of dollars for philanthropies in the Sarasota area.

Art's continuous involvement in the community has included philanthropies and civic causes of all sizes and scope. He chairs the Van Wezel Foundation and is a former treasurer. He is chairman of New College Foundation; and a member of the Asolo Center's board of directors. He is past chairman of the Sarasota Memorial Hospital Century Foundation and the past president of the United Way of Sarasota. He is chairman of the Out-of-Door Academy and a former board member of Florida West Coast Symphony, the Salvation Army, and the Education Foundation. He was chairman of the 1990-91 United Way Campaign and has served on the advisory boards of Sarasota Ballet and Girl's Inc. He also cochaired the 1991 French Film Festival with his wife Peggy.

In addition to his individual efforts, he has participated in and supported Peggy in her many charitable endeavors, which include, but are not limited to, the following: chair of the 1995 New College Auction, chair of the 1994 Circus Gala at Ringling Museum, chair of the 1994 Sarasota Opera's Youth Festival, chair of the 1992 Memorial Hospital Cartoon Classic, chair of the 1991 New College Library Association Mistletoe Ball, chair of the 1990 Family Counseling Center's benefit, and chair of the 1989 Orchid Ball.

Mr. President, as you can see Art has not limited his benevolence to specific organizations, instead his influence is felt across the entire Sarasota community. He has done more charitable work in 10 years than most of us could hope to do in a lifetime. The great State of Florida is a better place because of Art Wood's commitment to his community. Mr. President, I will conclude by commending the southwest Florida chapter of the American Jewish Committee, especially the committee's president Robert Rosenthal and director Harriet Abraham, for their dedication in recognizing this year's recipient of the 1996 Human Relations Award, Arthur M. Wood, Jr.●

A CENTURY OF NOBLE SERVICE: COMMENDATION OF THE ENFIELD VOLUNTEER FIRE DEPARTMENT ON THE OCCASION OF ITS CENTENNIAL ANNIVERSARY

● Mr. DODD. Mr. President, never has the noble spirit of voluntarism been more important than it is today. And nowhere in the Nation is the spirit of

self-reliance and gritty determination a more integral part of life than it is in New England. Voluntarism and self-reliance came together in 1896, when the citizens of Enfield, CT, formed the volunteer Enfield Fire Department, and they are alive and well in the department's service today. And so it is my pleasure to offer my commendation to the brave men and women of the Enfield Volunteer Fire Department who have served and protected Enfield for 100 years.

At a time when our society is seeking real role models for our children, we can with confidence point to our Nation's volunteer firefighters as true heroes. The gallant members of the Enfield Volunteer Fire Department, both past and present, have selflessly devoted themselves, day in and day out, to saving the lives and livelihoods of their neighbors. Without these dedicated individuals, the community of Enfield would be at a tremendous loss.

No matter what is required of them, Enfield's volunteer firefighters stand ready to help. Whether responding to an emergency, or preventing emergencies from happening in the first place, all the department's activities are executed with the highest caliber of professionalism. Indeed, the firefighters make a difference every day, conducting safety lessons in schools and throughout the community to teach kids and others about fire prevention.

Mr. President, the men and women of the Enfield Fire Department have faithfully served and protected Enfield, contributing tens of thousands of hours, for a century. Those who served yesterday, serve today, and will serve tomorrow, are truly a tribute to the State of Connecticut. I am proud of the work done by these fine citizens, and as they celebrate their centennial, wish them another hundred years of valiant duty.●

DRUG LEGALIZATION

● Mr. GRASSLEY. Mr. President, yesterday the New York Times ran a piece noting that the lead story in the next issue of the National Review is going to call for the legalization of drugs. The rationale for this argument is that the war on drugs has failed and that the only solution is to declare defeat and turn the asylum over to the inmates.

I am not sure just what information the folks at the National Review are using, but the facts are flawed and the argument is dumb and irresponsible.

Mr. Buckley, the author of the piece, is safe in making such arguments because he personally does not plan to use drugs. No one of his immediate acquaintance is likely to start using dangerous drugs. And I doubt that he will encourage any teenage members of his family to use drugs. So the consequences of his advocacy will not be felt personally. Instead, the burden of his ideas will be borne by countless

families whose kids—the most at-risk population—will fall victim to the consequences of drug abuse. The costs will also be borne by the public purse, as we have to treat the walking wounded.

Although there is no public support for the idea of legalization, and none in the Congress, some of our culture elite—left and right—keep raising the idea as if it had some intellectual merit. Nothing could be farther from the truth. I am therefore submitting for the RECORD a longer statement on the common mistakes made in the legalization argument that I hope will help in closing this latest chapter in foolishness.

The statement follows:

STATEMENT BY CHARLES E. GRASSLEY: DRUG LEGALIZATION

I have been increasingly concerned about the tendency in some quarters to promote the legalization of drugs in this country. If there is any idea that is essentially without merit and without public support, it is that this country should entertain seriously the notion that dangerous drugs should be legalized and made widely available. Drug legalization is truly an invitation to the Mad Hatter's Tea Party.

Unfortunately, many in the media and in our cultural elite, who have a disproportionate access to public communication and opinion outlets, have once again started to advocate some form of legalization. While this advocacy is not likely to lead to a major change in public policy, it can and does have an adverse influence on thinking about the dangers of drug. It sends a mixed message about the dangers of use that is particularly harmful when it touches our young people.

As Bill Bennett and Joe Califano noted recently, drugs are illegal because they are dangerous, they are not dangerous because they are illegal. Legalization advocates, however, deploy a variety of arguments on behalf of their position that ignore this essential fact. They all too often resort to scare tactics, misrepresent reality, or skip over inconvenient facts. I think that it is important to set the record straight.

There are a number of misconceptions about our efforts to deal with the drug problem. It is important to understand these and the common arguments used to promote them in order to arrive at a reasoned and reasonable understanding of what the drug problem is about. One of the first points to note is that our last drug epidemic—during the 1960s, 1970s, and early 1980s—was the result of arguments made by some that drugs were really not a problem and that everyone would feel better, live better, and prosper from the self-administration of dangerous drugs.

The claim, made with considerable fervor, was that drugs were liberating and that only a repressive society would prevent people from achieving their true potential. By the late 1980s, we finally came to realize just what a cruel hoax, a big lie, these claims were. We are still trying to cope with an addict population from that era, a period that has left us with a legacy of lives blasted by drug use, a cost that is borne by families and the public purse. We cannot afford to ignore this lesson, to repeat a disaster based on the enthusiasms of a few.

Mistake #1: Prohibition doesn't can't work. Efforts to keep people from using drugs, like alcohol prohibition, only encourages the idea of forbidden fruit, increases crime, and will always fail.

The argument that prohibition doesn't work relies on a collective amnesia about

this country's experience with alcohol prohibition between 1920 and 1934. In the first place, Prohibition did not make the use of alcohol illegal, only its manufacture and sale over a certain strength. It was, in effect, a control regime legalizing personal use. This effort came at the end of a very long history in this country of trying to reduce the consumption of alcohol from dangerous heights. The modern parallel is with the efforts to reduce tobacco use.

Second, Prohibition did not lead to a major increase in violent crime, as is often claimed. The major increase, particularly in violent crime in this country, came between 1900 and 1910, well before the prohibition movement. Violent crime remained fairly stable or declined during Prohibition. While it is true that crime rates decreased after Prohibition this was not the result of ending Prohibition. Nor did Prohibition create organized crime. Major organized crime groups existed well before alcohol prohibition and they prospered after it ended.

Third, major health problems, such as cirrhosis of the liver and alcohol-related psychoses, declined sharply during Prohibition. Alcohol consumption, even though it was not illegal, also declined sharply. It increased in the years following the repeal of Prohibition, as did the associated health problems.

Fourth, it is important to remember also that alcohol, unlike dangerous drugs, had wide social acceptance and a long history of use. Alcohol can also be used by most people without creating impairment, either temporary or long term. Marijuana, cocaine, and heroin have no such long history of popular public use or acceptance, and their use is solely for the purpose of intoxication. In fact, the public has opposed these substances once they learned how dangerous and destructive they were. This is also true historically in this country and internationally. No society today has a legalization regime for dangerous drugs.

In addition, it is clear that control efforts, when reinforced by serious law enforcement, prevention, and education programs do deter use, especially among young people. Our own recent experience illustrates how effective we can be. After decades of increasing use in this country, we reversed the trend of drug use when, beginning in the mid-1980s, we decided to just say no and to get serious about doing something. Overall drug use, apart from addicts, declined by more than 50 percent; cocaine use by 70 percent. Unfortunately, more recently, as we have moved away from these serious programs we have seen a return to use in the most at-risk population—teenagers.

Mistake #2: Legalization will mean less crime because the profit motive is removed and we will lock fewer people up when we make our drug laws more humane

First, most prisoners in state and Federal prisons are not there for drug offenses as their first or major offense. Most offenders are in jail for violent or repeat offenses. Of these, despite the wildly exaggerated numbers often cited, only 10 percent of Federal prisoners and 17 percent of state inmates committed their crimes to obtain drugs. Indeed, research shows that most career criminals came to drug use after starting their criminal activities, not before. Legalization will not greatly reduce the crime rate, especially for violent crimes. Indeed, in so far as the pharmacological effects of drugs, particularly cocaine and other stimulants, exacerbate violent tendencies, legalization will produce far greater violent crime rates as the number of "legal" addicts soars.

Second, the vast majority of prisoners serving time from drug offenses are not there for use but for trafficking—individuals whose

actions destroy lives and menace neighborhoods.

Third, legalization will not end black markets for drugs, unless we are prepared to legalize drug use for all ages down to the age of 6 or 7. Only the most radical legalization advocates want to see kids using drugs. But to leave any population out of a legalization regime means leaving a black market. Crime will not simply disappear nor will the organizations that are currently trafficking in illegal drugs.

Mistake #3: Legalization will mean a healthier climate in which controlled drug use will provide quality control and monitored use

This argument misses or misrepresents the issue. The issue is not whether we make drugs, which are inherently dangerous to use, more pure, but whether we permit their use at all. Britain led the way in trying to treat dangerous drug use as a therapeutic problem, regulating addicts through doctors' care. This was not an open drug policy for anyone to use drugs but a policy just for addicts. The result was a disaster. It did not prevent the spread of drug abuse. It only made doctors complicit in the act of promoting an addiction for which they had no cure. In effect, it reversed the normal doctor-patient relationship, putting doctors in the position of making their patients worse off. As a result, in Britain, addiction soared, addicts got worse not better, and the black market flourished. Similar experiences have visited similar efforts in other countries. Now, it seems that Switzerland is experimenting with a variation of this approach. The results are likely to be a similar disaster, making the government and the medical community complicit in spreading addiction.

It is also important to keep in mind, that dangerous drugs are not synonymous with other controlled pharmaceuticals. The latter are controlled but they also have a therapeutic purpose. Dangerous drugs have no medical purpose. They are addictive and destructive. To argue that these drugs should be self-administered with the only control being over their quality is to argue for a massive increase in the addict population, adding an even greater burden to an overtaxed health-care system. In effect, the legalization argument requires society to endorse a self-destructive behavior and then requires society to provide perpetual care to the victims at public expense.

Mistake #4: Deterrence does not work

When you talk to former addicts or those who have given up use, one of the most important reasons they give for their decision to quit or seek treatment was the threat of criminal prosecution, the difficulty of acquiring drugs, and the cost. When drugs are perceived as expensive, dangerous and wrongful to use, difficult to get, and involve a risk of criminal prosecution, potential users forego use, and many current users quit. This remains true even though most enforcement efforts focus not on users but on violent offenders and drug traffickers.

No program to prohibit drug use can be universally effective. Although we have long-standing laws against child abuse or murder or theft, these have not prevented any of these acts completely. No one doubts their importance, however, or the role they play in discouraging yet more of these actions than if they were not prohibited.

Mistake #5: Legalizing drugs will remove the "Forbidden Fruit" appeal of drugs, which leads most new users, especially the young, into use

If this is a valid argument, then anything that society prohibits for the general good would succumb to the same argument. Forbidding child abuse encourages child abuse.

Prohibiting murder encourages it. This is the logic of the argument. In fact, the reverse is the case. We educate people's understanding of what is rightful or wrongful to do by the laws that we declare and enforce. Even during Prohibition, when use was legal, the simple message sent by society that use was bad caused significant drops in use. Whenever we have enforced our drug laws and backed these up with education and prevention programs endorsed by our civic and cultural leaders, we have seen use decline and young people forego use. When we ignore this simple reality we see kids returning to drug use.

Unless one contemplates making cocaine and heroin routinely available to 12-18 year olds, something even few legalizers argue, then legalization will not remove the so-called "Forbidden Fruit" appeal. It will only add the idea that society condones use while continuing to prohibit access to the most at-risk population. Just the absence of a clear message on drug use in the last few years has seen teens returning to use in disturbing numbers. A legalization message would have devastating results.

Mistake #6: Drug use is a purely personal choice. It is a victimless crime. The state has no right to keep people from using drugs

The idea that an individual who uses drugs does so in some vacuum that affects no one else is another one of those fictions that obscures the facts. In the first place, drug users don't stay home. They go to work and play with the rest of us. They use the highways, they drive the school buses and trains, they fly the planes. They also encourage others to use, thus spreading the problem.

People under the influence of dangerous drugs are more prone to workplace accidents, are more likely to have highway accidents, are more prone to use violence in public and family disputes, and are at greater risk for health care than are non-users. Addicts are far more likely to lose control over their own lives, and are more in need of public intervention. A considerable percentage, perhaps as many as 60 percent, of the homeless are drug and alcohol addicts. Some 2 percent of live births in this country—over 100,000 babies—are born addicted with life-long disabilities because their mothers used. Conservative estimates of the yearly social costs of drug addiction at current levels run around \$70 billion. These costs are borne by families and the public purse. The number of users and consequently the number of addicts would soar under a legalization regime, compounding all the problems we currently have. There is no such thing as a purely private use of drugs without consequences. There is no known cure for addiction. A choice for legalization would be a self-inflicted disaster.

Mistake #7: Since alcohol and tobacco are legal, and cause far more harm than dangerous drugs, we should make heroin, cocaine, etc., legal to be consistent. Doing so would not increase the number of users significantly

Here is the legalization argument at its most outrageous. What people are asked to accept is the idea that because we have substances generally available that already cause major harm—tobacco and alcohol—we should add dangerous drugs to the occasions for woe for the sake of consistency. What the argument says is that since we have one major problem we should make it worse by adding another. Who are we kidding?

In order to rescue this logic from being completely ludicrous, people are asked to believe a further assertion: that under a legal regime there won't be an increase in users. Really? Let's look at what we are being asked to believe. We are going to make drugs cheaper and freely available. We are going to

see them aggressively marketed by the producers. We are going to have society condone the use of addictive substances. But, we are not going to see a significant increase in use. Such is our understanding of human nature?

We saw what happened with drug use in this country in the 1960s and 1970s when we allowed the de facto legalization of drugs, condoning personal use and not enforcing our laws. That partial legal environment caused a dramatic increase in use. Can anyone doubt the effects if we condoned use outright? We cannot afford this kind of logic.

These are by no means the only myths. Others hold that drug laws are racist—which is another big lie, but even if true it is hardly an argument for making drugs legal; that the health consequences of personal use are exaggerated; or that drug laws lead to locking up lot of innocent people. None of these arguments can sustain serious attention or thought. Nor is there any major public support for drug legalization. The argument is pressed by only a few, some liberal, some conservative. To make the argument requires, however, suspension of judgment, a willingness to accept assertions over facts, and a professional absence of mind that ignores experience.

Unfortunately, while the argument for legalization has little public support, it is a major agenda item of many of our cultural elites. They have a disproportionate influence on our public discourse, on our radios and television, in the movies, in music and the arts. This means they have a disproportionate influence on the most at-risk population for drug users—our young people. By helping to obscure the message of the dangers of drug use, by encouraging it as part of a "liberated" life style, they contribute directly to use. When our political leaders remain silent they aid and abet this. The result in the 1960s made the point. Our recent experience confirms it: When you replace "Just Say No" with "Just Say Nothing" or "I didn't inhale," you are opening the door to trouble.●

NO RIGHT WAY TO DO WRONG

● Mr. SIMON. Mr. President, someone called my attention to an editorial in the Omaha World-Herald on the subject of gambling. I hope before long we will authorize a Commission to look at what we should do about this subject nationally. But the editorial in the Omaha World-Herald, which I ask to be printed in full in the RECORD, may be a cause for some reflection.

The article follows:

[From the Omaha World-Herald, Nov. 19, 1995]

NO RIGHT WAY TO DO WRONG

As we were musing recently about the inability of some local officials to say no to the gambling industry, we recalled what Howard Buffett, then a Douglas County commissioner, said when the city-county keno issue came up for a vote in 1991.

"To me, it's clearly wrong," he said. "I don't think there's any right way to do what you think is wrong." Buffett said government shouldn't condone a practice that undermines the work ethic. He was the only county commissioner to oppose the deal.

Regrettably, Buffett is no longer part of county government. He resigned in 1992 and moved to Illinois to take a new job.

Buffett didn't stop being concerned about gambling. In Illinois, he helped campaign against the spread of riverboat gambling. A friend in Massachusetts heard about his efforts and asked him to write down his views

on gambling and government for use in a Massachusetts anti-gambling effort.

The views he set down were again on target.

America was built on hard work, commitment and honesty, he said. Gambling reduces productivity and "cannibalizes existing industry." It spawns political corruption—the bigger it gets, the more government cooperation it requires. When profits drop, some governments have lowered the tax rates the gambling industry pays, thus putting more pressure on other taxpayers.

Gambling doesn't pay its own way. Taxpayers are stuck with social problems. In Illinois, Buffett said, government must spend \$3 to \$6 for public safety, regulation and other gambling-related items for each \$1 it receives in gambling revenue.

Gambling deceives and misleads. Promoters deceptively portray everyone as a winner in advertisements that "help wring billions of dollars from the most vulnerable 'customers' possible—the poor and the addicted." Teen-agers bet up to \$1 billion a year. An estimated 8 percent of the nation's adolescents are problem gamblers.

"The state," Buffett wrote, "should not even allow gambling, much less conduct it."

He's right. His article contains a challenge for government officials. Portraying government-sponsored gambling as a lifelong investment, he asked: "Is it an investment that you will be proud to hand down to the next generation?"

With the exception of Mayor Daub, few officials of Omaha and Douglas County have indicated that they have as clear a view. They should think about Buffett's challenge. Will they indeed be proud of what they are leaving their children and grandchildren?●

COMMEMORATING THE ANNIVERSARY OF THE GOVERNMENT VS. ROE CASE

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● Mrs. BOXER. Mr. President, January 22, 1996, commemorated the 23d anniversary of the Nation's landmark abortion rights decision *Roe versus Wade*. The Supreme Court's decision in *Roe* established constitutionally based limits on the power of the Government to restrict the right of a woman to choose to terminate a pregnancy.

The right to choose has never been under such fierce attack. In this Congress, the U.S. House of Representatives has waged an all-out attack on a woman's right to choose. They have continuously voted to restrict a woman's fundamental right to choose by:

Attempting to undermine the Accreditation Council on Graduate Medical Education [ACGME] revised requirements for residency training in obstetrics/gynecology with an anti-choice amendment. Currently, in order to address the acute shortage of abortion providers, the revised policy requires OB/GYN programs to provide training in abortion procedures. However, there is a conscience clause for individuals and institutions that have moral or religious objections to abortion. The anti-choice amendment would treat those institutions that qualify under the exemption clause as though they were accredited for purposes of Federal reimbursements, even though they did not provide the training.

Giving States the option to refuse to provide Medicaid funding for abortions in cases of rape and incest.

Attempting to criminalize for the first time the performance of a specific abortion procedure. This measure also passed in the Senate.

Rejecting an amendment by Representative PATRICIA SCHROEDER to allow money from the anticrime block grants to be used for protection at abortion clinics.

Rejecting an amendment by Representative HOKE to allow money from the anticrime block grants to be used for enhancing security in and around schools, religious institutions, medical or health facilities, housing complexes, shelters to other threatened facilities.

Adopting an amendment by Representative CHRIS SMITH which codified the Mexico City Policy, which prohibits U.S. funding of any public or private foreign entity that directly or indirectly performs abortions except in cases of rape, incest, or when the life of the woman is endangered.

Rejecting an amendment by Representative ROSA DELAURO which would strike language in the Defense authorization bill prohibiting military personnel and their dependents from obtaining abortions at overseas military bases using their personal funds to pay for the procedure.

Rejecting a substitute amendment by Representative DELAURO to the Dornan amendment to prohibit abortions at overseas military facilities unless the life of the woman is endangered and if the Government is signatory to the Helsinki Convention, which prohibits private money for any costs associated with the abortion.

Rejecting an amendment by Representative HOYER to delete a provision in the Treasury-Postal Service appropriations bill that would prohibit Federal employees or their families from receiving abortion services through their Federal health insurance policies except when the life of the woman would be endangered. The Senate passed this measure but added an exception for the life of the mother and rape and incest.

Rejecting an amendment by Delegate NORTON to strike from the Commerce, Justice, State appropriations bill provisions that prevent funds from being used to perform abortions in the Federal prison system except in cases of rape or when the woman's life is endangered. The Senate passed this measure, which was vetoed by President Clinton and its future is uncertain.

Adopting an amendment by Representative GREENWOOD prohibiting funding under title X for abortions or directed pregnancy counseling.

Pro-choice Senators have waged a vigorous effort as have grass-roots activists, but we are outnumbered in too many votes in this anti-choice Congress.

Now H.R. 1833 is on the President's desk. It would make it a criminal offense to perform a rare abortion procedure used to protect women in late term pregnancies. Doctors who have used this procedure have testified these very rare abortions are undertaken

only in the most tragic of circumstances and that the procedure may be the only alternative to save women's lives or to prevent serious, long term health consequences.

President Clinton has indicated his intent to veto this bill, and I urge him to stand firm in his belief that to outlaw a procedure used by physicians out of deep concern for both the mother and the fetus would be wrong and a direct violation of Roe versus Wade, which held that a woman's life and health must always be considered by any governmental entity which regulates abortion.●

ORDERS FOR WEDNESDAY,
JANUARY 24, 1996

Mr. CRAIG. Mr. President, I ask unanimous consent that immediately following the joint session of Congress this evening, the Senate stand in adjournment until the hour of 5 p.m. on Wednesday, January 24; that immediately following the prayer, the Journal of proceedings be deemed approved to date, no resolution come over under the rule, the call of the calendar be dispensed with, the morning hour be deemed to have expired, and the time for the two leaders be reserved for their use later in the day, and there then be a period for morning business until 5:30, with Senators permitted to speak for up to 5 minutes each.

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

RECESS

Mr. CRAIG. I now ask unanimous consent that the Senate stand in recess under the previous order until the hour of 8:40 p.m. this evening, at which time the Senate will proceed as a body to the Hall of the House of Representatives to hear the State of the Union Address.

There being no objection, the Senate, at 6:33 p.m., recessed until 8:38 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. DEWINE).

CONSTITUTING MINORITY PARTY'S
MEMBERSHIP ON THE ETHICS
COMMITTEE

Mr. FORD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Senate Resolution 212, the resolution be agreed to, and the motion to reconsider be laid upon the table.

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

So the resolution (S. Res. 212) was agreed to, as follows:

S. RES. 212

Resolved, That the following shall constitute the minority party's membership on the Ethics committee for the 104th Congress, or until their successors are chosen:

The Senator from North Dakota [Mr. DORGAN], Vice chairman;

The Senator from Nevada [Mr. REID]; and
The Senator from Washington [Mrs. MURRAY].

JOINT SESSION OF THE TWO
HOUSES—MESSAGE OF THE
PRESIDENT OF THE UNITED
STATES

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the Hall of the House of Representatives.

Thereupon, at 8:38 p.m., the Senate, preceded by the Secretary of the Senate, Kelly D. Johnston, and the Sergeant at Arms, Howard O. Greene, Jr., proceeded to the Hall of the House of Representatives to hear the address by the President of the United States.

(The address by the President of the United States, this day delivered by him to the joint session of the two Houses of Congress, appears in the proceedings of the House of Representatives in today's RECORD.)

ADJOURNMENT UNTIL 5 P.M.
TOMORROW

At the conclusion of the joint session of the two Houses, and in accordance with the order previously entered into, at 10:15 p.m., the Senate adjourned until Wednesday, January 24, 1996, at 5 p.m.