The PRESIDING OFFICER. On this vote, the ayes are 57, the nays are 41. Three-fifths of the Senators duly chosen and sworn, not having voted in the affirmative, the motion is rejected.

Mr. EXON. Mr. President, I move to reconsider the vote.

Mr. DOMENICI. Mr. President, I enter a motion to reconsider the vote by which the motion to waive the budget act for the consideration of the Murkowski amendment was defeated.

The PRESIDING OFFICER. The motion is entered for future consideration. However, the motion having failed to be approved at this time, the Chair will rule on the motion—on the point of order. The rights of Senators are reserved to move in the future to proceed to the motion to reconsider.

The Chair will rule at this time that the amendment is not germane. The point of order is sustained. The amendment falls at this time.

RECESS

Mr. DOMENICI. I ask unanimous consent that the Senate stand in recess until 2 p.m. today.

There being no objection, the Senate, at 1:13 p.m. recessed until 2:01 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer [Mr. THOMAS].

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

CONCURRENT RESOLUTION ON THE BUDGET

The Senate continued with the consideration of the concurrent resolution.

AMENDMENT NO. 4016

The PRESIDING OFFICER. The pending question is the Simpson-Kerrey amendment No. 4016.

Mr. KERREY. Mr. President, how much time do I have to speak on this?

Mr. GRASSLEY. Thirty seconds.

Mr. KERREY. Thirty seconds.

The PRESIDING OFFICER. The Senator from Nebraska. Take it all.

Mr. KERREY. I do not expect to persuade a majority, Mr. President. This is an amendment that will have a tremendous impact on the future budget outlays and appropriations of this Congress. As everybody that has examined the facts knows, unless we make changes in these long-term entitlement programs, we are simply never either going to get into balance in 7 years, nor are we going to be able to sustain it out in the future. We are converting our Government into an ATM machine. The longer we wait, the sooner the day is going to arrive when there is no money for defense, no money for anything other than transfer of payments.

As I said, I do not expect a majority to vote for a majority of these proposals in here, but I urge my colleagues to give very careful consideration to this amendment.

Mr. GRASSLEY addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. I oppose the Kerrey amendment. I do this because it states the sense of the Senate that the budget resolution assumes a series of long-term entitlement reforms, including reducing the CPI by one-half a percentage point each year, which would cut Social Security spending by about $38 billion over the next 6 years, and it would increase taxes by about $35 billion over that period.

The amendment also calls for increasing the retirement age for civilian and military retirees and Social Security and Medicare beneficiaries, COLA limits for very high civilian and military pensions, and partial privatization of Social Security.

On behalf of Senator DOMENICI, the chairman of the Budget Committee, I move to table the Kerrey amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to table the amendment. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Kansas [Mr. DOLE] is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 63, nays 36, as follows:

[Rollcall Vote No. 149 Leg.]

YEAS—63

Abraham	Feingold	Mack
Akaka	Ford	McCain
Ashcroft	Glenn	McConnell
Baucus	Gorton	Mikulski
Biden	Graham	Moseley-Braun
Bingaman	Gramm	Murkowski
Bond	Grassley	Murray
Boxer	Harkin	Pressler
Burns	Hatch	Reid
Byrd	Heflin	Rockefeller
Campbell	Helms	Roth
Conrad	Hutchison	Sarbanes
Coverdell	Inhofe	Shelby
Craig	Inouye	Smith
D'Amato	Kempthorne	Snowe
Daschle	Kennedy	Specter
Dodd	Kerry	Stevens
Domenici	Kyl	Thurmond
Dorgan	Lautenberg	Warner
Exon	Leahy	Wellstone
Faircloth	Levin	Wyden

NAYS—36

Bennett	DeWine	Kerrey
Bradley	Feinstein	Kohl
Breaux	Frist	Lieberman
Brown	Grams	Lott
Bryan	Gregg	Lugar
Bumpers	Hatfield	Moynihan
Chafee	Hollings	Nickles
Coats	Jeffords	Nunn
Cochran	Johnston	Pell
Cohen	Kassebaum	Pryor
Robb	Simon	Thomas
Santorum	Simpson	Thompson

NOT VOTING—1

Dole

The motion to lay on the table the amendment (No. 4016) was agreed to.

Mr. EXON. Mr. President, I move to reconsider the vote.

Mr. DOMENICI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The pending question is now amendment No. 4018.

Mr. EXON. Before we start charging time, could we have a little order here for the information of all the Senators?

The PRESIDING OFFICER. Order in the Senate. The Senator may proceed.

Mr. EXON. Mr. President, I say to the chairman of the committee, according to our scoresheet we have seven amendments left that have been preagreed to for consideration and votes. Then there are some others that are still outstanding that we still have on the list. Of the seven that are still outstanding, waiting for a vote, and since we are cramped for time—I know there are three sense-of-the-Senate resolutions, one by Senator MCCAIN, one by Senator FAIRCLOTH, another one by Senator ROTH, all sense-of-the-Senate resolutions—and since all of those Senators voted against considering sense-of-the-Senate resolutions, I am wondering if they would like to, in good faith, withdraw their sense-of-the-Senate resolutions so that we can accomplish what they would like to do in addition to that.

Mr. MCCAIN. Since when is consistency a requirement?

Mr. EXON. Senators who have a sense of the Senate outstanding, they, too, want an expedited procedure. I say this is a good time to do that.

Mr. DOMENICI. We will make a trade with the Senator. We will reconsider this if you help us and vote for the reconsideration. In the future there will be no more——

Mr. FORD. No.

Mr. EXON. In the future? I would like to have done it now.

Mr. DOMENICI. That is what it was.

Mr. EXON. If we are going to consider sense-of-the-Senate resolutions, there are seven amendments that we know about, and three of those are sense-of-the-Senate resolutions.

AMENDMENT NO. 4018

Mr. DOMENICI. Mr. President, could we have order? This is an amendment that has been worked on very hard by a lot of people. They deserve to be heard.

The PRESIDING OFFICER. Could we have order so we can move forward? This is the amendment, the Chafee-Breaux amendment, and with 5 minutes of debate equally divided.

Mr. DOMENICI. A 10-minute vote.

The PRESIDING OFFICER. Ten-minute vote.

Mr. CHAFEE. I ask that everybody please give their attention to the proposal we are making.

The PRESIDING OFFICER. Could Senators move out of the well, please?

Mr. CHAFEE. Mr. President, every Member of this Chamber believes that running up huge deficits year after year and passing the debt on to our children is just plain wrong. Every Member of this Chamber knows we must restrain the entitlement programs.

The proposal I am offering on behalf of myself, Senator BREAUX, and 19 of our colleagues, Republicans and Democrats, balances the budget in 7 years. It makes significant reforms to entitlement programs. It extends the solvency of the Medicare trust fund and provides modest tax relief for working families.

These are all sound reasons for supporting it. But there is an additional strong reason I wish to call to your attention. The President's budget was rejected on nearly a straight party-line vote. The Republican proposal will pass on a straight party-line vote, I expect. But the implementing legislation to the Domenici proposal, the implementing legislation will undoubtedly be vetoed. Thus, its entitlement reforms will not become law, just like last year. Our budget, however, has a realistic chance of becoming law. Today with a ''yes'' vote on the alternative, we can transform talk about deficit reduction into action.

If we pass the Chafee-Breaux alternative, a balanced budget agreement can be reached this year. If this effort fails, then we will go through another year without solving our Nation's fiscal problems.

Mr. BREAUX addressed the Chair.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. BREAUX. Mr. President, my colleagues, Herb Stein, the economist and sometimes humorist, once said, ''If your horse dies, we suggest you dismount.'' Mr. President, both parties today are trying to ride a dead horse. We have both been there and done that before. It did not work then. It is not going to work now.

If only Democrats vote for the Democratic budget, it will not pass. If only Republicans vote for the Republican plan, it will pass, but it is not going to become law. There is another way. Our centrist coalition of over 20 Senators, half Democrat and half Republicans, have, in fact, offered a better way. The American people are watching us today and hoping that just once we can come together, meet in the middle, and get it done.

Let me be very honest and acknowledge that our one-half of 1 percent adjustment to the Consumer Price Index is politically difficult for everyone. But let us all be honest with ourselves and to the American people and acknowledge that it is the right thing to do.

If we do nothing, by the year 2012, projected outlays for entitlements will consume 100 percent of all the tax revenues we collect leaving nothing for any of the other functions of Government.

It is, therefore, very clear which path we must take. The only question is, will we have the political courage to do the right thing? I think that together we can do it.

Mr. President, on Monday evening, the senior Senator from Illinois asked about the effect of the Chafee-Breaux amendment on student loans. I ask unanimous consent to have printed in the RECORD prior to the vote on the amendment a letter from June O'Neill, the Director of the Congressional Budget Office which addresses that subject, as well as a table comparing the saving levels in the Chafee-Breaux resolution to the other plans.

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

U.S. SENATE,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, May 21, 1996.

Hon. JOHN H. CHAFEE,
U.S. Senate,
Washington, DC.

DEAR SENATOR: At your request, we have reviewed Amendment No. 4018 to S. Con. Res. 57, the 1997 budget resolution. That amendment, introduced by yourself and others, includes reconciliation instructions to the Committee on Labor and Human Resources, but does not identify any specific programmatic changes that the committee would be required to make to the student loan program or to any other program within its jurisdiction.

Sincerely,

JUNE E. O'NEILL.

Amendment No. 4018—a substitute proposed by: Mr. CHAFEE, (for himself, Mr. BREAUX, Mr. BENNETT, Mr. BROWN, Mr. BRYAN, Mr. COHEN, Mr. CONRAD, Mrs. FEINSTEIN, Mr. GRAHAM, Mr. GORTON, Mr. JEFFORDS, Mr. JOHNSTON, Mrs. KASSEBAUM, Mr. KERREY, Mr. KOHL, Mr. LIEBERMAN, Mr. NUNN, Mr. ROBB, Mr. SIMPSON, Mr. SPECTER, and Ms. SNOWE).

	Chafee/Breaux (7-year savings)	President (6-year savings)	GOP (6-year savings)
Discretionary	−268	−229	−296
Medicare	−154	−116	−167
Medicaid	−62	−54	−72
Welfare/EITC	−58	−43	−70
CPI	−126	0	0
Net tax cuts	105	8	122
Total savings	−679	−523	−565

The PRESIDING OFFICER. Is there anyone who wishes to speak in opposition?

Mr. DOMENICI. I yield Senator EXON half the time.

Mr. EXON. Mr. President, I join the chairman of the committee in what I think will be a salute to our colleagues from Rhode Island and Louisiana for their effort. But I must oppose the amendment. The Chafee-Breaux budget could cut COLA's, costing a typical Social Security beneficiary $1,200 over 7 years. Such changes should be done, in my opinion, if at all, only in the context of a comprehensive Social Security reform package. These COLA cuts would also hit EITC, SSI, and retired and disabled veterans.

The amendment goes after Medicare beneficiaries as well unnecessarily. Finally, the Chafee-Breaux budget cuts taxes far more than the President and far more than I think is prudent. For these reasons I urge Senators to oppose it.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I want everyone to know that the Senator from New Mexico thinks those bipartisan Senators that put this package together deserve our highest accolades, and obviously, in the scheme of things they performed a very, very important role in providing an alternative in a way that may some day become the budget of the United States.

But for any member of that coalition to stand up and say since this is bipartisan, it is going to become law, let me suggest, sitting over in the White House is the President of the United States. The President of the United States has had this presented to him. He is not in favor of it for the very simple reason that it cuts Social Security. It does it in a different way by adjusting the CPI, and it may be something that eventually some commission might say we ought to do that.

But, quite frankly, I urge this amendment be defeated unless those Senators who vote for it truly want to take on the President of the United States on the Social Security issue 5 months before an election. I think it is doomed. Because I think it is doomed, it seems to me we ought to adopt the underlying bill and not this one. I yield the floor.

Mr. BURNS. Mr. President, I stand today to support many of the goals of the Chafee-Breaux amendment to the Budget Act of 1997, but to voice concern regarding how to pay for those goals.

On the top of the list of essential tax reforms that this amendment addresses is a reduction in the capital gains tax. This tax is fundamentally unfair because it is not linked to inflation and taxes people on phantom income. No other nation in the world has a tax on capital gains and at least a reduction in this tax is in order. Because a clear majority of Americans own their own homes this tax relief lifts a huge burden off the backs of the middle class. It also allows businesses to buy and sell property and equipment based on their need and not on the Tax Code. It frees money trapped in deteriorating assets to be used to invest in new and improved equipment and expand the economy. This in turn benefits all Americans.

Another essential tax reform is eliminating the estate and inheritance tax. These taxes are very destructive to the family. It forces family businesses to be sold and increases the pain already felt by the loss of a loved one. The ability for each generation to pass on it's family heritage should not be blocked by the Federal Government's grab for money. These taxes must be eliminated.

Middle class tax relief was promised by the President in 1992 and by the Congress in 1994. The President vetoed it repeatedly last year, but it is just as important now as it was then. It is

time to cut taxes for families with children. In the last 30 years it has become increasingly more expensive to raise children. The typical child costs upwards of a quarter of a million dollars to raise and send to college. A $250 per child family tax credit would go a long way to relieving some of the stress of raising children in the typical American family. Since the average family pays 38.2 percent of its income toward taxes, surely we can agree to give some of it back to those that need it the most.

All of these reforms are needed and necessary and I support them without reservation. However, I am concerned about the way the Breaux-Chafee amendment pays for these reforms. By tinkering with Federal employees retirement plans, we are in essense breaking our word to them. I believe that the Government should keep its commitment to these hard-working folks and not change the rules this late in the game. For this reason, I will cast my vote in opposition to the Breaux-Chafee amendment.

Mrs. MURRAY. Mr. President, I commend Senators CHAFEE and BREAUX for the work they did in putting together a true budget compromise. These two distinguished Senators successfully coordinated a group of 11 Democrats and 11 Republicans in a good-faith effort to balance our Nation's budget in a fair and responsible way. And, their work should not go unnoticed.

As the people of this country know all too well, Congress has been wrangling with the budget issue for more than a year. The debate has been bitter and, at times, downright rancorous. But, if we step back and look beyond all the huffing and puffing, we find that Congress and the President have learned we can balance the budget. It is not an impossible mission. And it is not an idea that must get bogged down along party lines.

We all agree the budget must be balanced. We all understand the need to get our fiscal house in order. The difficult part, however, is making sure the budget plan uses good common sense and reflects America's core values—the belief we should ensure our quality of life, educate our children, and maintain adequate health security for our parents and disabled.

Unfortunately, the Senate rejected the centrist budget today. However, the awareness of this plan is just building, and I am pleased to note support is growing for this plan. I believe the Chafee-Breaux budget lays the groundwork and sets out the parameters that could be used to strike a final compromise on a comprehensive 6-year balanced budget plan.

The centrist budget plan is not perfect. It requires serious savings in programs I believe in and my friends and family depend on. It asks each and every one of us to give a little in order balance the budget. It cuts Medicare, Medicaid; it curtails welfare programs; and it cuts taxes all a little bit more than I would like. But the proposals in this plan are workable. It calls for realistic savings. Savings that can be achieved without risking the safety and security of our friends and families—without stripping away the safety net that catches our most needy.

Mr. President, let me just say, last year I was opposed to cutting back Medicaid because it provides health care for our poorest children and it ensures quality nursing home standards for our parents. But, after talking to health care experts in Washington State, I concluded my home State could still serve our most vulnerable populations as long as we do not have drastic cuts to Medicaid. I am willing to concede that point, and I know now that if we all give a little, we can reach compromise.

The key to any balanced budget proposal is making sure the numbers fit the policy decisions. In other words, we cannot just arbitrarily slash important programs simply to balance the budget. We need to make sure we can reform the programs in a way that saves money while still serving the public. The Chafee-Breaux plan will accomplish that goal—it proposes realistic numbers that can be achieved.

Given this, let me say that I will work to make sure the Chafee-Breaux plan is balanced and reflects America's priorities. While I support the overall effort to put aside partisan differences and find common ground, there are very important matters we cannot afford to overlook.

I just want to remind my colleagues and our State legislators who seem to be clamoring for more State control of Medicaid and Welfare, that our children's needs do not change with shifting political winds.

We need a balanced budget. Saying that is the easy part. But we must compromise to get one, and that is the hard part. The American people clearly are willing to sacrifice to make this happen. And, I voted today in support of a bipartisan budget agreement that asks for shared sacrifice. The numbers in the Breaux-Chafee proposal are reasonable. How the proposal gets to the numbers still raises large concerns for me, and should for all of us.

On welfare, there will be cuts. People will see reduced services from their Government. There will be new requirements on adults to do more in order to get help, and if this breaks down the disincentives in our current welfare system, then I support it. That is one reason I voted for this amendment.

But how we achieve savings is a very important question, as is whether we want to penalize people. And I think this amendment and every other welfare proposal goes the wrong way when it comes to removing national standards for a basic guarantee of service.

According to CBO, removing entitlement status for cash assistance does not save money in this proposal. I can understand saving money and making programs run more efficiently. I can see why people in this country want to impose work requirements on those getting public assistance. I just do not understand why children have to suffer because their parents are poor.

The Breaux-Chafee proposal cuts food stamps, SSI eligibility, and many other things that will make our children's lives harder, day to day. I do not think this is wise. But in the interest of getting a budget agreement, and in the spirit of shared sacrifice, some of these proposals are reasonable.

But, block-granting and capping welfare payments to States is not reasonable. When the economy in Wisconsin or Washington turns sour, we will see how fast the States want help from the Federal Treasury. Removing the guarantee to a basic hand-up in need—this is not reasonable, and Congress should not be doing it in this budget or any other.

On Medicaid, the Breaux-Chafee plan will change early health treatment for kids under EPSDT, which will hinder our long-term preventative health efforts for children. We will be less likely to stop easy ailments before they become serious and costly illnesses. We know this is going in. The trick will be to find a way to make sure that does not happen.

There are many other concerns I have with this section of the budget. The overall funding level looks reasonable, but we need to watch Medicaid for its impact on children.

I am also deeply concerned about the proposals included in this budget that would target our federal and postal employees. These people who serve our country have already been hit hard through Government shutdowns and delayed COLA's. This budget also adjusts contributions and collections from the CSRS and FERS retirement plans, and it increase retirement ages—improperly placing a large burden on the backs of Federal workers. We must end the continued 3-month delay in retiree COLA's and honor the contract our Nation formed with our valued Federal workers.

Mr. President, I will not forget the concerns I just raised. As we reform these programs, we must remember what works and what needs to be changed. Last year, we learned the American people do not want reckless changes. They want wise decisionmaking. They want us to craft budgets that reflect their priorities. And I am confident that with good common sense we can meet their expectations.

Mr. KERRY. Mr. President, I will oppose the Breaux-Chafee substitute. I want to commend those who have been involved in that effort and support the objective they seek. Senator CHAFEE and Senator BREAUX deserve our praise for showing the country that we do not need partisan bickering to reach a budget agreement. I would very much like to have been able to join their ranks and pass a budget on a bipartisan basis.

I wish more of our Republican friends would have joined me in supporting the President's balanced budget. It is a sad commentary that not one Member of the other party could work with us on a plan which has proven to cut the deficit in half while keeping our economy moving at a robust clip. The President and the Democrats have crafted a budget which eliminates the deficit and works for middle-class Americans.

Mr. President, I wish I could join my friends. I have discussed this proposal with a number of its proponents, but Mr. President, I cannot sign on to a plan at this time which arbitrarily changes the Consumer Price Index or its application to benefits that are by law adjusted for inflation.

As you know, the CPI is one of the country's most widely watched economic indices. The CPI, which measures the changes in the cost of living, is determined by economists at the Bureau of Labor Statistics. These analysts are continually adjusting the CPI and the methodology they employ to ascertain it.

There are a number of prominent economists—including Federal Reserve Chairman Alan Greenspan—who tell us the CPI overstates the actual cost of living and is therefore an inaccurate estimate for the rate of inflation. They call for the CPI to be adjusted downward. I know the proponents of this budget are responding to these calls when they arbitrarily lower the CPI and derive more than $100 billion to spend on tax breaks or to apply to deficit reduction.

Mr. President, I think this action—which will affect millions of American taxpayers, Social Security beneficiaries, and other retirees—is premature.

As changing the CPI will affect millions of Americans, we should study it carefully before we enact any change in the way it is calculated as part of a deficit reduction plan. Perhaps at some point in the future, the Bureau of Labor Statistics will determine that the CPI exaggerates the cost of living and adjust the index downward. Or perhaps the Congress, after rigorous study, will thoroughly debate a legislative change in the CPI and subsequently enact a change. As you know, Mr. President, the Finance Committee has established a nonpartisan commission to study the accuracy and methodology of the Consumer Price Index. This Commission is due to release its final report this summer. We should wait at least until the Commission has reported its findings before legislating changes to this index.

At least until then, Mr. President, legislation to change the CPI is not needed and would be extremely unwise. We can and should balance the budget without changing the CPI. The President has shown us that it is possible to balance the budget by the year 2002 without changing the CPI. I voted for his balanced budget proposal as did many of the proponents of this change in the CPI.

I also have considerable concerns about the level and impact of cuts in the Breaux-Chafee budget from the level needed to maintain current Medicare and Medicaid services, as well as the discretionary programs that are so vital to investment in our future, ranging from education to infrastructure, from environmental protection to high-technology research and development.

I am also very concerned about the size of the Medicare cuts in the Chafee-Breaux proposal which would reduce this essential program by $154 billion by 2002. These cuts will result in inadequate health care, more expensive health care, or no care at all. Although cuts this large could be implemented in a number of ways, and all of those would have a considerable negative impact because of the magnitude, the Chafee-Breaux proponents have advocated doubling Medicare premiums for middle and upper income seniors, requiring most participants to bear the burden of paying 31.5 percent of the part B program's costs. Forcing the elderly to pay an unfair share of deficit reduction is the wrong approach.

And all for those reasons, I regretfully concluded I cannot join in supporting this budget alternative, and I must oppose the Chafee-Breaux substitute.

I do hold out hope, however, Mr. President, that those of us who supported the President's budget, which balances the budget by the year 2002, will be able to work with the proponents of this budget alternative to secure final Senate action that will be far preferable for our Nation's sake than the budget the Republican majority will ram through both Houses of Congress this week.

Mr. LEVIN. Mr. President, I support the Chafee-Breaux amendment as a substitute for the underlying budget offered by the majority.

The Chafee-Breaux amendment is a bipartisan effort to find a compromise to the budget dilemma. It provides a more moderate reduction in discretionary spending and includes a national guarantee of coverage in Medicaid for the elderly, the disabled, and disadvantaged children and pregnant women.

I do not agree with all aspects of the Chafee-Breaux amendment, however. I do not agree with the 0.5-percent adjustment to the Consumer Price Index—0.3 percent in the outyears. I do not believe that such a change should be made in the calculation of the CPI without careful study and analysis showing a disparity between the CPI and the rate of inflation and a resulting recommendation from the Bureau of Labor Statistics that Congress make such a change. Also, I do not agree with the Chafee-Breaux defense discretionary spending level which is $11 billion more than the President requested. I am also concerned by the Chafee-Breaux's assumption of a 40-percent cap on direct student loans.

While I support the Chafee-Breaux amendment as a substitute for the majority's budget, I would need to see these concerns addressed before voting for it on final passage.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 4018. The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

Mr. LOTT. I announce that the Senator from Kansas [Mr. DOLE] is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 46, nays 53, as follows:

[Rollcall Vote No. 150 Leg.]

YEAS—46

Akaka	Faircloth	Lieberman
Bennett	Feinstein	Lugar
Bingaman	Frist	Moynihan
Boxer	Gorton	Murray
Bradley	Graham	Nunn
Breaux	Gregg	Pell
Brown	Hatch	Pryor
Bryan	Hatfield	Reid
Campbell	Inouye	Robb
Chafee	Jeffords	Santorum
Coats	Johnston	Simon
Cochran	Kassebaum	Simpson
Cohen	Kerrey	Snowe
Conrad	Kohl	Specter
D'Amato	Leahy	
DeWine	Levin	

NAYS—53

Abraham	Gramm	Mikulski
Ashcroft	Grams	Moseley-Braun
Baucus	Grassley	Murkowski
Biden	Harkin	Nickles
Bond	Heflin	Pressler
Bumpers	Helms	Rockefeller
Burns	Hollings	Roth
Byrd	Hutchison	Sarbanes
Coverdell	Inhofe	Shelby
Craig	Kempthorne	Smith
Daschle	Kennedy	Stevens
Dodd	Kerry	Thomas
Domenici	Kyl	Thompson
Dorgan	Lautenberg	Thurmond
Exon	Lott	Warner
Feingold	Mack	Wellstone
Ford	McCain	Wyden
Glenn	McConnell	

NOT VOTING—1

Dole

The amendment (No. 4018) was rejected.

Mr. DOMENICI. Mr. President, I move to reconsider the vote.

Mr. EXON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 3969

The PRESIDING OFFICER. The pending question is amendment No. 3969.

Senator FEINGOLD is recognized.

Mr. FEINGOLD. Mr. President, our amendment offers a clear choice: tax cuts or deficit reduction. It strikes the $122 billion tax cut and applies every penny to deficit reduction. I think that is our highest economic priority. This is not just a partisan issue. The Republican and Democratic plans have had this flaw. The bipartisan plan has this flaw. This has been endorsed by the Concord Coalition.

Mr. DOMENICI. Mr. President, the FEINGOLD amendment strikes $122 billion in family tax credit from this resolution. Therefore, it will be a bill without any special emphasis for the families across America. I believe this

should be tabled, and we should proceed through and have a budget that does something for American families, along with reducing the deficit. I believe it should be tabled.

Therefore, I move to table the amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on the motion to table the amendment.

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER (Mr. KEMPTHORNE). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 57, nays 43, as follows:

[Rollcall Vote No. 151 Leg.]

YEAS—57

Abraham	Domenici	Lott
Ashcroft	Faircloth	Lugar
Baucus	Ford	Mack
Bennett	Frist	McCain
Biden	Gorton	McConnell
Bond	Gramm	Murkowski
Boxer	Grams	Nickles
Bradley	Grassley	Pressler
Brown	Gregg	Roth
Burns	Harkin	Santorum
Campbell	Hatch	Shelby
Chafee	Hatfield	Simpson
Coats	Helms	Smith
Cochran	Hutchison	Snowe
Coverdell	Inhofe	Stevens
Craig	Kassebaum	Thomas
D'Amato	Kempthorne	Thompson
DeWine	Kyl	Thurmond
Dole	Lieberman	Warner

NAYS—43

Akaka	Graham	Moynihan
Bingaman	Heflin	Murray
Breaux	Hollings	Nunn
Bryan	Inouye	Pell
Bumpers	Jeffords	Pryor
Byrd	Johnston	Reid
Cohen	Kennedy	Robb
Conrad	Kerrey	Rockefeller
Daschle	Kerry	Sarbanes
Dodd	Kohl	Simon
Dorgan	Lautenberg	Specter
Exon	Leahy	Wellstone
Feingold	Levin	Wyden
Feinstein	Mikulski	
Glenn	Moseley-Braun	

The motion to lay on the table the amendment (No. 3969) was agreed to.

APPEAL OF THE RULING OF THE CHAIR

The PRESIDING OFFICER. The Senate Democratic leader has appealed the decision of the Chair. The question before the Senate is, Shall the decision of the Chair stand as the judgment of the Senate?

There is 1 minute of debate equally divided.

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER. The minority leader.

Mr. DASCHLE. Mr. President, this resolution abuses reconciliation—extending use in an entirely inappropriate way. In sanctioning that abuse, the Chair has made a faulty judgment that could have a vast impact on the Senate.

The Chair has ruled that reconciliation can be used solely to increase spending, solely to cut taxes, solely to increase the deficit.

That is an absolutely unacceptable distortion of the reconciliation process; expanded use threatens all Senators' rights to debate and amend.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President and fellow Senators, I think the Chair's ruling should be sustained. Senator DASCHLE's point of order was based on his view that the budget resolution cannot contain separate reconciliation instructions, that there can be just one. The Parliamentarian ruled that you could have multiple reconciliation bills directed by a budget resolution.

I think the Parliamentarian is right and we should support him. Therefore, I urge that you vote ''no'' on this appeal—vote ''aye'' on this appeal. Excuse me.

The PRESIDING OFFICER. The question is, Shall the decision of the Chair stand as the judgment of the Senate? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 53, nays 47, as follows:

[Rollcall Vote No. 152 Leg.]

YEAS—53

Abraham	Frist	McCain
Ashcroft	Gorton	McConnell
Bennett	Gramm	Murkowski
Bond	Grams	Nickles
Brown	Grassley	Pressler
Burns	Gregg	Roth
Campbell	Hatch	Santorum
Chafee	Hatfield	Shelby
Coats	Helms	Simpson
Cochran	Hutchison	Smith
Cohen	Inhofe	Snowe
Coverdell	Jeffords	Specter
Craig	Kassebaum	Stevens
D'Amato	Kempthorne	Thomas
DeWine	Kyl	Thompson
Dole	Lott	Thurmond
Domenici	Lugar	Warner
Faircloth	Mack	

NAYS—47

Akaka	Feinstein	Lieberman
Baucus	Ford	Mikulski
Biden	Glenn	Moseley-Braun
Bingaman	Graham	Moynihan
Boxer	Harkin	Murray
Bradley	Heflin	Nunn
Breaux	Hollings	Pell
Bryan	Inouye	Pryor
Bumpers	Johnston	Reid
Byrd	Kennedy	Robb
Conrad	Kerrey	Rockefeller
Daschle	Kerry	Sarbanes
Dodd	Kohl	Simon
Dorgan	Lautenberg	Wellstone
Exon	Leahy	Wyden
Feingold	Levin	

The ruling of the Chair was sustained as the judgment of the Senate.

AMENDMENT NO. 4022

The PRESIDING OFFICER. The question now occurs on amendment No. 4022 offered by the Senator from Arizona, Mr. MCCAIN.

Mr. DOMENICI. We want to set that aside to do some other things we want to do.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

The Senate will please come to order.

AMENDMENT NO. 4023

Mr. DOMENICI. Senators FAIRCLOTH and MOYNIHAN have an amendment, No. 4023. It has been cleared on both sides. There is no need for a rollcall vote.

I yield any time I might have in opposition.

Mr. EXON. We yield back our time.

The PRESIDING OFFICER. If there is no objection, the Senate will now proceed to consider amendment No. 4023.

Mr. FAIRCLOTH. Mr. President, I ask unanimous consent that Senator MOYNIHAN be added as a cosponsor to this amendment.

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

Mr. FAIRCLOTH. Mr. President, let me say how pleased I am to offer this amendment along with the senior Senator from New York. It was Senator MOYNIHAN'S ground-breaking research 30 years ago that first drew attention to a situation that has gone from a developing trend to what I consider to be a real crisis.

This amendment simply states that it is the sense of the Senate that if welfare reform is included in balanced budget legislation, that those provisions contain a strategy to reduce the incidence of out of wedlock births as well as encourage family formation.

I strongly believe that welfare reform that does not seek to reverse the rising rate of out-of-wedlock births, will not break the cycle of welfare dependency that is consuming more and more of our young people.

I urge my colleagues to support this amendment.

THE PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendment.

The amendment (No. 4023) was agreed to.

AMENDMENT NO. 4037

Mr. EXON. Mr. President, for Senator BIDEN, I send an amendment to the desk and ask unanimous consent the amendment be considered, agreed to, and the motion to reconsider be laid on the table. This has been cleared on both sides.

Mr. DOMENICI. Mr. President, I understand Senator HATCH is a cosponsor of that amendment.

Mr. EXON. Mr. President, Senator HATCH is a cosponsor.

The PRESIDING OFFICER. The clerk will report the amendment by number.

The bill clerk read as follows:

The Senator from Nebraska [Mr. EXON], for Mr. BIDEN, for himself, Mr. LEAHY, Mr. KOHL and Mr. HATCH proposes an amendment numbered 4037.

Mr. EXON. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place insert the following:

SEC. . A RESOLUTION REGARDING THE SENATE'S SUPPORT FOR FEDERAL, STATE AND LOCAL LAW ENFORCEMENT.

(a) FINDINGS.—The Senate finds that:

(1) Our Federal, State and local law enforcement officers provide essential services that preserve and protect our freedoms and security;

(2) Law enforcement officers deserve our appreciation and support;

(3) Law enforcement officers and agencies are under increasing attacks, both to their physical safety and to their reputations;

(4) Federal, State and local law enforcement efforts need increased financial commitment from the Federal Government for funding and financial assistance and not the slashing of our commitment to law enforcement if they are to carry out their efforts to combat violent crime;

(5) The President's Fiscal Year 1996 budget requested an increase of 14.8% for the Federal Bureau of Investigation, 10% for United States Attorneys, and $4 milllion for Organized Crime Drug Enforcement Task Forces; while this Congress has increased funding for the Federal Bureau of Investigation by 10.8%, 8.4% for United States Attorneys, and a cut of $15 million for Organized Crime Drug Enforcement Task Forces;

(6) On May 16, 1996, the House of Representatives has nonetheless voted to slash $300 million from the President's $5 billion budget request for the Violent Crime Reduction Trust Fund for Fiscal Year 1997 in H. Con. Res. 178; and

(7) The Violent Crime reduction Trust Fund as adopted by the Violent Crime Control and Law Enforcement Act of 1994 fully funds the Violent Crime Control and Law Enforcement Act of 1994 without adding to the federal budget deficit.

(b) SENSE OF THE SENATE.—It is the Sense of the Senate that the provisions and the functional totals underlying this resolution assume the Federal Government's commitment to fund Federal law enforcement programs and programs to assist State and local efforts shall be maintained and funding for the Violent Crime Reduction Trust Fund shall not be cut as the resolution adopted by the House of Representatives would require.

Mr. BIDEN. Mr. President, it seems to be ''deja vu all over again'' to quote Yogi Berra—last year we had to fight an effort on the House side to slash funds for the crime law trust fund, and it looks like we are going to have to do the same this year.

The amendment which I propose today gives the entire Senate the opportunity to express its support for full funding of the violent crime control trust fund enacted in the 1994 crime law. Let me point out that the Senate budget resolution offered by Chairman DOMENICI does the right thing on the trust fund—Chairman DOMENICI fully funds the President's $5 billion request for the trust fund for 1997. This recognizes that the $5 billion for the trust fund is already paid for by the reduction of the Federal work force by 272,000 employees.

The problem is that the budget resolution proposed by the Republican leadership of the House of Representatives which passed just last week by a narrow, partisan vote of 226 to 195—221 Republicans voted for it, 4 against; 190 Democrats voted against, 5 voted for it—cut the President's $5 billion request for the trust fund by $300 million.

This is less than the $900 million cut that had been proposed by the Republican leadership of the House—but this is still a significant cut that I must oppose.

If the House proposed cut of $300 million is allowed to stand there can be only one result—fewer Federal dollars will be available to combat crime. As my colleagues know, the general numbers of the budget resolution do not specify which programs will be cut—but it is clear that some programs must be cut.

What specifically might this mean? Let us just review the law enforcement efforts funded by the crime law trust fund:

Federal prosecutors, $55 million;

FBI, $40 million; DEA, $200 million; border enforcement and deporting aliens who break the law, $525 million; violence against women efforts including more police and prosecutors and more shelters for battered women, $254 million; $1 billion for constructing prisons and reimbursing States for imprisoning criminal aliens; and an additional $2.6 billion to aid State and local law enforcement—whether it is through the 100,000 Cops Program I favor or the block grant favored by the other side, I do not believe that any Senator favors a smaller total for State and local law enforcement.

We all know there is no free lunch—so if there is a cut in the total for the trust fund, at least some of the pieces of the trust fund must be cut. For that reason, I call upon the entire Senate to go on record as opposing the House cut to the President's $5 billion request for the crime law trust fund.

But, let me also point out that even if we pass the resolution I am offering today, and even if the House Republican majority ultimately agrees to fully fund the President's request for the trust fund—even if all that happens, a massive shortfall in the President's request for crime fighting resources will still have been made by the budget resolutions adopted by the Republican majority.

To quickly review the facts on the total ''administration of justice'' account—compare what the Senate and House budget resolutions offer for the non-trust fund portion of the ''administration of justice'' account that pays for the entire Justice Department—FBI, DEA, prisons, everything—and the courts:

	Billion
President request	$18.5
House budget resolution	17,4
Senate budget resolution	16.7

These are massive cuts—the House proposes to slash the President's request for crime fighting dollars by $1.1 billion; the Senate proposes a cut $1.8 billion.

What happened to all this ''tough on crime'' rhetoric we have been hearing from all sides? It seems that the President held up his end of the bargain—requesting the largest-ever annual budget for the FBI, DEA, U.S. attorneys, and help for State and local prisons and police. But, the Congress controlled by the other party has been ''AWOL—absent without law enforcement.''

Unless there is a major change to restore these funds when the House and Senate budget conferees meet—we can expect but one result when the appropriators develop their bills later this year. Massive cuts in Federal law enforcement because the appropriators will have no choice—if we shrink the budget pie for law enforcement, there is no way to provide all the slices. It is just that simple.

Mr. President, I urge my colleagues to adopt the amendment I am offering on behalf of myself, and Senators LEAHY, KOHL, and HATCH.

Mr. LEAHY. Mr. President, I join as a sponsor in this amendment to the budget resolution. Last year I offered a similar amendment that was adopted by the Senate. Unfortunately, Congress did not follow through on our commitment. Last year the budget for fighting crime was never finalized. It was only recently that we arrived at a budget resolution for a fiscal year now more than half over. This had a devastating impact on anticrime grant programs and should not be repeated.

I am glad to join with Senator BIDEN in this resolution to preserve the violent crime reduction trust fund. Our purpose is to reaffirm our commitment and appreciation for Federal, State, and local law enforcement and the outstanding job that they do under the most difficult and dangerous circumstances, and to reject the House's attempts drastically to cut our financial support for their efforts.

Over the last few years there has been a lot of public debate and comment about the activities of law enforcement and the rhetoric that has been used to disparage and malign these dedicated public servants and the law enforcement agencies in which they serve. I submit that law enforcement deserves better. We owe these men and women our respect, appreciation and public, moral and financial support.

The gruesome fact is that there are increasing threats against the safety and lives of law enforcement officers—the bombing of offices in Texas only yesterday, the Oklahoma City bombing, reports of attacks against park rangers, Forest Service employees, Treasury employees and others. The dedicated men and women in Federal, State, and local government and law enforcement work long hours for limited financial reward in order to serve the public, protect us and preserve our freedom.

It is in this context that I am concerned that the House of Representatives has again voted to cut law enforcement resources. The House voted on May 16 to cut $300 million from the President's request for the violent crime reduction trust fund for fiscal year 1997. Last year the House voted to offset certain tax reduction proposals by cutting $5 billion from the violent crime reduction trust fund. Invading the violent crime reduction trust fund makes it impossible to pay for the law enforcement and crime prevention programs of the Violent Crime Control Act of 1994. This is bad policy and will

lead to weakened law enforcement. I hope and trust that our Senate colleagues will reject this cut in funding to Federal law enforcement and Federal assistance to State and local efforts.

When we passed the Violet Crime Control and Law Enforcement Act in 1994, we paid for its programs. A trust fund was established from the downsizing of the Federal Government by some 250,000 jobs. The violent crime reduction trust fund contains funds dedicated to law enforcement and crime prevention programs, and is intended in large part to provide Federal financial assistance to critical Federal, State and local needs. Since passage of the Violent Crime Control Act, the U.S. Department of Justice has been doing a tremendous job getting these resources to the field. I commend the Associate Attorney General John Schmidt and Chief Joe Brann, who direct the community policing programs, for their quick work. I know that funding to assist local law enforcement to hire additional officers went out almost immediately based on a simple, one-page application. Vermont received commitments of over $3 million toward 64 new officers in 34 jurisdictions, for example.

The House would have us turn our backs on law enforcement and prevention programs and the commitments we made in the Violent Crime Control Act. Law enforcement and community-based programs cannot be kept on a string like a yo-yo if they are to plan and implement crime control and prevention programs. Funding for important programs implementing the Violence Against Women Act and our rural crime initiatives should not be delayed or cut again. What we need to do is to follow through on our commitments, not to breach them and violate our pledge to law enforcement, State and local government and the American people. Invading trust funds dedicated to crime control purposes is no way to proceed and no way to restore people's trust and respect for government and the commitments that it makes.

I will continue to work with the Attorney General and my Senate colleagues to reject the ill-advised House action. I will work to preserve the violent crime reduction trust fund so that we can fulfil the promise of the Violent Crime Control and Law Enforcement Act and our commitment to do all that we can to reduce violent crime in our local communities. This is not the time to undercut our support for Federal law enforcement or the assistance provided State and local law enforcement. We offer this amendment as an embodiment of the Senate's resolve against the House-passed cuts to the violent crime reduction trust fund and reductions in funding of Federal, State, and local law enforcement. The House-passed cuts to law enforcement funding are not the way to show our support for those women and men whom we ask to protect public safety and preserve our precious freedoms.

THE PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 4037) was agreed to.

AMENDMENT NO. 4027 TO AMENDMENT NO. 4012

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I call up the second-degree amendment No. 4027 to the Harkin-Specter amendment 4012.

The PRESIDING OFFICER. If there is no objection, then, the question is on agreeing to amendment 4027 as an amendment to 4012.

Who yields time? The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I will take my 30 seconds in support of the amendment. This would take the place of the Specter-Harkin amendment which had added $2.7 billion, more or less, to one function of the Government. Instead of doing that, the Senator from New Mexico adds $4 billion to the overall budget and it can be used for education and the other purposes within it. This can amount to a nondefense discretionary freeze spending level and we have arrived at that as a freeze off the 1996 consolidated rescissions bill. Once one had it all figured out, this is the amount of money required to make it a freeze.

Mr. EXON. I will yield our 30 seconds to the Senator from Iowa.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Senator DOMENICI is proposing a second-degree amendment which increases funding for education, job training and health by $2 billion and funding for nondefense discretionary programs by $5 billion overall. The Domenici amendment is not all the funding we need for the programs including title I and Head Start and I would propose the options in my amendment; however I do support this amendment and its modification because it is an important step in the right direction. I do support the amendment.

Mr. GRAMM. Mr. President, is there time available in opposition to the amendment?

Mr. DOMENICI. There should have been. I yield 30 seconds to the Senator to speak in opposition.

Mr. GRAMM. Mr. President, I am strongly opposed to this amendment. I want my colleagues to look at some simple numbers. Last year in the budget resolution for fiscal year 1996 we adopted a budget that called for spending on discretionary nondefense accounts in fiscal year 1997 of $255 billion. The budget before us now calls for discretionary spending for the same year of $267 billion, so that we have increased nondefense discretionary in this budget $12 billion above last year's budget resolution. If we adopt this amendment we will be at $271 billion, and we will have increased nondefense discretionary spending by $16.7 billion above the level we called for in last year's budget resolution.

Either we are serious about controlling spending or we are not. It is something we are capable of controlling. I strongly oppose it.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. Mr. President, I ask unanimous consent I be granted 30 seconds. The Senator from Texas spoke for a minute.

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

Mr. DOMENICI. I think he would give it to me anyway. I should not say that about how long he took.

Fellow Republicans, I want to speak to you first. The estimates on tax receipts are up $15 billion over what is in this budget resolution. What I am trying to do, so you will all know, is to make sure we do not end up like we did last year. I have talked to JOHN KASICH, chairman of the Appropriations Committee, and they want us to pass this so we can figure out exactly where we are, rather than end up precisely where we were last year. If you want to end up that way, you vote with Senator GRAMM. If you want to give us a chance to get by without last year, you vote for my amendment.

I yield the floor.

Mr. EXON. Mr. President, I ask unanimous consent for 10 seconds for the Senator from Iowa.

The PRESIDING OFFICER. Is there objection? The Senate will please come to order.

The Senator from Iowa is recognized.

Mr. HARKIN. Mr. President, all I want to say is this is still below the CBO freeze. Period.

Mr. EXON. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment No. 4027. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced, yeas 75, nays 25, as follows:

[Rollcall Vote No. 153 Leg.]

YEAS—75

Akaka	Domenici	Kohl
Baucus	Dorgan	Lautenberg
Bennett	Exon	Leahy
Biden	Feinstein	Levin
Bingaman	Ford	Lieberman
Bond	Frist	Lugar
Boxer	Glenn	Mikulski
Bradley	Gorton	Moseley-Braun
Breaux	Graham	Moynihan
Bryan	Grassley	Murkowski
Bumpers	Gregg	Murray
Burns	Harkin	Nunn
Byrd	Hatch	Pell
Campbell	Hatfield	Pressler
Chafee	Heflin	Pryor
Cochran	Hollings	Reid
Cohen	Inouye	Robb
Conrad	Jeffords	Rockefeller
D'Amato	Johnston	Sarbanes
Daschle	Kassebaum	Shelby
DeWine	Kennedy	Simon
Dodd	Kerrey	Simpson
Dole	Kerry	Snowe

Specter	Thompson	Wellstone
Stevens	Thurmond	Wyden

NAYS—25

Abraham	Grams	McConnell
Ashcroft	Helms	Nickles
Brown	Hutchison	Roth
Coats	Inhofe	Santorum
Coverdell	Kempthorne	Smith
Craig	Kyl	Thomas
Faircloth	Lott	Warner
Feingold	Mack	
Gramm	McCain	

The amendment (No. 4027) was agreed to.

The PRESIDING OFFICER. The question now occurs on Amendment No. 4012 as amended.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The Senator from Mississippi.

PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES

Mr. LOTT. Mr. President, I send a concurrent resolution to the desk providing for a conditional adjournment of Congress and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the resolution.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 60) providing for a conditional adjournment or recess of the Senate and the House of Representatives.

Mr. LOTT. Mr. President, I ask unanimous consent that the resolution be agreed to and the motion to reconsider be laid upon the table.

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

The concurrent resolution (S. Con. Res. 60) was agreed to as follows:

S. CON. RES. 60

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns at the close of business on Thursday, May 23, 1996, Friday, May 24, 1996, or Saturday, May 25, 1996, pursuant to a motion made by the Majority Leader or his designee in accordance with this resolution, it stand recessed or adjourned until noon on Monday, June 3, 1996, Tuesday, June 4, 1996 or until such time on that day as may be specified by the Majority Leader or his designee in the motion to recess or adjourn, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on the legislative day of Thursday, May 23, 1996, it stand adjourned until 2:00 p.m. on Wednesday, May 29, 1996, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

CONCURRENT RESOLUTION ON THE BUDGET

The Senate continued with the consideration of the concurrent resolution.

AMENDMENT NO. 4012, AS AMENDED

The PRESIDING OFFICER. The question now occurs on agreeing to Amendment No. 4012, as amended.

The amendment (No. 4012), as amended, was agreed to.

Mr. DOMENICI. Mr. President, I think we have an understanding that Senator ROTH will proceed with his amendment.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Delaware is recognized.

Mr. EXON. Before Senator ROTH starts, I ask the chairman of the committee, we have how many amendments left that we are going to vote on? As I understand it, we have Byrd that requires a vote, Roth that requires a vote, and McCain, and final passage.

Mr. DOMENICI. Correct. That is what I understand.

Mr. EXON. What we have agreed to earlier, we are trying to get out of here for at least one-half hour, between 4 to 4:30. It seems to me that we could probably have final passage by no later than 5:15.

Mr. DOMENICI. I think that is probably correct, I say to the Senator.

Mr. EXON. Is that the assumption under which we are working, then? We have one more vote at least, and then go to a half-hour recess?

Mr. DOMENICI. Are we going to have a half-hour recess?

Mr. EXON. That is what I agreed to with both the majority leader and the minority leader.

Mr. DOMENICI. All right. If our leader agreed it to, I am all for it. I asked the Senator to ask him. That is fine. We are going to vote on Roth, and then recess for 30 minutes. All right.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

AMENDMENT NO. 4025

Mr. ROTH. Mr. President, the Roth resolution simply states that Congress would give Amtrak a secure and reliable source of funding for capital expenditures. The rail trust fund would be funded by transferring revenues from the 0.5-cent excise tax that is currently going into the mass transit account to a newly created rail trust fund.

While Amtrak would have $2.8 billion for capital expenditure over 5 years, the existing $5.4 billion surplus in the mass transit account—the mass transit would continue to have billions of dollars in excess of its anticipated appropriations.

Mr. President, I urge my colleagues to support my amendment.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Senator GRASSLEY wants to speak in opposition. I yield to Senator GRASSLEY 30 seconds.

Mr. GRASSLEY. This budget resolution, all 50 hours of debate and all the many hundreds of pages, is about balancing the budget, which is long overdue and it is something that we should do. The Roth amendment, the next amendment, establishes a whole new entitlement, something we should not do.

OMB expresses concern that this new funding source for Amtrak is wrong and it takes money from your local mass transit for Amtrak, something we should not do. So why threaten the solvency of our mass transit accounts? Balance the budget. No more entitlements.

Mr. BAUCUS. Mr. President, I rise in strong support of the amendment offered by the Senator from Delaware.

As my colleagues will recall, I offered a similar amendment last year on the budget resolution. Unfortunately, we lost by one vote. I have been pressing the concept of a dedicated revenue source for Amtrak for quite some time now and I welcome the opportunity to voice this support again.

Mr. President, the resolution before us is a sense of the Senate resolution that Congress should provide Amtrak with the revenue from one-half penny of the Federal gas tax that is now directed to mass transit.

This revenue will provide Amtrak with a steady, dedicated revenue source. This is very important if Amtrak is to be able to make long-term planning decisions that will enable it to become financially viable in the future.

Amtrak is a key component of this Nation's transportation system. In my home State of Montana, many residents rely on Amtrak's service to travel to and from the State. Amtrak means jobs. It means increased tourism. And it means increased access and mobility for Montanans.

And for any of you who have ever traveled on the Empire Builder through the northern tier of my State, you know the tremendous beauty along the Montana hi-line.

Some will argue that redirecting the one-half penny from mass transit to Amtrak will adversely affect mass transit programs. That is simply not true. There is an over $5.4 billion cash surplus in excess of obligations in the mass transit account. That is more than enough to fund mass transit programs for the foreseeable future.

Mr. President, rural transportation programs seem to be constantly under attack. Rural areas are struggling. We continue to see a decline in rural transportation options—funding for rural air service, rural transit and highway programs is declining. This amendment is one small step forward in turning back this trend.

The PRESIDING OFFICER. The question occurs on agreeing to amendment No. 4025.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Might I correct my statement? I understand that all we have agreed to—we do not have to go in recess. The next vote will occur at 4:30.

Mr. EXON. After the Roth vote.

Mr. DOMENICI. The next vote after this one will occur at 4:30. I ask unanimous consent for that.