to the Senate and what he has contributed to the United States of America, because he quietly goes about his way in doing the right thing, and very intelligently.

JIM EXON was the Governor of Nebraska when I was traveling through Nebraska. There again, he is known as one of the outstanding Governors of the State of Nebraska. Nebraska is a diverse State, kind of like Montana, but of course a lot more robust because they have great agriculture across the State with all the different kinds of agriculture, because if you will look at Nebraska, it is pretty long. You have most of the manufacturing, farm manufacturing, which all pertained to agriculture, and the little towns in eastern Nebraska and the great grasslands and the sand hills to the west, and, of course, the North Platte River. I speak of Nebraska with great respect because I happened to have married my wife in Nebraska. I understand those folks. Of course, she comes from ranching people and the livestock industry. So we understand that.

SHEILA FRAHM will not be coming back after we drop the gavel on Congress. She will go back to Kansas, coming from a great part of Kansas, the western part, just about where the next Senator who will speak came from years ago, the able Senator from Pennsylvania.

All of these individuals will be missed for their individual talents and the resources they brought to this body. That is what we are, 100 different minds. We are 100 different methods of approaching different problems that this country faces.

I deem it a great honor to serve in the U.S. Senate with these men and women who we will not see on this floor again when the gavel falls this week. I say to my special friends, and especially to ALAN SIMPSON, who way back in 1988 was part of me getting into this political arena, we do not say goodbye, we just say so long, because even though our trails fork at this juncture in our lives, that is not to say that our trails will not cross in the future again.

I thank them for what they have given this body, for the service to their constituency, but, more importantly, I thank them for their service to the United States of America. It will never be forgotten.

I yield the floor.

Mr. SPECTER. Madam President, I ask unanimous consent I may speak for up to 20 minutes in morning business.

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

GOVERNMENT TODAY

Mr. SPECTER. I note no other Senators on the floor, Madam President, on this unusual Saturday session. There are a number of subjects I will address this morning, so I have asked for that period of time.

Madam President, at the outset, I want to express my concern, reservations, and perhaps objection to the process which is now underway to have an omnibus appropriations bill to fund the Federal Government into the next fiscal period starting Tuesday, October 1, which is being added to a conference report on the Defense appropriations bill.

I am concerned about that because it is an extraordinary procedure, probably never before undertaken in the Senate—at least I have not talked to anyone who knows that it has been undertaken. It totally undercuts the traditional procedures of the U.S. Government under our constitutional mandate on separation of powers. In effect, it drastically alters the rules of the U.S. Senate through what is essentially a procedural device to present to the Senate a conference report where there is a single vote without the opportunity of the Senate to make any amendment.

Now, traditionally and under our rules, a Senator may offer an amendment to any bill at any time with unlimited debate unless cloture is invoked. The Constitution and the rules of the Senate have given that extraordinary power to each Senator in order to slow down the legislative process. When the Constitution was adopted, the Senate was supposed to be the saucer which cooled the tea, the hot tea, as it came from the House of Representatives. Senators were really in a sense ambassadors from each of the sovereign States to the Congress of the United States, where we express the views of a sovereign.

That really is not true anymore, as the authority of the central Government has pretty much taken over and relatively little is left of the 10th amendment on reserving rights to the States. All that is coming back a little with the Supreme Court decision in Lopez, which gives more rights to the States. That is a complicated subject, but while the Federal Government has taken on more and more power, at least the Senate has been a bastion where we could take some time and debate issues. That will be totally gone as we work through the balance of the appropriations process and have only one vote on the conference report. I think that is a real danger to our system.

In a sense, we have only ourselves to blame. As appropriations bills have come to the floor of the U.S. Senate, while Senators have acted within the technical rules, the spirit of the process has, in my judgment, been abused. We have had the Interior appropriations bill, for example, on the floor of the Senate, when we should take up very important matters concerning the national parks and other matters related to forests and the environment. But, instead of dealing with the Interior appropriations bill, Senators have insisted on offering amendments on other subjects, many of them legislative authorizations outside the purview of the appropriations process, with an enormous amount of political gamesmanship and one-upmanship and a real effort to outbid or embarrass the other political party. It is done on both sides. I do not say this in the context of criticizing the other party.

The subcommittee which I chair on Labor, Health and Human Services, and Education never even had its bill come to the Senate floor because it was anticipated that it would be very contentious and that many diverse amendments would be offered. At least it has been my hope and the hope of Senator HARKIN, the ranking Democrat, that we would have a chance to bring the bill to the floor. Instead, the bidding war on education started on the Interior appropriations bill. That is why the Interior appropriations bill was pulled down.

Last year's budget, which we should have finished on September 30, 1995, was not finished until late April 1996. On that bill earlier this year, Senator HARKIN and I came forward with a bipartisan approach to add $2.7 billion so we could have adequate funding on Education and on Health and Human Services and on Labor, where a big issue was worker safety.

We have found within the appropriations process itself, that the subcommittee chair and the ranking members have been able to work on a harmonious basis and really get the job done in the kind of collegiality and a relationship that develops when you work with an individual and move ahead. Just as the distinguished Senator from Nebraska, Senator BOB KERREY, and I have done on the Intelligence Committee, where I serve as chair and Senator KERREY serves as vice chair. We have had very contentious issues which have potential partisan overtones, some fierce matters there that we have kept under wraps.

We are still working on that, as a matter of fact, in the closing days of the Congress. We have done that because of our concern, shared by the Intelligence Committee members generally and by the distinguished presiding officer, who is a member, because of our view that a bipartisan and nonpartisan approach to intelligence matters and comprehending foreign affairs is very important for the welfare of the country. And as I say, the subcommittee chairs have done that. Senator HATFIELD made a report yesterday to the Republican caucus identifying quite a number of chairmen and ranking members who have been able to work it out on a harmonious basis, which is the essence of compromise in a democracy, to get it done. But when the matters come to the floor, and 100 Senators are present, the temptation has been, so far, irresistible to add so many items to the appropriations bills that bills have had to be pulled down.

The Appropriations Committee has become even more powerful. There are always comments about the ''powerful Appropriations Committee.'' It has become even more powerful because, at

present, its bills are the only bills that have to be passed. And so many of the matters—not all, but so many—on authorization come to the Appropriations Committee. We are wrestling, right now, with many requests from Senators to have authorizations done on the appropriations bill for Labor, Health, Human Services, and Education. Other bills don't have to be passed, but the spending bills have to be passed, or else the Government comes to a halt. So the Appropriations Committee has the bills that are the last vehicle.

Now we see a total subversion of the process, when we have so many appropriations matters coming up in this one omnibus measure and it isn't even brought to the floor in the traditional way so that amendments may be offered. It will come over as part of a conference report, which will not allow any Senator to do anything except have one vote, ''yes'' or ''no,'' on that report. That is a subversion of our process.

It is my hope, Madam President, that next year we will finally get some rules changes, so that on appropriations matters we have only germane matters related to the bill. We would still leave ample Senators' rights, in a variety of ways, but not, for example to bring to the Interior appropriations bill an education issue. Education is a very popular matter, a very important political matter, and Members of both parties seem to want to gain a political advantage in outspending the other party on education. Well, Senator HARKIN and I were able to accomplish that in April with the amendment we offered on a bipartisan basis, which got 86 votes. That is a lot of votes around this place. That is the way we should have handled it this year, instead of the bidding war, which required the Interior bill to be taken down. That is only one illustration as to how extraneous matters have really led us to a position where the conclusion, far and wide, is that we have to go to this single omnibus bill, now tacked on to a conference report.

Many people have asked me when the Senate is going to adjourn. My standard answer has always been that the Senate will adjourn when the last Senator stops talking. And that is a very questionable and indecisive matter. That draws a smile from the Presiding Officer. When will the Congress go out of session? Who knows? A couple of the barometers are, when the time is up, or exhaustion totally sets in. The time is up on September 30, Monday, at midnight.

So we now have a schedule, with this extraordinary process, to finish up our work in advance of that date. Frequently, exhaustion and time run out at about the same time. The negotiators in the appropriations process worked through until 4 a.m. yesterday morning, and I believe until about 7 a.m. this morning—not exactly conditions to have the optimum deliberative process on what we were accomplishing. But it is illustrative of the fact that the only time when these matters are settled is when exhaustion sets in or the time has run out. This year, there is one other ingredient, and that is leaving Washington to campaign. When the self-interest for reelection appears, it is a pretty substantial motivating factor for Members of Congress. Members are no different than anybody else in the motivation to keep their jobs. When that sets in, there is an additional ingredient—and that is certainly present at this time—when Members up for election want to go home to campaign to keep their seats.

Madam President, on another aspect of the same issue, we have seen in this legislation a process which I believe is a perversion of the constitutional mandate of separation of powers which makes the Congress of the United States responsible for legislation. The President of the United States, after Congress acts, is responsible for signing or vetoing a bill. And then if it is vetoed, the Congress of the United States can override, in the legislative process, with a two-thirds vote.

But this year, instead, we have had the executive branch as a prime participant in the legislative process. We have had the President's chief adviser, the very distinguished Chief of Staff, Leon Panetta, sitting in on the appropriations negotiations, which I have been a party to when they have affected the subcommittee jurisdiction that I chair. Mr. Panetta is there as the President's representative, to say whether or not what the legislators want will be acceptable to the President. I say that is just wrong, plain wrong, constitutionally. The President, the executive branch, ought not to be involved in the legislative process. We legislators ought to hammer out our ideas and our differences on the floor of this body and on the floor of the House, and we ought to go to conference and resolve the issues, and then we ought to present them to the President. At that point the President should exercise his constitutional responsibilities, instead of exercising our constitutional responsibilities earlier. There is a very, very serious problem of separation of powers at issue here. Here the powers are not separate; the powers are intermixed. That is not the way it is required under the Constitution.

It makes me wonder about where the President is. You have a situation where a deal was struck, apparently, in the early morning hours this morning, about 7 a.m. It is obvious, on the timetable, that the President could not have been informed of and given his approval to that deal. The obvious fact is that the President has delegated his authority to the Chief of Staff. You wonder, at least on appearances, if the President ought to be informed, at least on the outlines, as to what has been done, so that the President can exercise his authority under the Constitution to give consent to what the legislature has done. There is not even any respect for appearances here. The deal was done, cut and dry. There is no way the President could have known what was happening. That makes you wonder about delegation of authority.

The President really doesn't have the constitutional authority to delegate his responsibility, just as I can't allow staff, or anybody else, to come in here and vote for me. The President has the responsibility to review what Congress has done and decide whether or not that is acceptable to the President of the United States, who is duly elected. But there, again, in the rush to exit, constitutional mandates are blindly ignored.

I believe, Madam President, that this is a—it is hard to find the proper word—dastardly, reprehensible, outrageous precedent to set as we finish up our important responsibilities in Washington. Part of the problem arises as so much of the work of the Congress is being dominated by political considerations, or by those at the far ends of the political spectrum, leaving very little of centrism in the work we do.

It is very important that the Government of the United States, in my opinion, be governed from the center. You see that in the public reaction to what is going on. You see that in President Clinton, who is trying to establish a centrist position, which has been successful politically, because the people of the United States want to be governed from the center. You see that with Senator Dole, in his campaign for the Presidency, wanting to move to the center.

If I may make a personal reference, when I advanced my candidacy for the Republican Presidential nomination, I was a centrist, and many people have said to me recently, ''ARLEN, Senator Dole is now adopting many of the positions you articulated when you ran for the Republican nomination.'' My immediate response has been that if Senator Dole had articulated my position in his quest for the Republican nomination, he wouldn't have been the Republican nominee. It is very much illustrative of the campaign of Senator McGovern, whose candidacy was supported by people at one end of the political spectrum. In short, we have seen the primary process dominated by people from each end of the political spectrum.

I do not say that in a critical way, notwithstanding the fact that my efforts for the nomination met with so little success. I compliment the people who participate in the primary process because it is a very tough job to go out there in the winter snows of New Hampshire, to go through the farmlands of Iowa, or to travel this country from one end to the other.

Former President Nixon wrote to Senator Dole that you have to attract the people at one end of the political spectrum to win the nomination, and then you have to rush back to the center for the general election. We are now going to see if that is possible in a political contest. But just as we have

seen the primary process dominated by people at each end of the political spectrum, we have seen the work of the U.S. Senate also not benefited from the center.

When I came to this body after the 1980 election, I frequently said that out of 100 Senators, there were 40 on each side who took ideological positions—maybe 35—leaving 20 or 30 of us in the center to be the decisive voices. Now we find that number has been reduced drastically. That is part of the reason we have had such contentious debates in the Senate and why we have not been able to do our work in the traditional legislative way. We could have produced a budget differently than through this continuing resolution as part of a conference report. I think we are all going to have to try harder to do better next year.

We find with those who are departing from the Senate that we are losing a tremendous number of centrists. That is going to mean a heavier responsibility on those of us who are here next year to perhaps put aside some of our ideological predilections or preferences, and try to move to the center.

It is hard to calculate why we are having Senators leaving this institution in unprecedented numbers, and maybe it is the contentiousness in this body which has caused this to happen. We are losing an extraordinary group of Senators.

First, in priority, is Senator MARK HATFIELD, who has done such an extraordinary job since being elected in 1966; with an extraordinary conscience; taking stands which have pitted him really against the entire body of his own political party and voting as he did on the constitutional amendment for a balanced budget. I think he was the only one out of 54 Republican Senators to vote against the amendment, and although I didn't agree with him on the vote, I admired his courage. He has been up all night working through as the chief negotiator, as the center, on this continuing resolution.

We are losing SAM NUNN, who is without peer when it comes to matters of military affairs. Like MARK HATFIELD, BILL COHEN, NANCY KASSEBAUM, and ALAN SIMPSON, when SAM NUNN speaks—like E. F. Hutton—''everybody listens.''

We do not have anybody who is irreplaceable, but we are going to see what is going to happen on the Armed Services Committee, Madam President, where you serve, as to what is going to be done without SAM NUNN's voice—a big, big loss—and he is very much a centrist.

We are losing an extraordinary Senator—really, a great Senator in every sense of the word—in BILL COHEN. For those of you who really want to get to know BILL COHEN, you ought to get a volume of his poetry. I have had a chance to hear his poetry publicly and quasi-privately in our Intelligence Committee deliberations and hearings which are not public—but with extraordinary depth, and he has also made an extraordinary contribution as a centrist.

Senator NANCY KASSEBAUM is leaving. She had the extraordinary skill to bring forward reform on health care that so many of us talked about for so long with the Kassebaum bill, where finally we made some key structural changes without the massive proposals advocated by the administration depicted on the chart which my staff and I prepared, and which Senator Dole used last week in an attempt to depict the complicated bureaucracy the administration wanted to create. But when the chips were down, with one of her last two legislative acts, Senator KASSEBAUM led the way with health care reform.

We are losing another key centrist in ALAN SIMPSON, who has been able to bring so many people together with his wisdom and his sense of balance, illustrated by a sense of humor, in the work that he has done on the immigration bill, which is not yet completed. But he has been just extraordinary. He held the fort on the Gallegly amendment, which would have deprived education to children born of parents who are illegal immigrants. While we ought to protect our borders and not have illegal immigrants in the United States, we certainly ought not to deprive children of their educational opportunities, which will just haunt American society, where they will not be able to support themselves in adulthood and where they will be delinquents and perhaps criminals on the streets.

Madam President, may I inquire as to how much of the 20 minutes I have left?

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SPECTER. I ask unanimous consent that I made proceed for an additional 10 minutes. No Senator has come to the floor in the interim. So I am not depriving any of my colleagues of an opportunity to speak.

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

Mr. SPECTER. I thank the Chair.

HOWELL HEFLIN is leaving, and he is also a centrist. I worked with Senator HEFLIN on the Judiciary Committee. He has made an extraordinary contribution as we have worked through some of the toughest problems on the nominating process—Judge Bork, Justice Thomas—the whole process.

Senator BRADLEY, perhaps not quite a centrist but not too far from center, has made an extraordinary contribution as he has done so much to awaken America to the problems of racism coming from a State with big cities, an issue that I have worked closely with him on.

Senator BROWN is a key loss—another centrist. I sat next to him on the Judiciary Committee. He would whisper most of the questions which have gotten me into so much trouble on the Judiciary Committee, also with a great sense of humor.

And Senator BENNETT JOHNSTON, who has added so much in four terms; Senator PRYOR, who has added so much in three terms—both southerners, but having a much broader focus than simply on the South.

Senator EXON who has contributed so much on Armed Services and as ranking member of Budget.

And Senator SHEILA FRAHM, who is here for too short of a period of time. Senator FRAHM comes from western Kansas, almost on the Nebraska border, on the northern Colorado border in the West.

As Senator BURNS said a few moments ago, my home was originally in Russell, KS, a hometown I share with Senator Dole.

While these outstanding men and women will be departing and many friendships will be lost, or at least not as close, the real meaning for the country is the issue of losing so many of this group which have contributed so much to the center and, I think, to the importance of governance in America.

THE PROBLEMS IN THE MIDEAST

Mr. SPECTER. Madam President, I would like to make some brief comments on the escalating problems in the Mideast, with the Israeli-Palestinian clashes which have been on the front pages, and which have been on the television screens, and my urging of parties on all sides to accelerate negotiations, because I am personally convinced that the bloodshed can be brought to a conclusion and that the peace process can move forward if the parties return to the bargaining table—and return to those pictures which are so meaningful of Israeli Prime Minister Benjamin Netanyahu and the Palestine Chairman Yasser Arafat shaking hands and talking out their problems.

I make this recommendation having been in Israel last month and having had a chance to talk with Prime Minister Netanyahu and Chairman Arafat. I am convinced that both of those leaders do want peace. And, candidly, it has been a tough time, watching Chairman Arafat honored on the White House lawn back on September 13, 1993. But my view is that now that the Israelis, who have been the chief victims of PLO terrorism, have welcomed Chairman Arafat, I think we in the United States should do what we can to promote the peace process.

Prime Minister Netanyahu is new at the job but a man of tremendous abilities—substantial experience generally, but limited experience as Prime Minister.

After talking to Prime Minister Netanyahu, I know that he wants to work out the issues—they are complicated. There is Hebron, where there are Jewish settlers, and the issue is, what will the degree of Palestinian control be. There is Jerusalem, which is the Holy City and in which the controversy has arisen over the tunnel. And there are so many corollary problems such as the closure of the borders