

that sense, I think it is a bad, bad policy.

Furthermore, the President should not be obligated to get Democrats together.

It is a Republican program to bail out the billionaires. Former President Salinas was given tremendous credit for privatizing. But if you look at *Forbes* magazine last year, you will see that of the 24 to 25 billionaires, 22 were created under the Salinas administration. What we saw was the good old boys system where the newly privatized companies were farmed out to political allies.

If the Mexican Government really needs money, they should tell that crowd to give some of the money back. The people need it badly down there. But what we don't want is to get into a situation where we bail out Wall Street and the billionaires in Mexico but breed resentment from the Mexican people.

Supporters of the loan guarantees have taken pains to stress that it does not cost the United States anything. While that may be true on paper, I immediately recall the \$7 billion we guaranteed to Egypt, the \$14 billion to India, and the \$2 billion to Poland. I do not mean to question the need for that assistance, but I merely raise that point to illustrate that when this crowd in Washington says it won't cost anything, it is the taxpayers who end up holding the bag when loan forgiveness occurs.

Mr. President, I did not intend to talk at length. I only wanted to comment on the tone of today's political discourse which paints Government as the enemy. It isn't new. I heard the same singsong when I was a member of the Federalism Commission under President Reagan. "Get rid of the Government." Indeed, 15 years ago, President Reagan came to town pledging to slash Federal programs and send Government back to the States. Five years later, what we slashed was the funding by eliminating revenue sharing. That is what has caused the dilemma that brings this bill before the Senate today.

It is time for elected officials to quit blaming the Government in Washington and acting as if we were not part of the Government. Instead, we need to get down on the floor of the Congress and do the job, which the distinguished Senators from Ohio and Idaho are attempting to do. I thank them for their courtesy in yielding.

#### WAS CONGRESS IRRESPONSIBLE? THE VOTERS SAID YES

Mr. HELMS. Mr. President, anyone even remotely familiar with the U.S. Constitution knows that no President can spend a dime of Federal tax money that has not first been authorized and appropriated by Congress—both the House of Representatives and the U.S. Senate.

So when you hear a politician or an editor or a commentator declare that "Reagan ran up the Federal debt"; or that "Bush ran it up," bear in mind that it was, and is, the constitutional duty of Congress to control federal spending. We'd better get busy correcting this because Congress has failed miserably to do it for about 50 years.

The fiscal irresponsibility of Congress has created a Federal debt which stood at \$4,799,369,247,041.81 as of the close of business Tuesday, January 24. Averaged out, every man, woman, and child in America owes a share of this massive debt, and that per capita share is \$18,218.49.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

#### UNFUNDED MANDATE REFORM ACT

The PRESIDING OFFICER. The hour of 10:30 having arrived, under previous order, the Senate will resume consideration of S. 1.

The clerk will report the bill.

The legislative clerk read as follows:

A bill (S. 1) to curb the practice of imposing unfunded Federal mandates on States and local governments; to strengthen the partnership between the Federal Government and State, local and tribal governments; to end the imposition, in the absence of full consideration by Congress, of Federal mandates on State, local, and tribal governments without adequate funding, in a manner that may displace other essential governmental priorities; and to ensure that the Federal Government pays the costs incurred by those governments in complying with certain requirements under Federal statutes and regulations, and for other purposes.

The Senate resumed consideration of the bill.

Pending:

Levin amendment No. 172, to provide that title II, Regulatory Accountability and Reform, shall apply only after January 1, 1996.

Levin amendment No. 173, to provide for an estimate of the direct cost of a Federal intergovernmental mandate.

Levin amendment No. 174, to provide that if a committee makes certain determinations, a point of order will not lie.

Levin amendment No. 175, to provide for Senate hearings on title I, and to sunset title I in the year 2002.

Levin amendment No. 176, to clarify the scope of the declaration that a mandate is ineffective.

Levin amendment No. 177, to clarify the use of the term "direct cost".

Graham amendment No. 183, to require a mechanism to allocate funding in a manner that reflects the direct costs to individual State, local, and tribal governments.

Graham amendment No. 184, to provide a budget point of order if a bill, resolution, or amendment reduces or eliminates funding for duties that are the constitutional responsibility of the Federal Government.

Wellstone amendment No. 185, to express the sense of the Congress that the Congress shall continue its progress at reducing the annual Federal deficit.

Wellstone modified amendment No. 186, (to amendment No. 185), of a perfecting nature.

Murray amendment No. 187, to exclude from the application of the Act agreements with State, local, and tribal governments and the private sector with respect to environmental restoration and waste management activities of the Department of Defense and the Department of Energy.

Murray amendment No. 188, to require time limitations for Congressional Budget Office estimates.

Graham amendment No. 189, to change the effective date.

Harkin amendment No. 190, to express the sense of the Senate regarding the exclusion of Social Security from calculations required under a balanced budget amendment to the Constitution.

Bingaman amendment No. 194, to establish an application to provisions relating to or administered by independent regulatory agencies.

Glenn amendment No. 195, to end the practice of unfunded Federal mandates on States and local governments and to ensure the Federal Government pays the costs incurred by those governments in complying with certain requirements under Federal statutes and regulations.

Kempthorne amendment No. 196 (to amendment No. 190), to express the sense of the Senate that any legislation required to implement a balanced budget amendment to the U.S. Constitution shall specifically prevent Social Security benefits from being reduced or Social Security taxes from being increased to meet the balanced budget requirement.

Glenn amendment No. 197, to have the point of order lie at only two stages: (1) against the bill or joint resolution, as amended, just before final passage, and (2) against the bill or joint resolution as recommended by conference, if different from the bill or joint resolution as passed by the Senate.

McCain amendment No. 198, to modify the exemption for matter within the jurisdiction of the Committees on Appropriations.

Lautenberg amendment No. 199, to exclude from the application of the Act provisions limiting known human (group A) carcinogens defined by the Environmental Protection Agency.

Byrd amendment No. 200, to provide a reporting and review procedure for agencies that receive insufficient funding to carry out a Federal mandate.

Boxer amendment No. 201, to provide for unreimbursed costs to States due to the imposition of enforceable duties on the States regarding illegal immigrants or the Federal Government's failure to fully enforce immigration laws.

Boxer amendment No. 202, to provide for the protection of the health of children, pregnant women, and the frail elderly.

Boxer amendment No. 203, to provide for the deterrence of child pornography, child abuse, and child labor laws.

Wellstone amendment No. 204, to define the term "direct savings" as it relates to Federal mandates.

Wellstone amendment No. 205, to provide that no point of order shall be raised where the appropriation of funds to the Congressional Budget Office, in the estimation of the Senate Committee on the Budget, is insufficient to allow the Director to reasonably carry out his responsibilities under this Act.

Grassley amendment No. 207, to express the sense of the Congress that Federal agencies should evaluate planned regulations, to provide for the consideration of the costs of regulations implementing unfunded Federal mandates, and to direct the Director to conduct a study of the 5-year estimates of the costs of existing unfunded Federal mandates.

Grassley amendment No. 208, to require an affirmative vote of three-fifths of the Members to waive the requirement of a published statement on the direct costs of Federal mandates.

Kempthorne amendment No. 209, to provide an exemption for legislation that reauthorizes appropriations and does not cause a net increase in direct costs of mandates to States, local, and tribal governments.

Kempthorne amendment No. 210, to make technical corrections.

Kempthorne (for Dole) amendment No. 211, to make technical corrections.

Glenn amendment 212, clarify the baseline for determining the direct costs of reauthorized or revised mandates, and to clarify that laws and regulations that establish an enforceable duty may be considered mandates.

Byrd modified amendment No. 213, to provide a reporting and review procedure for agencies that receive insufficient funding to carry out a Federal mandate.

Gramm amendment No. 215, to require that each conference report that includes any Federal mandate, be accompanied by a report by the Director of the Congressional Budget Office on the cost of the Federal mandate.

Gramm amendment No. 216, to require an affirmative vote of three-fifths of the Members to waive the requirement of a published statement on the direct costs of Federal mandates.

Byrd amendment No. 217, to exclude the application of a Federal intergovernmental mandate point of order employer-related legislation.

Levin amendment No. 218, in the nature of a substitute.

Levin amendment No. 219, to establish that estimates required on Federal intergovernmental mandates shall be for no more than ten years beyond the effective date of the mandate.

Brown amendment No. 220, to express the sense of the Senate that the appropriate committees should review the implementation of the Act.

Brown-Hatch amendment No. 221, to limit the restriction on judicial review.

Roth amendment No. 222, to establish the effective date of January 1, 1996, of title I, and make it apply to measures reported, amendments and motions offered, and conference reports.

Several Senators addressed the Chair.

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

Mr. DORGAN. Mr. President, I notice that the managers are not present. I know the Senator from Minnesota is present to offer an amendment. But since the managers are not present, I ask unanimous consent to speak as if in morning business for 20 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### BALANCED BUDGET AMENDMENT

Mr. DORGAN. Mr. President, I recognize that the Senator from Minnesota would like to offer an amendment that I think is actually related to the discussion just held on the floor of the Senate, as soon as the floor managers are here.

The Senator from Idaho, a friend of mine, has, along with his colleagues, been discussing an issue for the past hour that is very important for this

country, the issue of a constitutional amendment to balance the budget. He knows and understands that there is not necessarily a partisan difference on that subject in the Senate. Many of us, myself included, have voted in the past for a constitutional amendment to balance the budget and are prepared to do so again.

I think most people believe that it would be desirable to move this country toward a point when we are spending only the resources we have. There may need to be some exceptions to that. If you run into a depression, you might want to have a stimulative kind of fiscal policy. But generally speaking, we ought to balance what we spend with what we raise. We are nearing \$5 trillion in debt. I have a couple of children who will inherit that debt, as will all of America's children. We have a responsibility, it seems to me, to address this question and address it in the right way.

I do want to talk a little about the nuance of the discussion. Some have been suggesting that Federal spending is out of control because there are folks who swagger over to the Chambers of the House and the Senate and propose wildly irresponsible spending schemes and programs for which they have no idea where the resources will come. The Senator from Idaho and others know, of course, that this is not the case. And I am not saying that the Senator suggested that. I am saying that people who understand the system know that what is causing these substantial run-ups in the deficit are—

Mr. CRAIG. Will the Senator yield for a moment?

Mr. DORGAN. Retirement programs and health care programs, Medicare and Medicaid. Each year more people become eligible for Medicare because they have reached the age of 65. Each year, Medicare becomes more expensive and so does Medicaid. So each year these programs grow in cost without anyone having done anything to increase their costs. I am happy to yield at this point.

Mr. CRAIG. Very briefly. I thank my colleague for engaging in this issue this morning. I will say that clearly the balanced budget amendment is a bipartisan issue. I have always appreciated the support of my colleague in this issue. It must be bipartisan. This is a national debate that involves all partisan interests. I thank my colleague for coming to the floor this morning and making that very important point.

Mr. DORGAN. I appreciate the Senator's comments. I want to make this point again and again. It is not a basket full of new and irresponsible Federal programs, being offered by Members of either side of the political aisle, that are causing this problem. The cause is entitlement programs, whose costs increase very substantially year after year and therefore claim an increasing amount of money out of the

Federal budget and run-up the Federal deficit.

The question for those who want to address this, whether in the Constitution or through a statute, is: Exactly how do you do it? What do you choose to cut? What do you keep and what do you get rid of? We could change the Constitution 2 minutes from now, if procedures would allow it, and it would not make a one-penny change in the Federal deficit. Two minutes from now, we could change the Constitution to read that, from this moment forward, there would not be a one-cent increase in the Federal deficit, and yet this would not reduce the deficit by one penny. Why? Because changing the Constitution does not solve the problem. Changing the Federal budget is what solves the problem.

I have seen the sunny side of this little thing called the budget fracas. It came to us from Art Laffer and a bunch of folks in the early eighties. These folks believe that you can double defense spending and cut the revenue base and there would be nirvana around the corner, and the budget would be balanced. We have heard that. That was about \$3.5 trillion ago. Of course, it was preposterous when it was proposed and when it was implemented. They saddled this country with an enormous debt. Supply side economics they called it. Some have said that is where the other side gets all the supplies. But it is a little more complicated than that. Now we have some who are saying again let us increase defense spending, cut taxes again, and let us change the U.S. Constitution to require a balanced budget.

Well, I happen to support a constitutional provision requiring a balanced budget. I did not come to Congress thinking I would support this, but that was about \$3.5 trillion ago. I would support virtually anything requiring that there be a sober and serious solution to this problem because, frankly, I think this fiscal policy very much limits our country's opportunities in the future.

Two years ago, we had a vote here in Congress on a budget bill. It was a terrible vote. People talk about politicians not caring and not being connected, not having any courage. The vote was "shall we increase some taxes?" That was unpopular. And the vote was "Shall we cut some spending?" That was unpopular. "Shall we do that in a significant combination to reduce the Federal deficit?" Enough people in this Chamber—by one—voted yes to pass the deficit reduction bill. There was a one-vote margin here and a one-vote margin in the other body. I regret to say that not one Member of the Republican side voted with us on that bill. It was not an easy vote. It was an awful vote. If one were just going to be a politician, one would say, "Count me out, I am not going to cast a tough vote. This increases taxes and cuts spending. Count me out. I am not involved in this." But enough people voted yes to say we are willing to do