

We have massive entitlement programs whose costs are linked to the Consumer Price Index and whose costs go up every year. We have a revenue base linked to changes in the Consumer Price Index so that revenues are kept down by that same indexation. So you have one indexing approach that moves costs up and another indexing approach that keeps revenues down. And the result is a mismatch that anybody taking arithmetic can understand very quickly.

The Senator from Idaho and others are absolutely correct that we share a goal. That goal is that this country ought to put its budget in order and it ought to do it soon.

I suppose one area of disagreement occurs when some say let us increase spending in one of the biggest budget items and then cut our revenue, but they do not believe they have an obligation to tell people how they will then get to a balanced budget 7 years from now. We disagree on that. There is, in my judgment, an obligation to tell the American people how they are going to achieve that.

So, Mr. President, I appreciate the opportunity to say a few words about this subject. I know some have spoken about it for an hour or so. We will have hour after hour after hour of debates, probably weeks of debate on this subject. It is very important. The American people want us to control our fiscal policy in a reasonable and responsible way. I intend to join in that effort. But I intend also to see that we do it in the right way.

Some say, "Well, you know, let us keep building Star Wars and let us cut out some critically needed investments" like education and training that I think are vital for achieving the full human potential in this country. I say, "I'm sorry. I don't share your goals. I do not share your priorities."

So those are the kinds of debates I think we will be having in the coming weeks. This will allow the American people to not only understand that we share a common goal of where we want to go, but also to recognize that we have some disagreements about how to get there. And that is politics. Someone once said, "When everyone in the room is thinking the same thing, no one is thinking very much."

There is going to be a lot of diversity of thought about how we reach the destination of a better fiscal policy so that we unsaddle the American children of the heavy burden of deficits they now have to assume.

I know that, as I said before, the Senator from Minnesota is now waiting and has an amendment that I think will follow this discussion in an appropriate way. So, with that, Mr. President, I yield the floor.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

#### UNFUNDED MANDATE REFORM ACT

The Senate continued with the consideration of the bill.

AMENDMENT NO. 185

Mr. WELLSTONE. Mr. President, I assume we are no longer in morning business.

I ask unanimous consent that the pending amendment be set aside and that the Senate resume consideration of amendment 185.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. WELLSTONE. Thank you, Mr. President.

I thank the Senator from North Dakota.

Mr. KEMPTHORNE. Will the Senator yield?

Mr. WELLSTONE. I am pleased to yield.

Mr. KEMPTHORNE. I appreciate the Senator's courtesy.

What I would like to do is offer a unanimous-consent agreement so we can then proceed with his amendment.

Mr. President, I ask unanimous consent that the Senate now resume consideration of amendment No. 185 and that there be 1 hour, equally divided, on the amendment, and following the conclusion or yielding back of time, the majority manager or his designee be recognized to make a motion to table.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. KEMPTHORNE. I thank the Senator from Minnesota very much.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, today we are considering S. 1, the unfunded mandates bill, a bill designed, as my good friend from Idaho, the main sponsor of this bill, has said repeatedly, to ensure that information is available to Members of Congress before they vote to impose a mandate on a State or local government.

As I understand the basic premise of this piece of legislation, which I will say to my colleague from Idaho I am very much in agreement with, it is really twofold. No. 1, we ought to be very clear about the kinds of mandates we are imposing on State and local governments and we ought to be accountable for our votes; No. 2, I think this piece of legislation is about the right to know. It is about the right to know both for Senators and Representatives and State and local government officials about a proposal's economic impact before we pass it.

Mr. President, I think that is good government reform. I have said that to my colleague from Idaho several times. I think it is good instinct. I think this instinct by the Senator from Idaho is on the mark, but I think it might be missing for some of our colleagues. In particular, I want to talk a little bit

about this balanced budget amendment, and in particular I want to give some context by talking about some of the comments of the House Republican Leader ARMEY.

Mr. President, let me first of all be clear about the amendment that I have already sent to the desk that we are now considering. This is a sense of the Congress that the Congress should continue its progress at reducing the annual Federal deficit, and if the Congress proposes to the States a balanced budget amendment, it should accompany it with financial information on its impact on the budget of each of the States, so that States know what exactly the impact of this piece of legislation will be on them.

Let me begin at the beginning. This unfunded mandates bill operates on the premise that information should be available to Senators and Representatives and to State and local government officials about the financial impact of legislation we are proposing and attempting to pass.

Mr. President, I think that that is a very important standard for any piece of legislation. Mr. President, it is also true, operating on that premise, and that is what this amendment speaks to, that if we pass a balanced budget amendment we ought to be clear with States, and I want to talk about this really because it comes from Minnesota.

In that sense, I have a mandate from Minnesota today regarding what the impact of a balanced budget amendment would be on Minnesota or any other State. If we are not clear about where these cuts are going to take place and what the impact is going to be on our States, then what has been called the Contract With America becomes not a contract but a con. I mean, if there is a mood piece in the country, it is that we should be honest, straightforward and direct with people, and not try to finesse people; tell them what we are doing and tell them what the impact of what we are doing will be on their lives.

Now, in the House, House Republican Leader ARMEY has said about the balanced budget amendment, "I am profoundly convinced that putting out the details would make passage virtually impossible. The details will not come out before passage. It's not possible." The Washington Post, January 7, 1995. Another quote: "Because the fact of the matter is once Members of Congress know exactly, chapter and verse, the pain that the Government must live with in order to get a balanced budget, their knees will buckle," January 9, 1995, the Washington Post.

Mr. President, people in Minnesota and people in Vermont and people around the country did not send us here to sign on to any piece of legislation without being clear with them as to what the impact of that legislation will be on their lives. Let me repeat that one more time, because that is the

premise of this amendment: People in Minnesota, people in Vermont, people in Ohio, did not send us here to pass legislation without understanding the implications of the legislation we pass on their lives. What will the impact be of a balanced budget amendment on Vermont, on Minnesota?

Mr. President, people in Minnesota want to know what passage of this balanced budget amendment will mean to them in personal terms. In fact, there is a considerable amount of apprehension in my State, and I think in every State. I have met with not just statewide officials, but local—county and city—officials from small towns in Minnesota, and people are worried that if we pass a balanced budget amendment but do not spell out where we will make the cuts or what the impact will be, then later on they will find that they may have to assume the costs.

For example, what would happen—and by the way, I will have figures that may spell out that this very well may happen—if we have cuts, the Senator from North Dakota spelled out the context, the \$1.3 trillion cut. We are in a bidding war to raise the Pentagon budget; in another bidding war to cut taxes, taking some large programs off the table. We know where the cuts will be. So where will the additional funding be for our young people to go on to afford higher education? Who will assume the cost of nutrition programs for children? What about veterans programs? What about Medicaid-Medicare? And if a person lives in a State like Minnesota—I know the people in my State—we will not walk away from citizens who need some support so that they can become independent. Thus, we will end up having to pick up this cost.

The Governor from Vermont, Governor Dean, has made this same point. This could become one big shell game, transferring the costs back to State and local units of government, I fear, relying on the property tax.

Well, Mr. President, given this context, on January 12, about a week after I went home and met with legislative leadership and local officials, the Minnesota State Senate—and I would like for my colleagues to be very clear about this, because I think their State senate may well do the same thing—passed a resolution urging the U.S. Congress to provide these details before sending the balanced budget amendment to the States for ratification.

This resolution reads, from Minnesota:

*Resolved by the Legislature of the State of Minnesota* That it urges the Congress of the United States to continue its progress at reducing the annual Federal deficit and, when the Congress proposes to the States a balanced budget amendment, to accompany it with financial information on its impact on the budget of the State of Minnesota for budget planning purposes.

This resolution was passed unanimously in the State senate by Democrats and Republicans alike. This really does not have anything to do, as a matter of fact, with the position we

take on a balanced budget amendment. The resolution then went—this was January 12—it then went to the House of Delegates and on January 17, the Minnesota House of Delegates also passed this resolution, I think, with only three dissenting votes. Then it went to the Governor and last Friday, January 20, Minnesota's Republican Governor signed the resolution.

Mr. President, from the State of Minnesota, I ask unanimous consent that this resolution be included as a part of the RECORD. And as the Senator from Minnesota, I am proud to send this resolution from the Minnesota State Legislature, signed by the Governor of Minnesota, to the U.S. Senate.

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

RESOLUTION NO. 1

Whereas, the 50 States, including the State of Minnesota, have long been required by their state constitutions to balance their state operating budgets; and

Whereas, the States have long done so by making difficult choices each budget session to insure that their expenditures do not exceed their revenues; and

Whereas, without a federal balanced budget, the deficit may continue to grow within the next ten years from \$150 billion gross domestic product (GDP) per year to \$400 billion GDP per year, continuing the serious negative impact on interest rates, available credit for consumers, and taxpayer obligations; and

Whereas, the Congress of the United States, in the last two years, has begun to reduce the annual federal deficit by making substantial reductions in federal spending; and

Whereas, achieving a balanced budget by the year 2002 will require continued reductions in the annual deficit, averaging almost 15 percent per year over the next seven years; and

Whereas, it now appears that the Congress is willing to impose on itself the same discipline that the States have long had to follow, by passing a balanced-budget amendment to the United States Constitution; and

Whereas, the Congress, in working to balance the federal budget, may impose on the States unfunded mandates that shift to the States responsibility for carrying out programs that the Congress can no longer afford; and

Whereas, the States will better be able to revise their own budgets if the Congress gives them fair warning of the revisions Congress will be making in the federal budget; and

Whereas, if the federal budget is to be brought into balance by the year 2002, major reductions in the annual deficit must continue without a break; and

Whereas, these major reductions will be more acceptable to the people if they are shown to be part of a realistic, long-term plan to balance the budget: Now, therefore, be it

*Resolved, by the Legislature of the State of Minnesota*, That it urges the Congress of the United States to continue its progress at reducing the annual federal deficit and, when the Congress proposes to the States a balanced-budget amendment, to accompany it with financial information on its impact on the budget of the State of Minnesota for budget planning purposes. Be it

*Further resolved*, That the Secretary of State of Minnesota shall transmit copies of this memorial to the Speaker and Clerk of

the United States House of Representatives, the President and Secretary of the United States Senate, the presiding officers of both houses of the legislature of each of the other States in the Union, and to Minnesota's Senators and Representatives in Congress.

Mr. WELLSTONE. Mr. President, based on the Minnesota resolution, I therefore have offered this amendment to the unfunded mandates bill, a sense-of-the-Congress resolution that if the balanced budget amendment is sent to the States, it should be accompanied by financial information on the impact it will have on each State's budget. This is a very simple and straightforward amendment.

Mr. President, I cannot emphasize this enough. In my State of Minnesota, the thing that is being asked of Members, whether we are Democrats or Republicans, is: Please be clear and straightforward with the State and please spell out for the State the kind of cuts we will have to make within this balanced budget amendment mandate, and please spell out what the impact will be on our States.

We want to know which people are going to be affected by this. We want to know how much of this we are going to have to pick up through our own State budgets. Are we going to have to raise taxes? What kind of communities are going to be hurt? Let us know what the impact will be on our States. That is, if you will, the mandate that I take from the State of Minnesota to the floor of the Senate today.

Mr. President, obviously this balanced budget amendment—and I think this was the meaning of Mr. ARMEY's quotes, is going to necessitate some deep cuts. In the words of House Judiciary Committee Chairman HYDE, once Social Security is taken off the table the "effect on other Federal programs will be Draconian."

I did not say this, the Chair of the Judiciary Committee in the House, Representative HYDE, said this: The "effect on other Federal programs will be Draconian."

I think that statement is an understatement. The arithmetic of this equation is harsh, as we know full well. That is why I believe too many of my colleagues are unwilling to be straightforward with the people we represent. We are going to raise the military budget, we are going to have more tax cuts, we clearly are not going to be cutting into Social Security. And we know what programs are left, we know the importance of those programs and we know the kind of cuts that are going to take place.

We are talking about aid to States for State and local law enforcement agencies. We are talking about highway maintenance and construction. We are talking about education. We are talking about college and small business loans. And we are talking about hungry children and the elderly.

Mr. President, let me just lay out some Treasury Department estimates

for my State of Minnesota, and other Senators, I think, have this data as it pertains to their States.

The Treasury Department estimates that Minnesota will have to increase State taxes by 9.4 percent across the board to make up for the loss in grants. This is even before factoring in what would be the effect of additional offsets in cuts if we do a lot of tax cuts or we dramatically increase the Pentagon budget.

The loss of this grant assistance to the State of Minnesota would mean that in the year 2002, the Treasury Department estimates, we would have a loss of \$679 million in Medicaid.

Mr. President, I remind my colleagues that half of Medicaid expenditures go into taking care of older people in nursing homes; \$679 million less in Medicaid; \$102 million less for highway trust fund grants; \$83 million less in AFDC, and, by the way, Mr. President, because sometimes I think some of my colleagues do not understand it, aid to families with dependent children goes, by definition, mostly to children. We are talking about parents, often a single parent—almost always a woman—and children.

And \$314 million cuts in funding for education, job training, the environment, housing and other areas.

The Department of Commerce estimates that Minnesota over 7 years, leading up to 2002 as potential impact: Education would lose \$1.5 billion; environmental protection could lose \$74.6 million; disease control and prevention would lose \$9.8 million; Fish and Wildlife Service would lose \$16.7 million, law enforcement would lose over \$143 million.

Mr. President, children's defense fund estimates that the cuts in Minnesota in 2002 would result in the following, just in Minnesota:

Almost 30,000 babies, preschoolers and pregnant women would lose WIC nutrition supplements;

Over 51,000 children would lose food stamps; over 154,000 children would lose free or subsidized lunches; over 93,000 children would lose Medicaid health coverage.

Over 59,000 children would lose State child support agency help in establishing paternity or collecting child support; almost 38,000 children would lose welfare benefits; over 2,400 blind and disabled children would lose SSI, that is supplemental security income; 3,900 children would lose Federal child care subsidies; over 2,500 children would lose Head Start early childhood services; and 28,000 children would lose child and adult food care programs.

Mr. President, this is the point: I will not even preach about what all these statistics mean in personal terms. I will not even argue with my colleagues, if they are so inclined, over these figures. We do not know the exact figures, and that is what Minnesota has said in this resolution, passed unanimously by the House, passed almost unanimously by the Sen-

ate, signed by the Governor. I bring it here to the floor of the Senate, and this amendment that I have offered, which is this resolution from Minnesota, says if we pass the balanced budget amendment, then at least we ought to include with that balanced budget amendment a financial analysis of its impact on our States. This is a reasonable amendment.

Mr. President, I reserve the remainder of my time waiting for other colleagues who may want to respond.

Mr. KEMPTHORNE. Mr. President, I yield 10 minutes to the Senator from North Carolina.

The PRESIDING OFFICER (Mr. KYL). The Senator from North Carolina is recognized.

Mr. FAIRCLOTH. Mr. President, I first want to comment on the amendment of the Senator from Minnesota. It seems to be an amendment with the primary purpose of stopping cutting and spending in this country. The balanced budget amendment and the unfunded mandates are closely tied.

We have not even passed the balanced budget amendment and yet we are saying what great damage it is going to do to the States. We are, in effect, planning the funeral during the birth. We need to wait and see.

For 30 years, that I am well aware of, we have passed law after law after law—this Congress has—that has had an irrevocable and permanently damaging effect upon the fiscal condition of the States, counties, and cities of this Nation. New taxes, new rules, and new mandates and not one time have we ever made a study, or I have even heard it suggested, that we let the States, the citizens of the counties know what we are going to do to them. For 30-plus years, we simply did it, and then it hit and they had to figure out a way to cover it.

There has not been a local budget that has really been accurate in this country in 30 years, because every year, particularly the counties have had to go back and increase taxes to take care of the mandates that we have placed on them.

Now, all of a sudden from the other side of the aisle, it becomes absolutely necessary that we do a definitive fiscal analysis of what effect this might have upon cities and counties and States.

Certainly we need to be sensitive and cognizant of what effect it might have on the cities and counties, but first let us get on with stopping spending instead of thinking of ways to keep on spending. We are going in debt at something like \$800 million a day. We already have a \$5 trillion debt, so let us get to what we ought to be doing and that is stopping spending.

The thing we have to do first is to cut the spending. If we will take the mandates off of the local governments, then they can handle their problems. They will know what to cut and what not to cut because they know. But the first thing we have to do is get rid of the mandates.

Now, I came to the Senate after 45 years in the private sector as a businessman and farmer. I watched and literally for the last 35 years not one time has the Congress convened and adjourned that they did not pass rules, regulations and laws making it more difficult to operate a business. The intent of these laws, we heard, was that they were going to help business, but not one single one of them ever did or has. They hurt people in the private sector.

I can think of no better example of this same rule going to the public sector than the mandates we have been dictating to State and local governments without providing any money to pay for them. The unfunded mandates have been a fiscal disaster for local governments. We simply tell them what the problem is and for them to find the money to cover the solution. It amounts to something that the Constitution says we cannot do, and that is for one branch of Government to levy a tax upon another. And we are doing it blatantly when we tell the counties of this Nation that they simply have to come up with this money and their only source of it is ad valorem taxes or local sales tax. We should not be telling them how and where and when to levy a tax.

In typical fashion, Federal Government bureaucrats and Congress think they have all wisdom of what should be done at the local level. The Federal Government and its bureaucrats think that the local government has come to Delphi, and they have the wisdom and will tell us what to do. All they have to do at the county level is pay the bills.

That is wrong, Mr. President.

A recent editorial described it pretty accurately:

In recent years, as deficits have cramped Washington's style, legislators have taken to issuing commands to State and local governments. Those lower governments are forced to pick up the tab, while Federal legislators take credit for enlightened policy. (That means more spending.)

This severing of decisionmaking from the paying of the bill is what has gotten us the trouble we are in today, and it has invited undisciplined spending. It has encouraged the spending of money we do not have. It has encouraged entitlement programs that, if the Federal Government had to pay the total bill, would not be out there.

It burdens State and local governments, and it takes away the discretion of county commissioners, city councilmen and State legislators to decide where the money should be spent that they bring in in taxes, that they tax the people for. The decision has already been made in Washington.

In some of these counties it is absolutely ludicrous. I will take the county I live in, and if you will look at a lot of counties around the State you will see they are not a lot different. But I am going to take one federally mandated program in the county in which I have spent my life. This is Sampson

County, a rural county in eastern North Carolina. The total ad valorem taxes collected in that county are, more or less, \$10 million. This is the total county tax collection. Would you believe that the Medicaid Program for that county is \$30 million a year, of which the county has to put up 5 percent? We have not had a budget in the last 10 years that we have not had to go back and adjust to pick up the increases in the cost of Medicaid.

Now, if you will look at the counties, in particular the more rural and agrarian counties, you will find this same pattern, that the total county ad valorem tax collection is often only half or even, as in our case, a third of what is the Medicaid program in the county and what is our percentage of these unfunded mandates.

Mr. WELLSTONE. Will the Senator yield?

Mr. FAIRCLOTH. This bill will fix the problem by requiring the Congressional Budget Office to estimate the costs to the lower governments before we pass prospective legislation.

Mr. WELLSTONE. Will the Senator yield for a question?

Mr. FAIRCLOTH. Yes.

Mr. WELLSTONE. I thank the Senator from North Carolina.

Mr. KEMPTHORNE. Will the Senator yield? Would the question be on the Senator's time?

Mr. WELLSTONE. No. But that is not why I asked the question.

Mr. KEMPTHORNE. I appreciate that.

The PRESIDING OFFICER. Does the Senator from North Carolina yield on his time? The Chair might advise the Senator he has less than 30 seconds.

Mr. FAIRCLOTH. When I finish, I will yield for the Senator's question.

Currently, the Congressional Budget Office estimates that 12 percent of all bills that Congress has passed since 1983, nearly 800, contain unfunded mandates with a cost per bill of the 800 of over \$200 million.

It is long past time that those in the Congress—us, we—should take responsibility for these actions and stop issuing the mandates.

The PRESIDING OFFICER. The Chair would indicate that the Senator has used his 10 minutes. The Senator was yielded 10 minutes and that time has expired.

Mr. KEMPTHORNE. I would be happy to yield the Senator an additional 2 minutes so he can conclude his remarks and in that time if he wished to respond to the Senator from Minnesota. Two minutes.

The PRESIDING OFFICER. The Senator is further recognized.

Mr. FAIRCLOTH. Yes. I ask unanimous consent to be allowed 5 minutes additional time.

The PRESIDING OFFICER. Does the Senator from Idaho yield 5 minutes?

Mr. FAIRCLOTH. I will not need 5.

Mr. KEMPTHORNE. The Senator will yield 3 minutes.

Mr. FAIRCLOTH. Three minutes. Good enough.

The PRESIDING OFFICER. The Senator from North Carolina is recognized for 3 minutes.

Mr. FAIRCLOTH. Simply, we are writing these laws and sending them to the States COD. It is time we send them with the bills paid when we pass the law. The States are tired, the cities are tired, and the counties are broke paying for mandates that we send from here.

Mr. President, I do want to thank the Senator from Idaho [Mr. KEMPTHORNE] for the leadership he has taken in it. When he came to the Senate, it was one of the first things he talked about. He has followed it. He has followed it closely. I know that he served for many years as mayor of Boise, ID. He has firsthand knowledge of how it works, whatever goes on. And he has done an excellent job of presenting the bill to the floor and to the Senate, and for that I wish to thank him. I think it is fitting that he be the leader in ending an abuse that has gone on far too long.

Mr. President, I thank the Chair, and I will be glad to answer the question of the Senator from Minnesota, if he will speak loud enough so I can hear him.

Mr. WELLSTONE. Mr. President, I think the Senator has probably run out of his time so I will not ask him to yield. I will just comment very briefly.

The PRESIDING OFFICER. The Senator from Idaho has 17½ minutes remaining on his time.

Mr. KEMPTHORNE. Will the Senator from Minnesota allow me, then, to proceed with the next speaker so in your summary—

Mr. WELLSTONE. Mr. President, since the Senator from North Carolina no longer has any time to yield, I might just quickly respond. I will take 2 minutes. Then I will be pleased to reserve the rest of my time.

Mr. President, just very briefly, I appreciate what the Senator from North Carolina said. But I do want colleagues to know, who are about to vote on this, that this amendment does not say no to S. 1, to unfunded mandates. This amendment does not say no to a balanced budget amendment. This amendment, as a matter of fact, based upon the Minnesota resolution, memorializes Congress for continuing its work on Federal deficit reduction. The only thing this amendment says—and I do not think the Senator really responded to this amendment—was that if we pass a balanced budget amendment, we ought to accompany this with financial information on its impact on the budget of each of the States.

This came from Minnesota. It was passed unanimously by the Senate, Democrats and Republicans alike. It was passed almost unanimously in the House. It was signed by the Republican Governor.

It focuses on deficit reduction, but it says: Look, Federal Government, in the spirit of unfunded mandates, tell us what the impact is going to be on our

States of a balanced budget amendment. That is all this amendment says. So I think the Senator from North Carolina had some interesting comments, but I do not think they spoke directly to this amendment.

I reserve the remainder of my time.

Mr. KEMPTHORNE. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Idaho has 17 minutes and 17 seconds.

Mr. KEMPTHORNE. Mr. President, I will be happy to yield 5 minutes to the Senator from Illinois.

Mr. SIMON. Mr. President, it is rare that I differ with my colleague from Minnesota. He is one of those who has really brought compassion to this body and I have great respect for him. One of the best things that has happened in the U.S. Senate since I have been here is the election of PAUL WELLSTONE to the U.S. Senate.

I differ with him on this for two basic reasons.

No 1, the argument that is made against the balanced budget amendment by those who oppose it is that we can do this, we can balance the budget, without a balanced budget amendment. Therefore, the pain inflicted would, in theory, be the same, whether we have the balanced budget amendment or whether we do not, with one exception. And that exception is this: Every economic study shows if we pass the balanced budget amendment, we are going to have lower interest rates. If you have lower interest rates, you will have an easier time balancing the budget with a constitutional amendment. If you have lower interest rates, you are going to stimulate investment and employment; you are going to stimulate revenue for the Federal Government, for State and local governments. That is No. 1. So I think you cannot make an argument both that this is going to hurt and we can balance the budget without the constitutional amendment.

Second, we have to ask as we look at States and local governments, what will happen if we do not have a balanced budget amendment? You look at that GAO report of 1992—and it would be modified some, thanks to the vote of the Senator and mine in passing that budget in August 1993—but they say, in that report that if we follow the basic path we are on now that by the year 2020 their projection is, because of interest growth and entitlement growth, that social services would be cut by one-third and defense cut by two-thirds.

Frankly—my colleague from Minnesota has been around here long enough. I do not think that is the way the pie would be cut. I think it is much more likely that it would be closer to 50-50, on both sides. But that assumes—the GAO report assumes, optimistically—that we do not monetize the debt, that we do not just start the printing presses rolling.

The history of countries—and we may hope we will be an exception to this history—but the history of nations is, when you get around 9 percent of deficit versus GDP, except for a wartime situation, you start monetizing the debt. We are going to go beyond that.

I ask the Members of this body just to take a look at what happened in New York City. This was before my colleague from Minnesota was here as a Member of this body. New York City faced bankruptcy. New York City was rescued by the U.S. Government. But New York City had to cut its programs for poor people up to 47 percent.

There is no United States of America, no big umbrella, to rescue this country. We are one-fifth of the world's economy. If we go down the tube economically, there is nobody out there to rescue us. The International Monetary Fund cannot begin to deal with our problem. The International Monetary Fund, in the case of Mexico, is offering to help to the tune of about \$2 or \$3 billion in guarantees. They cannot go further than that.

So, though I have great respect for my colleague from Minnesota, I do believe this amendment should be defeated.

The PRESIDING OFFICER. Who yields time? The Senator from Minnesota is recognized.

Mr. WELLSTONE. I will yield a minute to myself to respond.

May I ask how much time I have left?

The PRESIDING OFFICER. The Senator from Minnesota has 10 minutes and 48 seconds.

Mr. WELLSTONE. I thank the Chair.

Mr. President, first of all, it is certainly rare the Senator from Illinois and I are in disagreement on an issue. I am hoping to persuade him to change his mind before the final vote because I want the Senator to know that, No. 1, when he talks about econometric models he is absolutely right; there are a variety of different variables, including factoring in the effect of lower interest rates, that would be included.

This is not an amendment against the balanced budget amendment. I mean, many State senators and representatives who signed this resolution, or voted for this resolution, are for it, I say to my colleague from Illinois. The only thing they are saying is, if or when—your choice—you pass a balanced budget amendment, please accompany it with a financial analysis so we can have some sense of what the impact will be on the States.

I say to my good colleague, that is where your econometric model would be figured in. We should do that. It is a matter of State and local government officials having the right to know—which is very much within the framework, I might say, of the unfunded mandates legislation.

And finally, I have to say this to my colleague, and this is our honest and profound disagreement: My colleague from Illinois is willing to make the dif-

ficult choices, which means he is not going to be involved in a bidding war to raise the Pentagon budget. He is not going to be involved in a bidding war for yet more tax cuts. He is not going to take everything off the table. And he is not just going to do deficit reduction according to the path of least resistance, focused on those citizens with the least amount of political clout.

But there is every reason in the world to believe that is precisely what we are going to do here and that is what people are worried about back in the States. That is what people in the States are worried about, and they want us to be clear with them. That is all this amendment says.

If we pass it, let us accompany it with a financial analysis of its impact on the States. That is from Minnesota, passed unanimously by the State Senate, passed almost unanimously by the House, and passed and signed into law by a Republican Governor. I do not think this is unreasonable.

So Senators should understand this is all they are voting on.

Mr. SIMON. If my colleague will yield?

Mr. WELLSTONE. If I may yield on the other side's time?

The PRESIDING OFFICER. Who yields time?

Mr. SIMON. May I have 1 minute?

Mr. KEMPTHORNE. Yes. I yield 1 minute to the Senator from Illinois.

Mr. SIMON. Just for 1 minute. I thank my colleague, and if this passes, if the balanced budget amendment passes—and I believe it will—then I think we have to at that point let State and local governments know, let everyone know what kind of a glide-path we are on. I do not think we need to do that prior to passage. I think that compounds the problems of passage—very candidly.

Mr. WELLSTONE. Mr. President, I will take my own time.

The PRESIDING OFFICER. The Senator from Minnesota.

MR. WELLSTONE. This amendment reads, after we pass it, we should do this. That is the way this amendment reads.

Mr. SIMON. If that is correct, then I withdraw my opposition.

Mr. WELLSTONE. Then we should do the analysis.

Mr. SIMON. Then I withdraw my opposition. In that case, I have no objection to the amendment. Once again, I am on the same side as my colleague from Minnesota.

Mr. KEMPTHORNE. Mr. President, I want to acknowledge and thank the Senator from Illinois, who certainly has been one of the leaders on the balanced budget amendment, and also two Senators that will now be speaking, the Senator from Utah [Mr. HATCH] and the Senator from Idaho [Mr. CRAIG], again leaders on this balanced budget amendment.

So I yield 5 minutes now to the Senator from Utah.

The PRESIDING OFFICER. The Senator from Utah is recognized for 5 minutes.

Mr. HATCH. Mr. President, I cannot see a reason in the world why on legislation regarding unfunded mandates we should have an amendment like this or why we should spend 2 minutes on it.

We all know the balanced budget amendment is going to come up within days on the House floor and within a week on the Senate floor, that is if we ever get through this unfunded mandates bill. If we do not get through this legislation pretty quick, we will not get through the Mexican loan guarantee legislation with all its problems, which are very, very serious.

As I say, I am not sure why we are here debating this issue now. We are supposed to be passing a bill to provide relief to the States from unfunded mandates. Everyone knows we are going to have ample time to debate the balanced budget amendment on the floor of the U.S. Senate, and we should not hold up this bill to debate an amendment like this.

The provision that the Senator would like us to have—I know he is sincere; I have watched the distinguished Senator from Minnesota for his whole Senate career, and I know he is sincere—but this amendment puts the cart before the horse. It puts the cart before the horse in two ways: First, in time since this debate should happen on the balanced budget amendment itself, not here; and second, this amendment cannot be complied with as it is written. The balanced budget amendment requires the Congress of the United States to work to balance the budget. It does not write a particular mix of cuts or taxes into the Constitution. It is for the Congress to work toward resolution of those particular issues and to set the priorities within the budget from year to year.

If we could get back to the business at hand and pass the unfunded mandates bill, it will give the States a measure of protection against Washington's mandates, and if the statutory route is insufficient, then the States may want us to pursue a constitutional amendment on unfunded mandates. But let us pass the unfunded mandates bill first. Let us get on to debate the passage of the balanced budget amendment and get the Nation's fiscal house in order by balancing the budget without first burdening or binding the States. We need to get on with it, but we need to do it in a reasonable order.

The problem—just to spend a minute or two on this amendment—and I note that the Senator is very sincere. What he would like in this sense-of-the-Congress amendment is that when Congress proposes to the States a balanced budget amendment—assuming a balanced budget amendment is passed through both Houses of Congress by the requisite two-thirds vote—then Congress must accompany it with financial information on the impact on the budget on each of the States.

I would point out that we have trouble even getting CBO and other budget baseline scoring mechanisms to give us sound and timely information on what we are doing, let alone having them analyze what each and every State in the Union has to do. Under this amendment, we would be spending all our time trying to understand a continually shifting set of State problems and how our budget might impact on them. I think we need to worry about how the Federal budget can be reduced between the time of the passage of the balanced budget amendment and the year 2002, if that is the effective date of the amendment. I do not want to get into a situation where we must also worry about the choices of each of the States, and we complicate passing the balanced budget amendment while attempting to get information like this that could cost us hundreds of millions of dollars to get.

Again, this amendment is just another unnecessary provision. The minute we pass the balanced budget amendment, this Congress will have to start working on coming up with a mechanism to get to a balanced budget. I might add not just the Congress; the President is going to have to work on coming up with the mechanism beyond the balanced budget amendment to bring us into fiscal balance by the year 2002. I have to tell you, nobody in Congress and the Congress as a whole will be able to do that without the leadership of the President of the United States. That has been the problem up to now. We have not had Presidential leadership to tell us what we have to do to balance the budget, short of increasing taxes.

Mr. WELLSTONE. Will the Senator yield?

Mr. HATCH. If I could just finish. The fact of the matter is this amendment would cloud the whole issue. It would require us to do continual budgetary analysis of State budgets—there are 50 of them; we cannot even handle the Federal budget—and thousands of Federal programs tailored to each State and how it impacts each State. We would have to put in place, before ratification, not only the budget for each year until 2002, which of course we cannot do because we cannot bind future Congresses, but we must analyze what we guess each of the 50 States would do in each of those years in response to our assumptions about what future Congresses would do. And since we cannot either bind future Congresses, nor should be attempt to tell the States how they should respond, we would have a continually shifting process, with continually changing information. We just do not have the capacity to comply with this amendment. And I do not know how we would ever get 535 Members of Congress to agree on all these forecasts of future Congressional actions and the responses of and effects on each of the 50 States.

Furthermore, this amendment assumes that the States, which are very

capable, would be unable to do their own analysis and make its own decisions about its budget priorities and come to its own decision about ratification. I think the States should participate in the process of setting the national budget priorities, especially as it will affect their own freedom to set priorities for themselves.

Mr. President, this is the wrong way to proceed. We need to get the mechanism in place that will require Congress to balance the budget before we can balance the budget. And before that we cannot tell what a balanced budget would look like. We cannot tell the States what they should or may do in response to either the balanced budget amendment or a balanced Federal budget. This unfunded mandates bill that we are supposed to be debating has the purpose of curbing such Washingtonian imperialism. And finally, we cannot project what future Congresses will do. In fact we often cannot project very far into the future the effects of our present budgetary decisions. We cannot bind future Congresses to a particular budget. Nor should we. It is the right and duty of each Congress to set its own national priorities in the budget while complying with a balanced budget rule.

I hope this amendment is voted down. It is unnecessary and unwise, and adds an unnecessary cost to our society.

Mr. WELLSTONE. Will the Senator yield?

The PRESIDING OFFICER. Who yields time?

The Senator from Minnesota.

Mr. WELLSTONE. What I just heard the Senator say—and, by the way, it is part of the response to the discussion I had with the Senator from Illinois. What this amendment says, a sense of the Congress, coming right from Minnesota is that if we pass a balanced budget amendment, then before we send it to the States we ought to have for the States a financial analysis of the impact. What I am hearing the Senator say is it is too hard for us to do that.

So do you not think, I would say to my colleague from Utah, or my colleague from Idaho, or Ohio, or Georgia, our States have the right to know? Do you not think our States have the right, as Minnesota as a State, to say to us, "Look. After you pass this, if you pass it, before you send it to us, will you please give us an analysis of its impact on our States?" And now I hear the Senator from Utah saying it is too hard. We are talking about all sorts of amendments and all sorts of legislation in the unfunded mandates bill making sure that an analysis is done. We did not say it is too hard for that. We are talking about the right to know for our colleagues and for people back at the State and local communities. Now, when it comes to a huge decision we are going to make, we are saying it is too hard, that we cannot, after we pass this, let our States know what the

impact of this legislation will be on that.

I find that to be an interesting argument. But I certainly hope my colleagues will not be swayed by it.

Mr. HATCH. Mr. President, will the Senator yield on that?

Mr. WELLSTONE. I would be pleased to yield on the time of the Senator from Utah, if I could.

Mr. GLENN. Mr. President, will the Senator yield to me 1 minute?

The PRESIDING OFFICER. Does the Senator from Idaho yield?

Mr. CRAIG. I yield 1 minute to the Senator from Utah for purposes of responding.

Mr. HATCH. Now, look. I guess there is nothing that is too hard if we have enough money and enough time and enough bodies and enough people and enough economists to do it. The question is, is it prudent, is it warranted, is it worth the cost? The fact of the matter is we cannot get CBO scoring the way we need to have it on time in order to do the things that we need to do in this body. Do we need to add to it a continually shifting set of State budgetary priorities, for each of 50 States, and have us be on top of every one of those priorities, and spend all the money to do that? No. What we have to do is get our own fiscal house in order. The States will adapt to it, each in its own way guided by the wisdom and needs of its own citizens. But I would add that we have to have Presidential and congressional leadership for us all to do so.

Finally, Mr. President, everybody knows that this type of amendment is for one purpose; that is, to undermine the balanced budget amendment. That is the sole and specific reason for it.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. GLENN addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. WELLSTONE. I would be pleased to yield to the Senator from Ohio, but if I could just respond.

First of all, I do not want Senators to be able to vote on the basis of a dodge. This amendment in no way, shape, or form is opposed to the balanced budget amendment. Senators have different views on that. I can assure my colleague from Utah, my good friend, that the Minnesota House of Representatives and the Minnesota State Senate passed it by overwhelming votes and it was signed by a Republican Governor there. There is strong support by many of these colleagues, Democrats and Republicans alike, for a balanced budget amendment. The only thing they have said is, from our perspective in Minnesota, I think from the perspective in Utah and other States, how are we going to know whether or not to ratify this unless we know what the impact is going to be? If we are going to pass something that is so far reaching, it is our right to know. Can you not provide

specific information? Can you not provide specific analysis? That is all this amendment says.

I yield 1 minute to the Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. GLENN. I thank the Chair, and I thank my colleague.

I just say that I hope the same logic is used by the Senator from Utah when Senator GRASSLEY's amendment comes up because the interpretation of his amendment would mean we go back 21 years and require a study of all mandates—all mandates, period. It does not have a \$50 million threshold to it, as I understand it.

It would be such an enormous study that we requested CBO to give us figures on how much it would cost them to do such a study, and they cannot give us an estimate right now. In other words, we are putting an unfunded mandate on CBO. He is concerned about CBO and I am, too, but I think the logic of what the Senator is trying to do should also be carried over to the consideration of Grassley, which would be an enormous study, beyond anything I would see proposed here.

Mr. WELLSTONE. I have not referenced CBO. I have said it is up to us in our Budget Committee to come up with an analysis.

Mr. CRAIG. I yield a few moments to the Senator from Utah to respond.

Mr. HATCH. Last year, at the height of one of the most important debates last year, the battle over health care, we could not get the economic analysis of just health care in sufficient time for our analysis, and that involved just the President's and one or two other health care programs. There were all kinds of other programs to be considered, but there was no time to get the full economic analysis. The fact of the matter is that what the Senator from Minnesota is asking for would cost an arm and a leg and would not get us closer to a balanced budget anyway—indeed it would place us further away because of the increased costs in performing the analysis.

I will look at Senator GRASSLEY's amendment, because I think we have to look at what these costs are. But, really, this type of an amendment does not have an efficacious effect. It is going to cost us. We do not have the facilities or the resources to do it. We have to determine here what we can do to reach a balanced budget by the year 2002. It is going to take time to do it and it is going to be costly in and of itself, without worrying about 50 States, and we should let future Congresses and each of the States make up its own mind about how it wishes to comply with a Federal rule of fiscal responsibility.

Mr. CRAIG. Mr. President, I yield 2 minutes to the Senator from Georgia.

Mr. COVERDELL. Mr. President, I thank my colleague from Idaho. I believe my good friend from Minnesota did not vote for the balanced budget amendment. I have to conclude that

the essence of this amendment is to re-inforce a message we heard last night from the President when he defined, in my judgment, his decision about the new Democrat and old Democrat, when he decided to oppose the balanced budget. He wanted things to stay the same in Washington.

He underscored his dispute with the balanced budget amendment by beginning to raise the specter of fear across the land, and began pointing to specific groups. This is but an extension of that context, to try to suggest to the States that there is something for them to fear about this Nation finally taking charge and putting in motion a discipline to govern its financial affairs.

That is what this amendment is designed to do—to suggest that there is something to be feared. I might say, following on the remarks of my good colleague from Utah, it goes beyond a question of the consumption of analysis as to how this would impact States. The point is that there is no way to determine what the judgments of future Congresses might—not even including all the august Members that are here—do in order to arrive at a balanced budget. This presupposes that you could suggest what is going to happen in the future, and you cannot.

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

Mr. CRAIG. Mr. President, let me conclude the time on our side by looking at what past Congresses have done when they proposed amendments to the Constitution.

What the Senator is suggesting in his amendment is that the first Congress would have been able to anticipate that in the first amendment we would have said that yelling "fire" in a crowded theater is against that amendment. But that is not what the first Congress said about the first amendment, because they did not know at the time. They did not understand, or they could not anticipate, what a court would suggest.

What this is saying is that in the second amendment we would have said it was intended to keep guns out of the hands of juveniles. That is not what our Founding Fathers said at the time. They did not know.

Or we could have said the fourth amendment required reading aspects of the Miranda rights into the decision. Or maybe we would have said, in a post-Civil War Congress, that we knew 100 years subsequent how we would anticipate all of the civil rights that would have come under the Constitution. No, I do not think that was intended, and I do not believe that any Congress can anticipate what a constitutional amendment will do beyond the clarity of the language of the Constitution itself, and that is that we will have a balanced budget amendment in a period of time.

Now it would then be the responsibility of Congresses following the enactment of an amendment as they begin to shift the priorities of Government,

as they begin to downsize the rate of growth in Government, to turn to States and say: These kinds of impacts could occur. I think that would be the responsibility.

I hope the Senate will vote down this amendment in a tabling motion, because I do not believe it is possible for us to project 7 years out into the future what future Congresses might do and what impact it would have upon the States.

Mr. WELLSTONE. Mr. President, with all due respect to my colleagues that it is my joy to serve with, I think a lot of these arguments just miss the central point. I want all of my colleagues to be clear on what they are voting on.

This is not a sense-of-the-Congress amendment that says we should not pass a balanced budget amendment. They are not voting on that. This is not a sense-of-the-Congress amendment or sense-of-the-Senate amendment that says we should be voting against unfunded mandates at all. In fact, the unfunded mandates legislation says that senators and representatives in our State and local governments are entitled to information, entitled to a right to know before we pass legislation and do not tell them anything about the impact or come up with the money.

This amendment is a mandate from Minnesota, strong bipartisan support in a resolution that emphasized deficit reduction. Then it ended up saying:

*... be it Resolved by the legislature of the State of Minnesota, that it urges the Congress of the United States to continue its progress in reducing the annual Federal deficit, and when the Congress proposes the balanced budget amendment, to accompany it with financial information on the impact on the budget of the State of Minnesota.*

My amendment says if we pass a balanced budget amendment before we send it to the States, which by definition would be after we pass it, we should do an analysis of its financial impact on our States. How can our States then make decisions about whether or not to ratify it unless we are willing to provide them with the information?

Mr. President, I am just amazed by some of the arguments that have been made on the floor of the Senate because they do not speak to the central issue.

I say to my colleagues that this vote on this amendment is all about accountability. This is all about being direct with people. It is all about responding to our States. It is all about the concern that people have, about where will \$1.2 trillion or \$1.3 trillion in cuts take us between now and 2002. What will be its effect on citizens in Minnesota, Idaho, Georgia, Utah, all across the country? Minnesota State legislators, Republicans and Democrats alike, and the Republican Governor, are bipartisan and have sent a resolution here. I translated that into an amendment. It is an eminently reasonable request that I think will come

from all of our State legislatures and Governors, which is: If you pass the balanced budget amendment, then before you send it to the States, please do an economic analysis of it so we will know the impact on our States and on our people. Are we going to have to raise taxes at the State level? Is that what we are afraid to tell our colleagues at the State level? Are our local governments going to have to rely more on the property tax? Is this going to become the biggest unfunded mandate of all, where we just transfer costs back to State and local governments? Is that why we are unwilling to pass this amendment, a sense-of-the-Senate amendment, that we at least, before we send this to the States, have an accompanying financial analysis?

I hope that this amendment will attract strong bipartisan support. It is all about the rights of people back in our States to know what we are doing. It is all about accountability. It is all about good government. It is all about being direct and straightforward with people, and this amendment should pass by a huge vote in the U.S. Senate.

I yield the remainder of my time.

The PRESIDING OFFICER. All time has expired.

Mr. CRAIG. Mr. President, I move to table the amendment of the Senator from Minnesota, and ask for the yeas and nays.

The PRESIDING OFFICER. All time has expired.

The question is on the second-degree amendment numbered 186 of the Senator from Minnesota to the first-degree amendment No. 185.

Does the Senator from Idaho wish to table the first-degree amendment or the second-degree amendment?

Mr. CRAIG. I wish to table amendment No. 185.

The PRESIDING OFFICER. The motion is to table amendment No. 185.

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

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

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on the motion of the Senator from Idaho [Mr. CRAIG] to table the amendment of the Senator from Minnesota [Mr. WELLSTONE]. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Wyoming [Mr. SIMPSON] is absent due to a death in the family.

I further announce that, if present and voting, the Senator from Wyoming [Mr. SIMPSON] would vote "yea."

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

The result was announced—yeas 54, nays 45, as follows:

[Rollcall Vote No. 43 Leg.]

YEAS—54

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

NAYS—45

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

NOT VOTING—1

Simpson

So the motion to lay on the table the amendment (No. 185) was agreed to.

Mr. KEMPTHORNE. Mr. President, I move to reconsider the vote by which the motion was agreed to.

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

The motion to lay on the table was agreed to.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the majority leader.

ORDER OF PROCEDURE

Mr. DOLE. Mr. President, let me state for the benefit of my colleagues, we do have a meeting at 2 o'clock today. Hopefully, everybody will come—Senators only, no staff—to talk about a number of things that affect us, not as Senators, as Republicans or Democrats, but as people who live around here.

I think during that period, we will not recess because I think there will be an amendment offered. But I want to point out, we still have 39 amendments. This is the 11th day and we still have 39 amendments to this bill. We are going to finish the bill this week, if it takes all day today until midnight, all day tomorrow until midnight, all day Friday, and all day Saturday. We are going to finish the bill this week.

So I hope that Members are prepared to offer amendments and give us time agreements, or not offer amendments. I cannot believe that every one of the 39 amendments, whether they are on this side of the aisle or that side of the aisle, needs to be offered. So we will finish this bill this week sometime. We may file cloture if we do not get some action on some of the amendments. It is 12:15. We disposed of one little amendment. We have 39 left.

Mr. GLENN addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Ohio.

Mr. GLENN. Mr. President, in response to the majority leader's comments, we are working very hard trying to get just as many lined up with time agreements as short as possible so we can move it along. I know the majority leader's desire to end this this week. We are certainly cooperating in that endeavor to that end. We are trying very hard to line things up just as fast as we can, to get them tailored with the shortest time agreement as possible. I think we are making some progress, and we will continue.

Mr. BAUCUS addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Montana.

Mr. BAUCUS. Mr. President, I ask unanimous consent that I be allowed to proceed as in morning business not to exceed 10 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. BAUCUS. I thank the Chair.

(The remarks of Mr. BAUCUS pertaining to the introduction of S. 274 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Chair recognizes the Senator from Idaho.

UNANIMOUS-CONSENT AGREEMENT

Mr. KEMPTHORNE. Mr. President, I will be very brief. I ask unanimous consent that at 1:30 p.m. the Senate turn to the consideration of amendment No. 202 by Senator BOXER and there be time for debate prior to a motion to table divided in the following fashion: 90 minutes under the control of Senator BOXER, 30 minutes under the control of Senator KEMPTHORNE. I further ask unanimous consent no amendments be in order to amendment No. 202, and that following the conclusion or yielding back of time, the majority manager or his designee be recognized to move to table amendment No. 202 and that upon the disposition of amendment No. 202 the Senate turn to the consideration of amendment No. 187.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. GLENN addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Ohio.

ORDER OF PROCEDURE

Mr. GLENN. Mr. President, I ask unanimous consent to proceed as if in morning business.

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

THE PRESIDENT'S PERFORMANCE

Mr. GLENN. Mr. President, I will not direct my address to the President's