''(j) Each agency subject to the requirements of this section shall annually report to the Congress regarding the following:

''(1) The changes in the policies and procedures of the agency under this section that have occurred during the preceding 1-year period.

''(2) A tabulation of the number of meetings held, the exemptions applied to close meetings, and the days of public notice provided to close meetings.

''(3) A brief description of litigation or formal complaints concerning the implementation of this section by the agency.

''(4) A brief explanation of any changes in law that have affected the responsibilities of the agency under this section.''.

Subtitle IV—Effective Date

SEC. 4001. EFFECTIVE DATE.

Except as otherwise provided in this title, the provisions of this title and amendments made by this title shall take effect on the date of the enactment of this Act.

Mr. NUNN. Mr. President, I move to reconsider the vote by which the bill was passed.

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

The motion to lay on the table was agreed to.

Mr. FORD. Mr. President, I ask unanimous consent that I be allowed to speak as in morning business.

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

BALANCED BUDGET AMENDMENT

Mr. FORD. Mr. President, in the 21 years I have served in this body, I have never seen the level of partisanship that we are seeing on the balanced budget amendment. So maybe I should not have been shocked last Friday to see my colleague from Mississippi, Senator LOTT, blatantly misrepresent my words of 1994. Clearly, his only purpose was to further divide the American public and to tarnish the reputation of Senators who have only sought to pass the best amendment possible.

Senator LOTT quoted me as saying, Mr. President, and I will quote it verbatim from the RECORD; this is what Senator LOTT said I said:

I hear so much about ''if 40-some-odd Governors can operate a balanced budget, why can't the Federal Government.''

* * * I operated under it.

When I said ''I,'' Mr. President, as Governor:

It worked.

* * * I think implementation of this amendment will work. I think we can make it work.

* * * I do not understand why it takes a brain surgeon to understand how you operate a budget the way the States do.

* * * this is an opportunity to pass a balanced budget amendment that will work and will give us a financially sound future, not only for ourselves but for our children and our grandchildren.

End of the quote that Senator LOTT put in the RECORD.

To that I say, Mr. President, read the full statement, and the fallacy will become clear.

I ask unanimous consent that both of my floor statements from last year be printed in the RECORD.

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

[From the Congressional Record, Feb. 25, 1994]

Mr. FORD. Mr. President, I thank the Senator from Nevada for allowing me this time.

I support a balanced budget amendment and always have. The borrow and spend policies of the past must not continue. We all know that. The ability to expand our economy and provide job opportunities for this and future generations, much less provide for a nation that can function beyond simply servicing its debt, absolutely depends upon bringing the deficit under control. I think that my friend from Illinois would agree with this sentiment and I agree in principle with his amendment. I think that the Senator has done the Nation a great service by his tireless work on behalf of this serious matter. However, there is room for improvement in most things including, the original language of Senate Joint Resolution 41.

It is the job and the responsibility of the Congress to control the spending of our Nation. Unfortunately, we have abandoned this role, to a large degree, by running large budget deficits during normal times. By normal times I mean not during war, or recessions. This practice is not only fiscally irresponsible, but with the huge debt we are now passing along to our children, it has become morally irresponsible as well. We as a congress and, being the representatives of the people, as a nation must begin to regain control of our spending policies. We need something that forces us to do this. An amendment to the Constitution would do just that. While one law can be changed by passing another law, this legislation would make fiscal discipline mandatory.

However, the Congress must not pass the buck once again by relinquishing control of the budget all together. Congressional control must be maintained and our amendment does just that. Deficit spending by itself is not the problem. The problem is chronic deficit spending in good times not just bad ones. Furthermore, we are not borrowing at the present time to rebuild infrastructure by building roads, airports, or an information super highway. Nor have we been borrowing for the last 30 years to bring a faltering economy out of recession or prepare for war. We have had the need from time to time during that period and during these periods, borrowing represents sound fiscal policy. During times of war or economic downturn, these policies help the economy and help our Nation as a whole. But this is not what we have been doing at all. What we have been doing is borrowing to pay the interest on previous debt.

Let me put this in terms that every American can understand. When a company decides to expand or buy more efficient equipment, it generally borrows the money, knowing that this investment will more than pay for itself in the future. The profit earned is used first to pay off the loan and the extra is kept as income. The key word in all of this is invest. Investment as our President has been saying for some time is good, it provides benefits in years to come. We invest a great deal of money on the Federal level, upwards of $200 billion. This money is well spent and will pay dividends to our children and their children. When we build a highway, it increases economic efficiency and activity, real dividends that pay off in real jobs and increased incomes. Congress should not cut off its nose to spite its face. Our amendment protects this vital investment portion of spending. It keeps responsibility with the Congress and gives us the flexibility that we need during hard times and the discipline we need during the good ones to manage the budget in a responsible manner.

Let me get back to my example of a business borrowing to expand or upgrade its facilities. Bad fiscal policy is when all of the profits earned from the improvements are frittered away on other expenses, and the loan is never repaid. When this happens, the situation goes downhill fast. If the belt is not tightened and the loan is not paid off, the company, no matter what, will go bankrupt. It can borrow more money for a time but eventually it must pay off its loans or the banks will eventually turn that company down. We are a nation that is getting perilously close to that last loan. We are borrowing not to invest for growth, but instead simply and irresponsibly to pay off interest on past loans. All the while our debt continues to mount and we have nothing to show for it. This is the type of behavior that must be stopped and our amendment is the prescription for this sickness. It stops the bad borrowing but keeps the Congress in control of investing in our Nation's future.

Our Founding Fathers placed the country's purse strings under the explicit control of the Congress. Our amendment keeps the control here. The judicial branch of Government has no business deciding on what program should be cut or what revenue should be raised. That is our responsibility. Our amendment keeps that responsibility right where it belongs. I won't talk on this point too long because, I think there is complete agreement among us on this point. However, I cannot stress enough that we in the Congress must make the hard choices, and if we do not our amendment calls for an internal solution. Should this happen, this legislation calls for uniform cuts; with everyone and every program paying equally. That is fair and just and it would be a congressional action.

Let me speak on another matter of grave concern to many of our citizens. That is the sanctity of the Social Security system. Many years ago, our Nation made a pact with its people to help them in retirement, whether that be in old age or by disability. Our amendment respects that agreement, in fact it reinforces it, makes it stronger, safer and more secure. This amendment has a lot to do with responsible action and nowhere is that needed more than on dealing with Social Security. It is exempt from our amendment, thus securing and fortifying its position as a separate trust fund. Neither receipts nor outlays will be counted as part of the budget under this provision. As my friend, and colleague from North Dakota [Mr. Dorgan] has pointed out, ''the Social Security system is not causing the deficit.'' Its revenues and surpluses should not be used to mask the deficit nor should its outlays be counted as part of expenditures. Our proposal protects the sanctity of this most vital program.

In closing, I would like to stress just how strongly I favor a balanced budget amendment, but it must be the right amendment and our amendment is it. I have supported and continue to support my colleague from Illinois in his efforts to control Federal spending, however, our proposed changes make this a more honest and more workable amendment. Surpluses in trust funds whether it be for airports, Social Security or highways, will not be used to mask the true size of the deficit. And, equally important, it will allow Congress to maintain the flexibility

needed during wars or recessions while protecting our capital investments and curtailing our practice of borrowing to pay interest on past loans.

Mr. President, I do not think anyone in this body with certainty can tell us what will happen in the future if we have a balanced budget amendment to our Constitution. I do not think we can say with certainty. And so with uncertainty, we get all the horror stories. And all the horror stories if this does not pass; something is going to happen. If it does pass, some other things are going to happen.

The implementing legislation that is required, if and when a balanced budget amendment passes, will give us some idea and eliminate some of the uncertainties, but that will be the legislative branch prerogative to pass the implementing legislation. So I wish to kind of put a little oil on the water if I can as to all the uncertainties we have been hearing about in the last few days.

We also hear the horror stories that if the Simon amendment passes, the courts will become the legislative body. Well, we scurried around and I guess now you have the Danforth amendment included in the Simon amendment, because the horror story was that the courts would then become the legislative body of this land. They would tell us what new taxes to impose and what programs to cut or what all new taxes and no programs cut or programs cut and no new taxes. So under the Simon original amendment the courts would have had jurisdiction over the legislative body. So we scurry around and find an amendment that will basically eliminate it. Not good enough. Not good enough because the Reid amendment says only the legislative body.

Well, then we hear we have no way to say to those of us who will make a vote, have discipline because the courts will not. So whichever way you go, you can find somebody on the other side.

It reminds me when I was president of a civic organization, and we had a question that was bothersome to me. I turned to the legal counsel for the civic organization, and I said, ''Which way should we go on this?'' He said, ''Mr. President, go either way and we will make a heck of a case out of it.'' And so that is what I think we find here. Go either way and we will make a case on it.

We eliminate the worry of the courts telling the legislative body that is elected by the people what to do and what not to do, and that was our idea which was finally accepted by the so-called Simon amendment.

In 1983, the Social Security Program was in horrible shape. Everyone in this body understands that we were in real trouble with Social Security. But we all came together in a bipartisan way and corrected the problem with Social Security in outyears. Now they say the only way that you can save Social Security is a balanced budget.

Well, we are still collecting out of my check every month, and I suggest my distinguished colleague from Illinois is having his taken out every month. I do not know what that has to do with a balanced budget except if it is out there you can use it to help balance the budget.

So what the Reid amendment says is that after we have gone through the 1983 labor to fix the Social Security question, we have included in this amendment that we would not touch Social Security. On this floor you hear it. ''Don't touch Social Security.'' Now we are trying to say a balanced budget saves it. That is the only way because they do not have this exclusion in this amendment. In the cloakrooms you hear talk, ''We have to save Social Security.'' And over the lunch table we hear it, ''We should not destroy Social Security.'' So the Reid amendment or resolution has taken care of that problem.

Do you know something, Mr. President? You can sympathize with me over this a little bit. I have heard for days now, and really for years: If 40-some-odd Governors can operate under a balanced budget, why cannot Federal Government? Well, Mr. President, I had the privilege, as you did, given me by the people of my State to serve as Governor. I even had the line-item veto. And the Kentucky Constitution states that the Governor—nobody else—the Governor must reduce expenditures if it is determined that the State would have a shortfall. But if you want to raise taxes, you have to call a special session for the purpose of raising taxes.

Now we hear that we do not want to operate like Governors. We just want to use them as operating under a balanced budget. We are going to give you an opportunity to say that you do not want to operate like Governors. You just want to use them as an image out there that operates under a balanced budget because Governors must operate under a balanced budget. Then we think that is good. But we do not want the Federal Government to do that.

Let us follow the State procedure, if it works. And it is simple. I operated, as I said earlier, under this procedure. We had an operating account and a capital account. I never vetoed a budget. I never exercised the line-item veto in 4 years. And I left $300 million in surplus. Pretty good, I thought, a lot better than we are doing here. We had the operating account and we had the bond issue. We have T bills here. Whatever the legislative process is, after the amendment is approved or disapproved, if it is, right now they are a little bit light. They call our amendment light. But they are light in votes, and they are struggling now to try to figure out a way to get some more. They are condemning our proposal because it has, in my opinion, more common sense in it than theirs.

So we had our operating account. We had our bond issue. We had the payments to be made out of the operating account. We paid it. We had a balanced budget. We had a surplus. Our estimates were pretty good.

If we had not gotten the agreement, as we now have, to vote next Tuesday at 3 o'clock, and then 4 hours later on the second amendment, we would have had the opportunity to vote on each one of those amendments to the Simon amendment, because many in this Chamber felt the Simon amendment did not include the exclusion of the courts. That is one. Social Security is another. You would have the operating and capital construction accounts to vote on up or down. And we would have had to vote on each one of those separately. We would delay moving towards a balanced budget, and the delays would have been, I think, helpful to those that oppose a balanced budget.

Mr. President, I interrupted the distinguished Senator from Illinois [Mr. Simon], awhile ago when he was reading from the newspaper that this amendment is just a stalking horse to give cover to those who want to vote for a constitutional amendment that probably will not pass, and then that gives them a reason to vote against Senator SIMON.

Let me clear everybody's mind. I am for a balanced budget amendment. And I intend to vote for a balanced budget amendment, and maybe two before next week is over. But some ideas around here might just be worth looking at for a moment. There might be a moment. If you look into the future and how we are going to operate, this may be a pretty decent idea to try.

I hear that, ''Oh, well, if we are going to vote for this, we will not have to do anything for 7 years.'' I thought we were under a budget constraint now. I thought we had caps on our budget now. I thought this was the third straight year of deficit decline, unprecedented in the last 31 years since Harry Truman. I thought we would have to continue to do that even though we required 2001 to have the budget balanced or begin that process.

I think this is a way we can do this to accommodate most people, rather than take the position that it is this way or nothing. I come from the State of Henry Clay. Henry Clay was a great compromiser. Henry Clay described compromise as ''negotiating hurt''—negotiating hurt. You had to give up something most of the time that you really did not want to, and it hurt to give it up. But for the sake of progress, for the sake of bringing a consensus together, compromise is a pretty good thing.

So, we offer to the colleagues in the Senate the ability to say, we are not going to disturb Social Security. I do not care what you say about a balanced budget as long as you take it out of your paycheck and put it into a Social Security account. That is where it belongs.

We talk about capital construction of the highways. We are taxing now and not spending it. We are not spending it. We have billions; a $15-, $17-, $18-billion surplus in the highway account. We are not spending it.

Talk about airports capital construction; 10 percent of every ticket that is purchased goes into the airport improvement trust fund. There is $7, $8 billion in there not building airports. What is a balanced budget going to do for that? We are already charging the tax.

We can have our operating account. We can have our capital account. Some say that we ought to balance the Federal budget like we do our house account or our budget at home. We have an operating account at home. That operating account is the amount of income we have. We buy a car.

We can buy a car, maybe not a luxury car, but one within our means and what we can pay for. We decide we want to buy a house, and it may not be a mansion, but it is what we can pay for. What we should have in an operating account is our income. We make those payments on those capital investments that we have, and we keep our operating account balanced. I do not see anything wrong with it. If Governors operate that way—and some are beating their chests saying if Governors can do it, we can do it—here is how Governors do it. I operated under it. I understand it. I had a veto of the budget; I had the line-item veto; all of those, when I was Governor. We operated out of an operating account and out of a capital account. It was in the budget. We made our payments and we had a surplus.

I do not understand why that is not at least tickling the interest of some folks. But we are rigid right now. ''It is ours or nothing.'' Well, you may just get nothing, with a capital ''N.'' And you are light right now on votes. If you are light on votes, why not look at something that will be workable, because you will get some votes for this one. With the others, you might just pass this amendment. But the way you are going now, you are light by several votes.

My colleague keeps talking about taxes. I do not know that this brings new taxes. That one does. That is all I have heard is ''the courts imposing taxes.'' Yes; we will have to pay taxes. For the Simons resolution, the report was $570 in new taxes per individual in my State. If you want it, I will get it and give it to you. Everybody quotes the paper around here. I will give you an article out of the paper. They do not necessarily have to be true, but we sure do quote them. So all of this propaganda is being put out.

So I hope that those who are so rigidly stuck to one amendment could at least give this one a little read; look at it a little bit. We take care of depression; we take care of war; we take care of those things. I think it is important that we have the opportunity to put something in place. If you are going to tinker with the Constitution now, give the Constitution something that will work. Give it something that you think would have a chance of working. And then the implementing legislation will set up the procedure whereby we use the operating account, and what is the capital construction, and how do we pay for it? Do we use T-bills for capital and pay the bills off?

We heard the Senator from Illinois say that it was Albert Gore, Sr. that said pay as you go and put on new taxes, and President Eisenhower was saying let us bond it and pay the bonds off. That was a difference of opinion then. So we taxed the payoff; rather than having an operating fund to pay off capital construction, pay off the bond issue.

So I hope that we will give this very serious consideration. I will have other things to say before the vote comes next Tuesday, and I welcome any cosponsors. We have had many come to us this morning to talk about it. We have picked up a good many votes today. We are further away from passing this amendment than Senator Simon is, but if we combined our efforts, we would pass it.

You say I am a stalking-horse? No; I am not a stalking-horse. You say I am trying to give people cover. No; they are not getting cover from this one. We have a legitimate proposal to be given to the colleagues in the U.S. Senate, that they can go back home and say: I voted for a Constitutional amendment to balance the budget that is doable.

The other one is, you either eliminate or increase taxes, or both. I do not think this one puts you in the posture of raising taxes. That is a great, great difference, in my opinion. I have been listening very carefully as to raising taxes and how much new tax it is going to cost to pay for the Simon resolution, and I think it is time we take a step back and look at an opportunity now to have a balanced budget amendment. I do not have the words to get you out on the edge of the seat or the ability to say, boy, that is it. I just do not have that ability.

I do believe sincerely that we have an amendment that is important, an amendment that should be considered, and maybe, just maybe, we can put our two groups together and say that we have a resolution here that could be doable; it is workable, and we could vote for a balanced budget, and the future of Senator Simon's unborn grandchildren will be saved.

I yield the floor.

[From the Congressional Record, Mar. 1, 1994]

The PRESIDING OFFICER. The Senator from Kentucky [Mr. FORD] is recognized for 10 minutes.

Mr. FORD. Mr. President, I have but a few minutes to speak this morning on behalf of the Reid-Ford-Feinstein balanced budget amendment. So I will concentrate my remarks this morning on trust.

The public trusts the Congress to keep the Nation's finances in order. Nowhere is that agreement and that trust more evident or more important than in governing the Social Security trust fund.

In the debate over our amendment and the Simon amendment, honesty and protection of the trust fund have played a very big role. Right now, surpluses in the trust funds are being used to hide the true amount of the deficit. The biggest example of this is in Social Security, but it is by no means alone in this distinction.

During the 1980's, we allowed the Federal trust funds to run up huge surpluses. We would collect a gasoline tax to fund highway construction but then not spend it all on highways, thus creating an accounting surplus. The problem is, we did spend money elsewhere creating masked deficit and budgetary illusions.

The Simon amendment will allow us to continue to do this. I have a speech in my folder that I made back in October of 1987 that addressed this very issue. This particular speech dealt with the Aviation trust fund. At the time, it represented a $6 billion surplus.

Mr. President, I say to my colleagues that that is only peanuts when compared to Social Security. According to OMB, from 1985, when the Social Security System started to run a surplus, to 1993, it singlehandedly covered up $366 billion in Government red ink. Social Security covered up $366 billion in Government red ink.

If you think that is bad, wait until we look to the future. From 1994 through the year 2001, the date that Senator Simon's amendment would likely take effect, CBO projects another $703 billion in budgetary chicanery, for a grand total of $1.69 trillion worth of deception.

When compared with that, the deficit hidden by the other trust funds are small potatoes—only another $35 to $40 billion. Pretty soon though, as we have heard in the past, it adds up to real money. We pat ourselves on the back and claim to cut spending and do what is right for our electorate, all the while our Social Security trust fund is full of IOU's.

Well, I, and those who support our amendment, mean to do something about that. Our amendment respects the pact our Nation made with its people many years ago. It reinforces it, makes it stronger, safer, and more secure. Social Security is exempt from our amendment, thus securing and fortifying its position as a separate trust fund. If you do not believe me, just listen to the Gray Panthers, and they will tell you themselves. I have here three letters to that effect. AARP, the National Alliance for Senior Citizens, and the National Committee to Preserve Social Security and Medicare, all endorse Social Security's treatment under this amendment.

Other trust funds will be treated honestly as well. They will be considered as a part of the capital budget that invests in infrastructure and development. Building highways and airports pays dividends in the future through higher productivity and job opportunity and growth. Social Security and these other trust funds did not cause the deficit, and under our amendment they will not be used to hide the deficit either. This is honest budgeting and a workable balanced budget amendment.

Mr. President, time is short and a vote on the Reid-Ford-Feinstein balanced budget amendment is near. Unfortunately, I fear that it is not near passage but defeat. Standing beside that defeat will be a good faith effort of those who are truly concerned about the world that we leave for future generations. Standing beside that defeat will be the last attempt of this Congress to face reality and tackle an ever-crippling debt and deficit problem. Standing beside that defeat will be faith in Government. I support the efforts of my friend and colleague from Illinois to take on this persistent fiscal dishonesty, but his version of the amendment will go down to defeat as well.

The Reid-Ford-Feinstein amendment is the only amendment that could stand the chance of final passage. We all know that. Yet standing by the defeat of yet another balanced budget will be my colleagues from the other side of the aisle. Instead of getting what they could, they will go home proud of taking the supposed moral high ground. If that is what they want, they can have it. What I want and what 70 percent of our Nation's people want is a sound financial future. What they will get is more of the same under the Simon amendment, for standing tall at the end of the day will be disenchantment, dishonesty, and fiscal irresponsibility.

I hear so much about ''if 40-some-odd Governors can operate a balanced budget, why can't the Federal Government.''

Well, I give them an opportunity. I operated under it. It worked. We had a huge surplus when I left the Governor's office. We had an operating account. We had a capital account.

They say operate like you do at home. At home you have income, your salary. That is your operating account. You buy a car within your means. You pay that out of your operating account. You buy a home. You pay that out of your operating account. But your operating account is always balanced. And we have a time period in which to pay it off.

They say, ''Oh, we will never implement that legislation.'' How do you know we will not? I have seen some amazing things come out of this Chamber. I have seen people work and do the right thing.

I think implementation of this amendment will work. I think we can make it work. But on the other hand, if we want an issue, fine. Stay with Senator Simon and Senator Hatch. Stay with them and then have an issue when you go home.

But do you want a balanced budget amendment? There are enough votes with those who are supporting that amendment that we can get one.

Oh, I hear all this, ''The House is going to make us do it.'' I have never seen us make the House do anything. I have never seen the House make us do anything. So when they pass their balanced budget amendment, what is it going to do? It is going to die between here and there. That is what is going to happen to it. It is going to die between here and there.

''Oh, we will be forced into it.'' Nope. The House will not do that to us. We will not do it to the House. So if you want a balanced budget amendment operated like Nebraska was operated, like Kentucky was operated, I will guarantee you that we can do the right thing.

That is what it is all about here today, to do the right thing. We have an operating budget. We are going to pay this in 10 years. The slice is in here. We have IOU's in the Social Security. We are going to buy it. It is in operating. We buy it, pay it off. So Social Security is sound. I do not understand why it takes a brain surgeon to understand how you operate a budget the way the States do.

And so, Mr. President, I would hope that we would reconsider between now and 3 o'clock this afternoon that this is an opportunity to pass a balanced budget amendment that will work and will give us a financially sound future, not only for ourselves but for our children and our grandchildren.

I hear my distinguished friend say he is going to do it for his unborn grandchildren. I have five. The Senator is no ''Lone Ranger.'' I am just as worried about my grandchildren as he is. And I think I have a pretty good idea. I have had to work under it. I had to operate it. I understand how it works. There are few in this Chamber who do. You will find that most of those will vote for this amendment because it works.

Do it like the Governors do; pass the Reid amendment. Do it like you do at home and operate your own budget; pass the Reid amendment. It is just that simple, Mr. President.

I do not know how much time I have remaining, but I will reserve it.

Mr. FORD. Mr. President, because of the way that the quotes were lifted from my speeches, this action can only be viewed as intentional. Senator LOTT falsely states that I was talking about the balanced budget amendment that had been introduced by his side of the aisle when, in fact, I was speaking about my own substitute amendment, with other Senators here, one that, among other things, excluded Social Security. This action can only be viewed as irresponsible.

Further reading of my original quote clearly indicates I was advocating the same position a year ago that I advocated on the Senate floor last week and that I remain committed to today: Ensuring that Social Security is not used to balance the budget.

The truth of the matter is that this error has backfired. This attempt to discredit me and my intentions has instead shown from day 1 that I have had serious reservations about what could happen to Social Security. While I was voicing my concern about Social Security, my colleagues on the other side of the aisle were putting together proposals to carve up the Social Security trust fund.

Mr. President, I have papers right here, drafted in the form of a bill, which show the amount of Social Security moneys that would be used from the trust fund. That was offered to me as an alternate proposal. They were going to use the Social Security trust fund. This one is for 10 years.

Generally, something like this might be passed off as an isolated incident. But, unfortunately, this appears to be one segment of a large Republican National Committee strategy, and I submit further proof of the scurrilous activities RNC releases that commit the same wrongs.

Mr. President, I submit those for the record and ask unanimous consent they be printed in the RECORD.

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

[RNC News Release, Washington, DC, Mar. 2, 1995]

STATEMENT BY RNC CHAIRMAN HALEY BARBOUR FOLLOWING THE SENATE BALANCED BUDGET AMENDMENT VOTE

By blocking passage of the balanced budget amendment, Bill Clinton and the Democrats who voted against it in the Senate today made the difference between Republican leadership and Democrat retrenchment more crystal clear than ever. While Republicans are keeping our promise to end business-as-usual in Washington, Clinton and his Clinton Corps in the Senate banded together in a blatant exercise of politics-as-usual.

Tom Daschle, Jeff Bingaman, Dianne Feinstein, Wendell Ford, Byron Dorgan, and Fritz Hollings have become apprentices in The Clinton School, where the fine art of saying one thing, but doing another is taught. They told the people of their states they were for a balanced budget amendment. They voted for a balanced budget amendment in the past, some of them more than once. But when Clinton and the Democrats needed them, they switched their votes and defeated the balanced budget amendment. They put party above the interests of the children of their state.

Their hypocrisy extends even to the excuses they're scrambling for. The six Democrats who today defeated the balanced budget amendment are trying to use Social Security as a cover for their flip-flop, but in 1993 the same six voted to cut Social Security income by raising taxes on beneficiaries. They voted for a virtually identical balanced budget amendment last year without any mention of Social Security. The fig leaf they're trying to hide behind wouldn't hide a gnat.

Clinton, the liberal Democrats in the Senate and the big-spending special interests might have succeeded in stopping passage of the balanced budget amendment today, but the voters will have the last word.

HALEY'S COMMENT BY REPUBLICAN NATIONAL COMMITTEE CHAIRMAN HALEY BARBOUR

A lot of Americans are very mad tonight . . . very mad at Bill Clinton and the Democrats in Congress who defeated the balanced budget amendment by a single vote this afternoon.

According to a CBS/New York Times poll, 79% of Americans support passage of the balanced budget amendment, and no wonder. The budget has been balanced only one year since 1960. Under Bill Clinton's new budget the deficit goes up, and it stays at the $200 billion level for the rest of the century. In 2002, the year this amendment would have required a balanced budget, Clinton's budget deficit will be $320 billion.

The voters know the only way to stop the spending spree is through the constitutional discipline of this amendment. The big-spending liberals know that too, so they joined Bill Clinton in pulling out all stops to kill the amendment.

In the end, the left focused on six Democrat senators, who had voted for the virtually identical amendment just last year. Clinton and company needed all six. If any one voted for the amendment, it would pass.

Last year Fritz Hollings of South Carolina said on the Senate floor, in support of the balanced budget amendment, ''No more weaseling, no more excuses, just make the hard choices and balance the budget.'' Today Hollings weaseled; he voted no.

Wendell Ford of Kentucky voted for the amendment in 1986 and 1994, when he said we needed a constitutional amendment to regain control of spending. In his speech in support of the constitutional amendment, he referred to Congress as representatives of the people. Today Ford decided he'd be a representative of the Democrat Party instead. So he turned his back on the people of Kentucky, and voted no.

Tonight you've seen the Daschle, Dorgan and Feinstein campaign ads, extolling their support of the balanced budget amendment.

No wonder people are cynical. Voters have grown accustomed to Bill Clinton promising one thing but doing just the opposite; saying what you want to hear during the election, but never intending to do it. Now we've learned this tactic is contagious in the Democrat Party. All six of these senators—Dorgan, Daschle, Hollings, Feinstein, Ford and Bingaman voted no today, despite what they had said in the past. They formed the hypocritical Clinton Corps, who told their constituents they're for the balanced budget amendment but voted against it today.

It is not lost on the voters that at the same time Republicans are keeping our word by fulfilling the mandate given us by the American people last November, it was Democrats, breaking their promises, that caused the balanced budget amendment to lose today.

But today won't be the last day. Senator Bob Dole has said he will bring it up to vote on again. Between now and then I hope you and every other outraged American let these senators hear from you.

THE DEFEAT OF THE BALANCED BUDGET AMENDMENT: HYPOCRISY ON THE RECORD

In 1992, Byron Dorgan (D-N.D.) ran a campaign ad touting his support for a balanced budget amendment. In the ad, he looks at the camera (as the state's voters) squarely in the eye and says: ''This country's in deep trouble. Everybody knows that. The question is, what can we do about it. Well, we can fight to change things. I'm convinced we can put this country back on track, but to do it, we've got to put an end to these crippling budget deficits. So here's what I'm fighting to do.'' He then unveils the ''Dorgan Plan'' and describes its final, critical component: ''I'm working for a constitutional amendment that forces a balanced budget.'' He even voted for the balanced budget amendment—with no strings attached—in the 1994 campaign year, saying ''I am convinced that it is the right thing to do and the necessary thing to do.'' (Congressional Record, March 1, 1994)

Tom Daschle (D-S.D.), who voted for the balanced budget amendment—no strings attached—last year, had made his support of the balanced budget amendment a central issue in his campaign in 1986, airing an ad showing red ink pouring over the Constitution as the announcer reads: ''The national debt. America is awash in red ink. But in 1979, Tom Daschle saw the damage these deficits could do to our country. His first official act was to sponsor a constitutional amendment to balance the budget. For seven years, Tom Daschle has battled party leaders and special interests to cut waste and close loopholes.'' Apparently, he just wasn't up to the battle anymore this year, when he caved to President Clinton.

Dianne Feinstein (D-Calif.) saw fit last year—when she was up for reelection—to support the balanced budget amendment, no strings attached. She, too, put her support for the amendment on public display in a campaign ad, which touts her ''courageous votes for the balanced budget amendment'' as central to her fight to ''create jobs and get California's economy going again.'' The tag line of the ad says, ''She's our Senator, Dianne Feinstein.'' From her flip-flop today, it appears she's now Bill Clinton's Senator.

Wendell Ford (D-Ky.) voted for the balanced budget amendment both in 1986 and 1994. Last year he said, ''We as a Congress and, being the representatives of the people, as a nation must begin to regain control of our spending policies. We need something that forces us to do this. An amendment to the Constitution would do just that.'' (March 1, 1994) Today, as the third-ranking Democrat in the Senate, he sided with his party, taking the opposite position from a majority of the people of his state.

Ernest Hollings (D-S.C.) voted for the balanced budget amendment both in 1986 and 1994. When he voted for it last year, he said: ''By writing a balanced budget amendment into the basic law of the land, we will compel Washington to do its job. No more weaseling. No more excuses. Just make the hard choices and balance the budget. And do not be surprised when a balanced U.S. budget turns out to be the best economic growth program this country has ever seen.'' (Congressional Record, March 1, 1994)

Mr. FORD. I for one am fed up with this type of political mudslinging. It does a disservice to serious discussion

of the issue, and I hope that the American people are tired of it, too. I hope that this incident forces my colleague and his associates at the RNC to actually read the full text of my speeches and stop the blatant misrepresentation.

And Mr. President, from the National Journal's Congressional Daily, they have a quote on page 8 of March 2.

On Wednesday, Ford's Washington office received 407 phone calls supporting the balanced budget amendment and 765 opposing it, according to the office spokesman. The ratio has remained about the same throughout the week in the Washington and State offices, he said. In addition, Republican National Chairman Haley Barbour shrugged off a claim by FORD that RNC ads running in FORD's home State of Kentucky backfired and helped solidify FORD's position on the amendment.

And I quote Mr. Barbour. Mr. Barbour says, and I quote:

''I was born at night but not last night,'' Barbour said, adding that he does not believe ''any member of the United States Senate could vote against the wishes of his constituents merely because he got his feelings hurt by a TV ad.''

Now, Mr. President, I was born at night, but I was not born last night. What I said was when they started running the ads against me in Kentucky, it stirred up a hornet's nest. It caused other groups that were opposed to the amendment to gear up. They put on radio ads; they put on TV ads, and they stirred it up. If he had left it alone—that is what I am saying. He stirred up the activity himself, and it did not hurt my feelings. I am a grown man. I have been around a long time. Dad told me, in politics, when they tear the hide off of you, just remember it grows back and you are tougher.

You are looking at one tough son of a gun today, Mr. President. I just want people to understand, lest we forget, they put that out and misquoted us again. They misquoted us again. I think that the record ought to be made straight, and I have all the documentation necessary to prove that this statement of mine was lifted from the RECORD, not actually the statement I made. It was a statement I made as it related to a substitute amendment that we thought would be a better amendment that would work better for the American people and, yes, would help our children and our grandchildren.

And so, Mr. President, I make this statement just to defend myself because I do not want this statement to hang out there longer because it would, I think, be detrimental to what I hope my constituents understand and what I believe to be the facts.

Mr. DORGAN. Mr. President, I wonder if the Senator will yield 1 minute.

Mr. FORD. Mr. President, I yield to the Senator from North Dakota.

Mr. DORGAN. Mr. President, I wanted to follow on those comments by saying that my experience with respect to information put in the CONGRESSIONAL RECORD about statements I made last year was similar to that of the Senator from Kentucky [Mr. FORD].

Other Senators have spoken on the floor of the Senate about our sincerity in working to protect Social Security. They were asking—about the Senator from Kentucky, my colleague from North Dakota, the Senator from California, myself and others—these other Senators were wondering where were we last year when we voted on the same identical balanced budget amendment? Senators were asking why we were not worried then. Why did we not, et cetera, et cetera.

And then they put parts of our statements in the RECORD. The problem is that what they put in was not all of the statements, but simply a couple of paragraphs.

Let me read, if I might, from last year's statement that I made on the floor of the Senate. Let us see whether the Senator who mentioned this statement might want to modify his remarks, because I think, if he had known all of what I had to say last year, he might have spoken differently last week. These are my words last year on the Senate floor. I said to Senator SIMON:

I would like to ask the Senator a question about the Social Security issue.

We are now, by design, running surpluses in the Social Security system in order to prepare for the time when we will need them, when the baby boomers retire. I do not want to be in a situation where we use those surpluses to balance the Federal budget. That would be dishonest.

If we did that, we would, in effect, steal money from a trust fund. We collect this money from the payroll taxes, out of workers' paychecks and businesses, and we assure them that this money will go into a trust fund. We promise people that it will be used only for trust fund purposes.

If we use that money to offset the operating budget deficits, we are misusing that money. We cannot allow that to happen.

That is me speaking last year, not this year.

Again, quoting myself, speaking last year.

The fact is we must not count the surplus between now and the year 2035. Between now and then we will have an enormous bubble of surplus * * *.

The reason we increased taxes on payrolls in this country is we decided we must force national savings to meet a need after the turn of the century. To fail to do so is irresponsible.

That is why I say to the Senator from Illinois (speaking to Senator Simon that day) that—whether it is under the current budget scheme in Congress without respect to this constitutional amendment, or whether it is with respect to a constitutional amendment—we must do the right thing with respect to the Social Security trust funds. The right thing is not to count them in the balanced budget computation.

That is the only way to achieve national forced savings that we promised the workers and businesses in this country we were going to achieve.

Now, I read that to say that is what I said in the Chamber last year, and yet Senators have come to the floor and wondered where I was last year. Senators said that we did not bring this up, that we did not talk about this. And they put in the RECORD part of the statement and left all of this out.

Now, I hope it is an accident because accidents happen. But maybe we can be accurate with each other about what we did or did not do and what we said or did not say. Maybe we can decide that we respect each other's views. We differ. We feel strongly about things on this floor, and we represent the people the best we can. But I think that we ought to understand that what we should give each other in this Chamber is not just the truth but the whole truth, the whole truth. We do not need to in any way—and I would never, and I will not impugn motives here—but I do not think we should ever intend, nor do I expect anyone would ever intend, to misrepresent.

So believing that to be the case, I hope others who will take the floor in the future will not ever again say this: Where were they last year? Why were they not making these kinds of representations last year?

I will not read this a second or third time, but anybody who heard what I just read could not fail to understand. If you heard, you cannot fail to understand I raised exactly the same points last year as I raised this year.

I hope I do not hear someone again make the mistake, and I assume it is a mistake, not to include those statements I made in the Chamber last year in representations that they bring to the floor this year.

All of us understand what a lot of this is. It is a lot of politics. That is fine. We operate in a political system. I am not defensive about it. I just believe that when we discuss things with each other, let us do it with all the facts, let us do it with the truth and the whole truth.

That is what I hope to do with all of my colleagues in this Chamber. That is what I hope they would do with me as well.

I appreciate the Senator from Kentucky yielding.

Mrs. FEINSTEIN. May I ask the Senator from Kentucky to yield for an additional statement?

Mr. FORD. Mr. President, the Senator can get the floor in her own right.

The PRESIDING OFFICER. The Senator from Kentucky does not have the floor.

Mr. FORD. The Senator can get it in her own right.

Mrs. FEINSTEIN addressed the Chair.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. May I speak as in morning business?

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

CORRECTING THE BALANCED BUDGET AMENDMENT DEBATE

Mrs. FEINSTEIN. Mr. President, I also would like to correct the record,