

The motion to lay on the table was agreed to.

Mrs. BOXER. Thank you very much, Mr. President, and I thank my colleagues.

Mr. JEFFORDS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. DORGAN. Reserving the right to object.

The PRESIDING OFFICER. Is there objection?

Mr. DORGAN. Reserving the right to object.

The PRESIDING OFFICER. Under the rules, a Senator cannot reserve the right to object in calling off the quorum call.

Mr. DORGAN. I object.

The PRESIDING OFFICER. An objection is heard. The clerk will continue to call the roll.

The assistant legislative clerk continued to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. THOMAS. Mr. President, I further ask unanimous consent that I be allowed to speak as in morning business for 5 minutes, and further, that the Senator from North Dakota be allowed 5 minutes as in morning business for debate only.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered. The Senator has 5 minutes and the Senator from North Dakota has 5 minutes.

Mr. THOMAS. I thank the Chair.

(The remarks of Mr. THOMAS pertaining to the introduction of S. 1268 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. DORGAN addressed the Chair.

The PRESIDING OFFICER (Mr. MCCAIN). The Senator from North Dakota is recognized for 5 minutes as in morning business.

#### EXPLANATION OF AMENDMENT NO. 2770

Mr. DORGAN. Mr. President, I want to tell my colleagues who may be watching these proceedings where we are and why we are where we are.

I offered an amendment some while ago, about half hour ago. We intended to offer a second-degree amendment to it to slightly modify it. We intended to get a vote on it. At that point, the Senate was put into a quorum call. Since that time, two noncontroversial amendments have been adopted. Except for this morning business, the Senate has been in a quorum call.

I wanted to use this 5 minutes to explain what this amendment was and

why I am offering it and why there is no intent at all to delay the proceedings of the Senate today. I understand we want to finish this appropriations bill. I think we can do that quickly. On my amendment I would agree to a very short time limit. I told the chairman of the committee I would agree to a half hour time limit, if necessary. So we can finish this bill quickly.

My amendment does something very simple. Because the Finance Committee in the Senate next week will deal with Medicare and Medicaid, and because we have proposals on the table for substantial cuts in Medicare, proposals that were included in the budget that call for a very substantial tax cut, my amended is an amended amendment to try to send the sense of the Senate to the Finance Committee about priorities. I suggest if there is a tax cut coming out of the Senate Finance Committee—and I do not think we ought to cut taxes at this point; we ought to keep our eye on the goal of reducing the Federal deficit. Cutting taxes may be popular but, in my judgment, it ought to be discussed after we have managed to balance the Federal budget. My sense-of-the-Senate amendment is that if there is a tax cut that comes out of the Finance Committee, it be limited to those making \$100,000 a year or less. And by limiting the tax cut to those making under \$100,000 a year, the savings could be used to reduce the cut that is anticipated in Medicare. It is a very simple amendment with respect to priorities.

I know people here will grit their teeth because of this amendment. But the reason there is the requirement to offer it is that the minority will have very little opportunity in the Senate Finance Committee; they are not involved in writing the bill. I am not complaining about that. That is the way the system works. The majority won, they control, they write the legislation.

But we have an opportunity, it seems to me, to try to express ourselves on priorities. The priority here is the juxtaposition between tax cuts and the cut in Medicare. I hope very much that if there is to be a tax cut, it be a tax cut that is focused on those who earn less than \$100,000 a year. I was on a television program two mornings ago with a member of the majority party. The member of the majority party said, "Look, our tax cut is a family tax cut. It is going to go to working families, modest-income families." I said, "Then we will give you chance to vote on it. As a matter of priorities, let us decide that is what we are going to do." That is what my amendment does. When we tried to second-degree it, of course, there was an objection to the amendment being considered as read and, therefore, we were not able to offer the second degree, and the Senate was put into a quorum call.

I say to the chair that I have no intention of holding this bill up. But this amendment is not going to go away ei-

ther. You can second-degree this amendment and do it three or four times, and I will offer it again as a second degree to something else, because I believe we ought to have the right to vote on this. So it is not going to go away. We can dispose of it very quickly. I will agree to a time limit. I have no intention of impeding the working of the Senate this afternoon. I hope very much that you will allow us the opportunity at an early time here to vote on an amendment of this type.

Again, as I said, I think we should finish this bill this afternoon. The timeliness of this amendment is—the Senate Finance Committee begins work on this next week. I have no choice, really, but to offer this at this point. It is not a breach of any agreement or a breach of understanding by anybody. It is not an attempt to stretch out the time. It is about priorities in this country, and these are important priorities which I will speak on at a point in time when the opportunity exists for debate on the amendment itself.

#### DISTRICT OF COLUMBIA APPRO- PRIATIONS FOR FISCAL YEAR 1996

The Senate continued with the consideration of the bill.

Mr. JEFFORDS addressed the Chair.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

AMENDMENT NO. 2770

Mr. JEFFORDS. Mr. President, I understand the desires of the Senator from North Dakota, and this obviously is a very important amendment. However, we are dealing with the appropriations bill for the District of Columbia. It is my intention—after a brief period of time for the leader to debate—to move to table the Senator's amendment.

Mr. President, I yield the floor.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. DOLE. Mr. President we have already discussed the amendment. I wonder if we need anymore time. It has been explained two or three times by the Senator from North Dakota. If we can just have 1 minute on this side to explain our side, that would be sufficient. He has had 15 or 20 minutes. I do not see any reason for additional debate. A lot of colleagues on both sides of the aisle had hoped we might be finished with this bill and the other conference report by 12:30.

If the Senator from North Dakota could accommodate that, we will be prepared to table the amendment immediately.

Mr. DORGAN. I say to the majority leader that I have not had 10 or 15 minutes to debate this, but 5 minutes under morning business.

I have no intention of delaying. If the Senator wants to proceed and there will be a tabling motion, I accept that. I appreciate that.

I will ask for a couple more minutes, and if a colleague shows up who wants to speak, I hope we can accommodate a colleague, but I do not intend to string this out.

If your intention is to table this, we can move ahead quickly, but I want a couple of additional minutes to talk about the amendment.

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the Senator from North Dakota be allowed to debate his amendment for an additional 4 minutes, and that the majority leader be given 1 minute, and after that I will move to table the amendment and ask for the yeas and nays on the motion.

Mr. DORGAN. Reserving the right to object, without a second-degree?

Mr. DOLE. No second-degree.

Mr. DORGAN. I have no objection.

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

The Senator from North Dakota is recognized for 4 minutes.

Mr. DORGAN. Mr. President, as I indicated to the majority leader, it is not my intention to delay this piece of legislation. It is my intention to try in whatever way I can before next week's markup begins in the Senate Finance Committee to have the Senate express itself on the issue of priorities.

Now, we will have, I am sure, a raucous debate around here for weeks on the issue of Medicare. I will not revisit that entire debate today.

The issue of Medicare is not unimportant. It is not just politics. It is about priorities. I imagine that those who will stand up on this amendment ultimately will say this is just politics, nothing but pure politics.

That is not what this is. It is about priorities and what is important. I happen to think that the Medicare Program is critically important. The \$270 billion proposed to be cut from the baseline of Medicare is the \$270 billion that is anticipated to be needed for the increasing cost of health care and for the number of new senior citizens becoming eligible in the 7-year period for the Medicare Program.

We have 200,000 new Americans becoming eligible for Medicare every month. A lot of people hear that and say that cannot be right. It is right. America is graying. Mr. President, 200,000 new people every single month become eligible for Medicare.

It does cost a lot. We ought to make changes. We ought to make sure it is fiscally solvent. We ought not under any condition in my judgment decide that we ought to cut Medicare so that we can accommodate a tax cut for the most affluent in this country.

People say, tax cut for the affluent? We are not proposing a tax cut for the affluent. Fifty percent of the tax cut, the one done in the House, goes to families making over \$100,000 a year.

The priority side of this is to say we ought not do that. I am saying limit the tax cut, if there is one, to those with incomes of under \$100,000, and to the extent that that limitation saves

us some money, then use that money to reduce the needed cut in Medicare.

It is simple priorities. We have a series of charts, and a number of other people wanted to speak. I accept the notion it is not an easy job for the majority leader to run this place. I am not sure I would want that job. I guess I would want the majority title these days, as being in the minority is not easy.

It is one of the reasons we have to, from time to time, find a way on the floor of the Senate to make a point about priorities. We feel obligated to do that. The failure to do that means that we are not doing what the loyal opposition should and must do to represent their interests.

In the spirit of cooperation, I have no intention of holding up this bill. I appreciate the willingness of the majority leader to give us an opportunity to vote on this motion without a second degree.

I yield the floor.

Mr. DOLE. I thank the Senator from North Dakota. I do not have a quarrel with the Senator offering an amendment. That is how it works around here. I am certain we have done the same when we wanted to make a point when we were in the minority.

We have a provision in the budget that about 90 percent of any tax benefit would go to people making less than \$100,000—in that range. I cannot remember the precise wording. So it seemed to me we pretty much are in compliance with what the Senator may suggest.

Having said that, we also have a real problem with Medicare. We are trying to address that problem. We have been working, members of the Finance Committee and others. Three of the President's Cabinet members who are trustees of the Medicare trust fund agree that it will go broke by the year 2002 if we do not fix it.

We are trying to preserve, strengthen, and protect Medicare. We believe we can do it without any serious impact on any beneficiary or any of the providers in the program.

We believe we have a good program. We have just left a press conference where the chairman of the Finance Committee, Senator ROTH, and others outlined precisely what the Republican Senate plan did with Medicare. We have not yet come to the tax cut portion.

That tax cut will go to families with children. They do not make over \$100,000. Many in my State are making \$20,000, \$25,000, or \$30,000. They will get the benefit.

For all the reasons I can think of—it does not belong to this bill, it is subject to a point of order, 60 votes if the tabling motion fails—I am pleased that the chairman of the committee will now move to table the amendment.

Mr. JEFFORDS. Mr. President, I move to table the Dorgan amendment No. 2770, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Texas [Mr. GRAMM], and the Senator from Pennsylvania [Mr. SANTORUM] are necessarily absent.

Mr. FORD. I announce that the Senator from Arkansas [Mr. PRYOR] is necessarily absent.

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

The result was announced—yeas 54, nays 43, as follows:

[Rollcall Vote No. 460 Leg.]

YEAS—54

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

NAYS—43

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

NOT VOTING—3

Gramm	Pryor	Santorum
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So the motion to lay on the table the amendment (No. 2770) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 2769

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the yeas and nays be vitiated on amendment No. 2769.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. JEFFORDS. Mr. President, I urge adoption of amendment No. 2769.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 2769) was agreed to.

Mr. JEFFORDS. Mr. President, I ask unanimous consent that, immediately following the vote on the legislative branch appropriations conference report, there be 4 minutes of debate

equally divided in the usual form, to be followed by a vote on the Byrd amendment No. 2768, as amended.

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

LEGISLATIVE BRANCH APPRO-  
PRIATIONS ACT, 1996—CON-  
FERENCE REPORT

The Senate continued with the consideration of the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report. On this question, the yeas and nays have been ordered, and the clerk will call the role.

The bill clerk called the roll.

Mr. LOTT. I announce that the Senator from Texas [Mr. GRAMM] is necessarily absent.

Mr. FORD. I announce that the Senator from Arkansas [Mr. PRYOR] is necessarily absent.

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

The result was announced—yeas 94, nays 4, as follows:

[Rollcall Vote No. 461 Leg.]

YEAS—94

Abraham	Feinstein	McCain
Akaka	Ford	McConnell
Ashcroft	Frist	Mikulski
Bennett	Glenn	Moseley-Braun
Biden	Gorton	Moynihan
Bingaman	Graham	Murkowski
Bond	Grams	Murray
Boxer	Grassley	Nickles
Bradley	Gregg	Nunn
Breaux	Harkin	Packwood
Bryan	Hatch	Pell
Bumpers	Hatfield	Pressler
Burns	Helms	Reid
Byrd	Hutchison	Robb
Campbell	Inhofe	Rockefeller
Chafee	Inouye	Roth
Coats	Jeffords	Santorum
Cochran	Johnston	Sarbanes
Cohen	Kassebaum	Shelby
Conrad	Kempthorne	Simon
Coverdell	Kennedy	Simpson
Craig	Kerrey	Smith
D'Amato	Kerry	Snowe
Daschle	Kohl	Specter
DeWine	Kyl	Stevens
Dodd	Lautenberg	Thomas
Dole	Leahy	Thompson
Domenici	Levin	Thurmond
Dorgan	Lieberman	Warner
Exon	Lott	Wellstone
Faircloth	Lugar	
Feingold	Mack	

NAYS—4

Baucus	Heflin
Brown	Hollings

NOT VOTING—2

Gramm	Pryor
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So, the conference report was agreed to.

Mr. EXON. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

DISTRICT OF COLUMBIA APPRO-  
PRIATIONS FOR FISCAL YEAR  
1996

The Senate continued with the consideration of the bill.

AMENDMENT NO. 2768, AS AMENDED

The PRESIDING OFFICER. The Senator from West Virginia has 2 minutes.

Mr. BYRD. Mr. President, my amendment, as amended, specifies that any student suspended from classes at a DC public school must serve the suspension by performing community service for the period of suspension under regulations promulgated by the mayor.

It would require the Commission on Consensus Reform in the DC Public Schools to develop and implement a uniform dress code for the public schools.

It would become effective at the beginning of the 1996-1997 school year.

It would add the Chief of the National Guard Bureau as an ex officio member to the Commission on Consensus Reform in the DC Public Schools to facilitate the establishment of programs to assist at-risk youth.

It would require a report to Congress within 60 days at the end of the 1997-1998 school year on the improvements and discipline resulting from dress code policy and community service requirements.

It would limit the provisions to a 2-year pilot program which would expire at the end of the 1997-1998 school year.

Mr. President, this might help to point the way to other school districts throughout the country and enable them, on the basis of the results, to initiate such programs within their own districts.

I hope that the Members of the Senate will support the amendment.

Mr. JEFFORDS addressed the Chair. The PRESIDING OFFICER. The Senator from Vermont.

Mr. JEFFORDS. Mr. President, I rise to speak in support of the amendment. It is an effort to try to end some of the problems we have with young people who get in trouble in school and need some guidance and support. It helps, I think, to maintain discipline. I think it is worth a demonstration project, as the amendment provides, to see if in the city we can demonstrate alternatives to kids just being put out of school for disciplinary reasons and then just walking the streets and getting into trouble.

So I think it is a good amendment. Mr. BYRD. Mr. President, I thank the distinguished Senator.

Mr. JEFFORDS. I see no other speakers, so I yield back the remainder of my time.

The PRESIDING OFFICER. The question occurs on agreeing to amendment No. 2678, as amended. The yeas and nays have been ordered. The clerk will call the roll.

Mr. JEFFORDS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

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

ORDER OF PROCEDURE

Mr. DOLE. Mr. President, I know Members are anxious to leave, and I know there will not be a vote on final passage. This will be the last vote of the day. There will be voice votes but no more rollcall votes.

On Monday, there will be no rollcall votes, but we do expect to take up VA-HUD. The managers will be here at 3 p.m. Senator BUMPERS will be here, I think, about 4 o'clock to offer an amendment on the space station, to add money to the space program. But probably not.

[Laughter.]

We will be in space here at 4 o'clock.

What we would like to do is accommodate everybody. We know it is a holiday for some. There will not be any votes until, let us say, after the policy luncheon on Tuesday, but we want to get some work done. Still, we will be down to three appropriations bills. If we can do those next week, we are out of here for 8 days. That ought to be an incentive for less talk, fewer amendments. If we can do it on each side, we can finish by late Thursday or Friday.

So I just hope, in accommodating everybody who wants to be accommodated, that they will accommodate us. So there are no further votes today, no votes on Monday, and any votes that are ordered will occur on Tuesday after the policy luncheons.

VOTE ON AMENDMENT NO. 2768, AS AMENDED

The PRESIDING OFFICER. The question occurs on agreeing to amendment No. 2768, as amended. 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 Texas [Mr. GRAMM] is necessarily absent.

Mr. FORD. I announce that the Senator from Arkansas [Mr. PRYOR] is necessarily absent.

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

The result was announced—yeas 88, nays 10, as follows:

[Rollcall Vote No. 462 Leg.]

YEAS—88

Abraham	Dodd	Kennedy
Akaka	Dole	Kerrey
Ashcroft	Domenici	Kerry
Baucus	Dorgan	Kyl
Bennett	Exon	Lautenberg
Biden	Faircloth	Levin
Bond	Feinstein	Lieberman
Boxer	Ford	Lott
Bradley	Frist	Lugar
Brown	Gorton	Mack
Bryan	Grams	McCain
Bumpers	Grassley	McConnell
Burns	Gregg	Mikulski
Byrd	Harkin	Moseley-Braun
Campbell	Hatch	Moynihan
Chafee	Hatfield	Murkowski
Coats	Helms	Nickles
Cochran	Hollings	Nunn
Cohen	Hutchison	Packwood
Conrad	Inhofe	Pell
Coverdell	Inouye	Pressler
Craig	Jeffords	Reid
D'Amato	Johnston	Rockefeller
Daschle	Kassebaum	Roth
DeWine	Kempthorne	Santorum