

engage in this kind of legislative maneuver, a procedural maneuver, but it has not been a question of days, it has been weeks—weeks have gone by despite the confirmation hearings in the Senate Foreign Relations Committee. Hearings on these treaties, all of these matters are being held up, all of them, just so the chairman of the Foreign Relations Committee can have a bill that he cares about be resolved to his liking.

So, with all due respect, I am going to hold up this bill until those matters are resolved. Now, cloture motions can be filed, and I can be beaten on this. But frankly, my patience has run out on this. The fact of the matter is our country's interests are not being well served by not having a U.S. representative. Vote against these nominees if you want to. Vote against these treaties if you want to. But do not deny these people the opportunity for a hearing. First of all, it is not fair to their families. They have been confirmed by the committee, awaiting action here on the floor of the Senate, and yet weeks go by.

Some of these people are career people who have dedicated their lives to the foreign service of this country. They have been sent out by committee and are waiting in limbo. Weeks have gone by. That is just wrong. Vote against them, if you will, but do not deny them the opportunity of being voted up or down in the U.S. Senate. So I will strenuously object to our naming conferees and moving forward on this bill.

I might also point out, as I mentioned earlier, we have some eight or nine appropriations bills—the Senator from Massachusetts has pointed out a regulatory reform bill—all of these things, welfare reform, Medicare, Medicaid, all of which I would argue have a far greater importance than this bill, the so-called Cuban democracy bill, that frankly is of highly questionable merit, in my view, taking priority over everything else.

So, for those reasons, I partook of the procedural vehicles available to me to slow down the naming of conferees. If there is a lift on the hold on these ambassadors and a lift on the hold on the treaties, I will lift my hold on the conferees going forward on this particular bill that is before us. For those reasons, Mr. President, I have objected.

With that, Mr. President, I yield the floor.

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER. The minority leader.

Mr. DASCHLE. Mr. President, let me commend the distinguished Senator from Connecticut for a statement that I think enjoys broad-based, in fact unanimous, support on this side of the aisle. This has gone on too long. There is absolutely no reason why ambassadors representing the foreign policy of this country ought not be appointed. I think you have to go back decades, if not generations, to find a time when

this many ambassadors were held hostage.

I think it is unfortunate, it is wrong, it is not the way to do business. It sends exactly the wrong message, not to mention what an incredible inconvenience it is to people in the Foreign Service who are depending upon some resolution of these matters. So, whether it is the ambassadors or whether it is a number of other Federal agencies that have to be dealt with in a reasonable way, this has gone on too long. And until we resolve those matters, I think it is fair to say that it will be very difficult to resolve some of the legislation relating to foreign policy pending in the Senate.

I am very hopeful that we can resolve these matters in the not-too-distant future because what is happening today is inexcusable. I think the Senator from Connecticut speaks for all members of the Democratic Caucus in articulating very clearly our strong feelings about this matter.

#### THE CONTINUING RESOLUTION

Mr. DASCHLE. Let me also commend the distinguished Senator from Massachusetts as well as the Senator from Connecticut for their comments on the matter directly pertaining to our schedule tonight and the next couple of days. I think there is some misunderstanding about what is involved with both the continuing resolution and the debt limit. I think it is very important that everybody clearly understand what the circumstances are tonight.

Tonight the continuing resolution, which the President will veto, includes the lowest funding level of either the House or the Senate. No programs were zeroed out, but the floor is now set at 60 percent of the 1995 level. Funding would be approved through December 1. The funding levels are an issue of concern to a number of us. But the most important concern, and the one that I think has drawn the greatest degree of anxiety across this country, and certainly the issue for which the President has said there is no compromise, is the increase in the premium that senior citizens will pay as a result of mistakes that we made in prior years in setting that premium.

I think everybody needs to understand that. We made a mistake several years ago. Instead of setting the premium at 25 percent and locking that percentage in for part B Medicare recipients, stipulated a dollar amount that we believed to represent a 25 percent payment. In doing so, we overestimated the amount it would take to reach 25 percent. As a result, the real calculation was not 25 percent; it was 31.5 percent.

We realized it. We all concluded, I think virtually unanimously, several years ago when this issue came up that it ought not be 31.5 percent; it ought to be 25 percent. We locked it into law. We set a timeframe within which that should happen. And now as a result of

a realization that they need additional revenue for a lot of other reasons, including this tax cut, our Republican colleagues are suggesting that we legalize the glitch indefinitely.

That is the issue. Should we lock in an amount higher than we anticipated or intended, an amount we accidentally locked in several years ago, just to come up with revenue necessary to do what the Republican agenda has dictated? Should we effectively increase that premium to provide the pool of resources that they need for tax breaks for the wealthy?

Mr. President, what the President has said is, that is not negotiable. That Medicare premium increase is not something that belongs in the continuing resolution. That is something that has to be taken out. We can negotiate funding levels, and we can negotiate other matters with regard to how the continuing resolution ought to be drafted, but there ought not be any misunderstanding with regard to the importance of Medicare premiums. That ought to be off the table. That ought not to be in the continuing resolution. And that is where we are.

Mr. DODD. Would my distinguished Democratic leader yield?

Mr. DASCHLE. I would be happy to yield to the distinguished Senator from Connecticut.

Mr. DODD. I have been asking this question for the last couple of hours, Mr. President. Maybe the Democratic leader can enlighten me. I do not understand for the life of me why we are attacking Medicare premiums in a continuing resolution.

Is there some reason why Medicare is being incorporated in a temporary extension of the continuing resolution? Why are we taking something so critically important to millions of Americans, not only to the direct recipients, but their families who depend upon this, to avoid the kind of cataclysmic crisis that can affect them if they are afflicted with some serious illness? Why are we taking that as a subject, which I think requires serious study and analysis before we make changes in that program, why is that being incorporated by the Republicans in a continuing resolution? What is the value and purpose of putting it here?

Mr. DASCHLE. Well, I will respond to the distinguished Senator, I do not know what the answer is. I have to assume that they believe increasing premiums is more important than running the Government, is more important than getting a continuing resolution, is more important than any other priority out there. It is the most important issue for them today. Raising those premiums has the priority that no other issue has as we consider all of the other complexities involved in this debate.

What is even more important to me is what this action says to the American people in general and American seniors in particular. It says that we are going to ask seniors to pay more

before we ask doctors to take less. We are going to ask seniors to pay more before we ask anybody else involved in Medicare, who may be beneficiaries in other ways, to give some, to sacrifice as well. That, to me, is the fundamental inequality here that is the most disheartening thing. We are asking seniors—many of whom can ill-afford it—to sacrifice before we have asked anybody else to contribute, before we have even come to any conclusions about what may be involved in the overall Medicare reform effort that many of us would like to see at some point this year.

We realize we have to change Medicare. We realize that the trust fund has to be made solvent. We also realize this Medicare increase in a short-term, stop-gap funding bill has absolutely nothing to do with the trust fund. Now, not one dollar of this premium increase goes to the trust fund—nothing. It all goes to deficit reduction or to the tax cut, one or the other, most likely to the tax breaks. So that is really the issue here. We are holding hostage senior citizens asking them to do something no one else is required to do. And so it is understandable, it seems to me, that the President is resolute in his determination to veto the continuing resolution as long as that is in the bill.

Mrs. BOXER. Will the Senator yield?

Mr. DASCHLE. I yield to the Senator from Nevada and then to the Senator from California.

Mr. REID. Mr. President, I appreciate the leader yielding. I say through the Chair to my friend from Connecticut, this Senator believes that the reason the premium is being maintained is to fuel money for the tax cut, the tax breaks. What other reason could there be that there is this clamor to raise all this money on a document, a piece of legislation, that it is untoward this would happen at a time when the country is about to shut down that they would hold so tight to this? It is my belief that it is to fuel the tax cuts, the tax breaks.

Mr. DODD. If my colleague—

Mr. DASCHLE. I retain the floor, and I will be happy to yield to the Senator from Connecticut to respond, and then I will yield to the Senator from California.

Mr. DODD. I raised the issue earlier. As I understand it, in this continuing resolution, so we avoid the shutdown that will occur in a few hours, there is a simple one-sentence provision that would strike "November 13" and put in "December 1," which would avoid shutting down the Federal Government tonight, as I understand it.

What we have now sent down to the President is some 15 or 16 pages, all getting involved in Medicare language, all of this language, extraneous language.

What my colleague from Nevada is saying is if they do not include an increased cost in Medicare to the beneficiaries out there, then this tax break that goes to the top income earners in

America would be in trouble; is that the point?

Mr. REID. That was the point I was making to my friend from Connecticut.

Mr. DODD. I find that incredible. I ask the distinguished Democratic leader, with all the other things going on, what is the logic of saying we are going to take care of those in the upper-income levels with tax breaks at the cost of those who, as I understand it and he can correct me if I am wrong, but the median income of a Medicare recipient in America is \$17,000, unless you are a woman on Medicare and then your median income is \$8,500 a year, that the premiums of those people are going to go up if this becomes law in order to provide a tax break for people who have six-figure incomes. What is the logic in all of that, I ask the Democratic leader?

Mr. DASCHLE. I tell the Senator from Connecticut, I do not know what the logic is. The numbers the Senator from Connecticut referred to are accurate. The fact is that a vast majority of senior citizens today make less than \$17,000. In South Dakota, and in many rural States, they make less than \$15,000. This \$11 increase per month is more than many of them today have available for some of the fundamental needs they face each and every year. Their choice, in some cases, is whether they have prescription drugs, whether they pay a heating bill, whether they are able to go into town, or whether they are able to buy groceries. All that is affected by whether or not this goes into law tonight or tomorrow or the next day.

So the Senator from Connecticut is absolutely right. This is not an easy choice for many people out there who may be watching and wondering what is this all about. But that is what this fight is all about, protecting what limited purchasing power they have, recognizing a commitment we made 2 years ago that we would correct the inadvertent mistake we made in the Medicare law in the first place. That is what this is about.

Mr. DODD. I thank the Democratic leader.

Mr. DASCHLE. I yield to the Senator from California.

Mrs. BOXER. Mr. President, I just want to thank the Democratic leader for coming over to the floor, because I believe that the people of America want answers to these questions that he is raising, I say to my friend, and the Senator from Connecticut, the Senator from Nevada and others, the Senator from Massachusetts—both Senators from Massachusetts who were involved in this.

I say to my friend that 83 percent of those on Social Security earn less than \$25,000 a year—83 percent. So we are talking about something being slipped into a continuing resolution which is extraneous to that continuing resolution, has nothing to do with whether this Government can function, and the reason the Republicans are doing it is

they do not have the guts to vote up or down on it.

The fact of the matter is, they want to force the President of the United States into signing this thing, and he will not do it, and God bless him for that, because he is standing up for our grandmothers and our grandfathers.

I have a couple of questions for my leader. The symmetry of these cuts in Medicare and these tax breaks for the wealthiest cannot be overlooked, as brought out by my friend from Nevada, and it can, in fact, be the only answer: \$270 billion in cuts in Medicare and \$245 billion in tax breaks. If you earn over \$350,000, I say to my leader, you get back \$5,600 a year.

But I would like to address my leader's attention to this chart, because I think it is important that the people understand we are really talking about Social Security here, not just Medicare, because what happens is, this is a time for seniors on Social Security to get their cost-of-living adjustment and their Medicare premium comes out of their Social Security cost-of-living adjustment.

If the Republicans have their way, and if they slip this Medicare premium increase through—and I know that the President will not stand for it—but if they do, I ask the leader to explain this chart because what we see here is that the poorest seniors would wind up losing 98 percent of their COLA on Social Security. The seniors who average \$7,000 a year would lose 66 percent of their Social Security COLA, and the wealthiest would lose 52 percent. I say wealthiest, that is over \$10,000 a year.

So you can see here the devastation that is being wrought. In other words, the seniors look forward to their cost-of-living adjustment because their food bills go up, their cleaning bills go up, and now it is being eaten by the Republican increase in the Medicare premium.

So I just ask my leader to comment on this connection because Republicans are always saying, "Well, we don't touch Social Security," but the bottom line is, they would do so.

I also ask my leader to comment on why he believes they would put in extraneous materials into these bills that repeal 25 years of environmental law, why they would do it this way, why they would bring in criminal law reform on this, because I think people are confused. They understand that, as Senator DODD has pointed out, one sentence can take care of the short-term problem, and then we will have the fight.

So I ask my leader to comment on the impact of Social Security recipients of this stealth increase in premium, plus the whole notion of adding these extraneous matters to what should be a very straightforward continuing resolution and debt increase.

Mr. DASCHLE. The Senator from California makes two very good points. Obviously, the increases that we are talking about here would have a devastating impact. I was home in South

Dakota this last weekend. I wish I could tell the Senator from California precisely how many people I had the opportunity to talk to about this very matter. But time and time again, people on the street, in meetings, at dinner, in restaurants would come up to me and say, "It is so important that you win this fight. It is so important that you not let happen what we are told could happen if the President or if the Democrats in Congress lose their resolve."

This has nothing to do with cutting growth. What this is cutting is seniors' wallets, the opportunity for senior citizens to live in some dignity. This is telling senior citizens that the commitment we made to them is over, that somehow they are going to have to give, even though no one else involved in Medicare gives at all.

We have \$17 or \$18 billion in fraud and abuse out there, according to the General Accounting Office. We are not going after \$1 of fraud and abuse, yet we are telling seniors that they have to pay increases in their part B premiums and that they will provide the sole source of revenue increases for whatever reason? It is outrageous to make that kind of a statement.

Never mind the commitment. Never mind the impact that it might have on seniors. The very thought that seniors are the only ones being asked to give tonight, to me, is inexcusable and just flat wrong.

Mrs. BOXER. Will the Senator yield? I remember when the Republicans with great fanfare said, "We are going to save Medicare."

Well, we all knew what it was about. They needed to find the money for the tax cut, so they dreamed up this number of \$270 billion. Even though the Democratic leader and those of us who worked on it knows it takes \$89 billion to save Medicare, they are going to go after it to the tune of \$270 billion.

One of the things they said which I really could not disagree with was, "And this time we will go after the very wealthy seniors who are on Medicare and ask them to pay just a little bit more."

I say to my leader, after we have seen their proposal, is there anything in this continuing resolution where they have laid on this increase in premiums to seniors that differentiates between those who earn under \$5,000 or those who earn over \$100,000? Do they have a sliding scale?

Or are they asking seniors, many of whom, as my friend has pointed out, have to choose, literally, between eating and buying a pharmaceutical product to keep them alive—is there anything in this Republican plan that makes that distinction between the poorest senior and the wealthiest senior?

Mr. DASCHLE. There is no distinction at all, I say to the Senator from California. That, really, is another part of the inequity here.

The Senator asked why would we do this on a continuing resolution? I

think one of the reasons they are proposing we do it on a continuing resolution is that they hope that by holding a gun to the head of the President, the President is going to cave, the President will give up his resolve and say, "If that is what it takes to have a continuing resolution, we will do it."

Mr. President, the President has made it very clear that it does not matter what form a continuing resolution may take. If it comes to him with this extraneous and unfair provision in it, it will be vetoed. There is no question he will veto any version of a continuing resolution that incorporates the Medicare provision in it. It does not matter. This Republican strategy is not working. They can use as many props and news conferences as they want, golf clubs and waffles—which, in my view, are extraordinarily sophomoric and unfortunate. That belittles the congressional process. It demeans this debate. It has nothing to do with the serious, serious, consequences of what it is we are talking about here. And it will not change the outcome.

I hope that our House colleagues and the Republican leadership will understand how unfortunate it is that they would demean this debate in the way that they have over the last weekend. There is no place for that kind of sophomoric and childish behavior on national television.

That happened. It is unfortunate it happened. I hope we can raise the level of debate and take into account the gravity and the seriousness of situations that we are discussing here tonight. That really is something that I think all Americans—Republican and Democrat—can agree to. We should raise the level of debate and not use these silly props, thinking that is somehow making a point. It is not making a point.

The point is we have to get back to the real issue here. The real issue is we can pass a continuing resolution tonight. We have a few hours left. Do it before it is too late. Pass a clean CR. Leave this Medicare debate for another time. Do not ask seniors to do something you are not asking anybody else to.

If we can do that, we can go home tonight. Federal workers can come tomorrow and this issue would be resolved.

Mr. DODD. Will the Senator yield?

Mr. DASCHLE. I am happy to yield to the Senator.

Mr. DODD. There is something I would like to inquire of the Democratic leader because he made a passing reference to it. There may be those saying tonight we have to deal with entitlements. We have to deal with Medicare. We have to deal with Medicaid. I do not think anyone here is suggesting that is not a legitimate point.

The point is this: We are dealing with a 30-year old program that took people in poverty in this country—between 35 percent and 40 percent of people over the age of 65 were living in poverty in

1960 in this country; only 45 percent of them had any health insurance at all. Because of Medicare we have taken people out of poverty and given them, in their retiring years, a sense of dignity, not made them wealthy people, not provided them with great affluence, but merely taken away the legitimate fear that people have that an illness will come along and destroy life savings, make it difficult for their own children to be able to raise their families and educate their kids without having to worry about a catastrophic illness, bankrupting two generations in a family.

That is why we have Medicare. That is why it has been so successful.

As I understand it, what is being proposed here will increase the premiums for these people on Medicare. Obviously, we need to deal with the long-term health care security issues. Medicare is a legitimate subject of debate. I hear the Democratic leader saying so.

The point is you do not try to muscle this through on a continuing resolution. I ask if that is not the point he is making? that, in fact, it ought to be, even if people do not understand all of the nuances of the procedural debates, that the suspicions of average Americans ought to be raised when they see something as critical as Medicare coming along and all of a sudden it is slipped into a provision like this, a major change, a major change in Medicare, slipped into a continuing resolution that would then lock into law a fundamental change in one of the most critical programs affecting millions of Americans.

The issue is not should we debate this issue of how do we provide for long-term health security, but slipping this matter into a continuing resolution that could be adopted with a one-sentence provision, avoiding the shutdown of the Federal Government, literally thousands of people in this Federal Government not knowing whether to show up for work tomorrow, all because there is a fear about debating this issue in the normal course of congressional business.

Is that not what the Democratic leader is suggesting?

Mr. WARNER. Would the Senator consider one comment?

Mr. DASCHLE. Let me respond to the Senator and then I am happy to yield without losing my right to the floor.

The Senator from Connecticut said it as clearly and succinctly as anyone has tonight. The issue is not, should we address real reform in Medicare? The issue is, is this the vehicle on which to do it? Is this the right to do it? And, when we get to the proper vehicle, we must ask ourselves, is this the right way to do it?

Do we hold all Federal employees hostage to a resolution of this fundamental question about whether we ought to change Medicare at all, tonight, under these circumstances?

The Senator would conclude, as I concluded, that this is not the time,

this is not the place, this is not the forum, this is not the right way, this is not sending the right message to seniors. This provision ought to be stricken.

That is what we are suggesting. I think the Senator is absolutely correct in his assumption as he proposes the question tonight. I am happy to yield to the Senator.

Mr. WARNER. Mr. President, I just hope as my two colleagues are discussing an issue of Medicare, particularly the Senator from Connecticut, I find that you omitted any reference to the report of the trustees, trustees appointed by the President of the United States, who came back and clearly provided this body, the Congress, with a report saying that Medicare is going broke and that something has to be done. I hope the Senator, as he addresses this issue, would include reference to that report.

I, myself, am still hopeful. I just had a brief meeting with the majority leader. There are conscientious efforts underway to resolve this impasse. I am privileged to represent a great many Federal employees. I would like to see it resolved.

When I hear debate like this and no reference to that trustees' report, I feel it is selective argument.

Mr. DASCHLE. Let me retain the floor and say the answer to that comment is very simple: The increase in premium that the majority has included in the continuing resolution does not solve the solvency problem by one nickel. It has absolutely nothing to do with solvency. It has nothing to do with the trust fund. It has nothing to do with the long-term projections of the future of the trust fund. It has nothing to do with the trustees' report.

The trustees said we have to resolve the trust fund solvency issue and, toward that end, we have to find ways to save \$89 billion. Nothing in part B changes or premium increases has anything to do with the trust fund, which is in part A.

That is why both of us have expressed our grave concern about what we are doing here. Perhaps if the premium increase had something to do with the trust fund, we could better understand—though I would still argue that this should be decided in the broader context of Medicare reform—the emergency need to include it in a continuing resolution. But it does not. There is absolutely no connection.

That makes it all the more critical, it seems to us, to take some time to consider whether or not it is fair to ask seniors to do something that we are not asking anybody else to do, to determine whether or not even in the overall context of Medicare reform this has a place. Certainly, I hope the Senator from Virginia would agree.

Just to finish, certainly the Senator from Virginia would agree that without hearings, without any full appreciation of what it is we are doing here, to add it to the continuing resolution is not a prudent thing to do.

I yield again to the Senator from Connecticut.

Mr. DODD. I appreciate the Senator's yielding.

My good friend from Virginia has raised the issue of the trustees' report. The trustees' report from last year painted a darker picture than this year, but I did not hear a single voice being raised about the condition of the trust fund a year ago. That is No. 1.

No. 2, we are now cutting \$270 billion in the proposal out of the Medicare trust fund, as the distinguished Democratic leader has pointed out, Mr. President. No one can explain to anyone why that number was chosen, except in the context of the tax breaks of \$245 billion. The only way you can pay for them is that size of a cut in Medicaid. There is no relationship between the size of that cut and what the trustees reported were the proposals with Medicare. That is point No. 2.

Point No. 3 is the one the Democratic leader has made in the discussion here, that matter that is included in this resolution deals with part B, which does not have anything to do with the trust fund whatsoever. So it is totally unrelated.

The last point I would make is this one. Normally, here, when there is a matter of this import involving this many Americans and something as critical as their health care, you would think there might be a set of hearings where we, as Members of this body, would enjoy the benefit of people who spend every day working at these issues as to how we might fix this problem.

There has not been a single day of hearings, not one, on this issue. We have had 27 days of hearings on Whitewater. We had 11 days of hearings on Waco. We had 10 days of hearings on Ruby Ridge. And not 1 day, not a single day, not 1 hour, not 1 hour of hearings on Medicare.

Mr. President, for 37 million Americans, their safety net in health care is being written into this piece of paper, passed without even the considerations of what the implications are for people. That is not the way to legislate. That is not the way to deal with a legitimate issue of how you bring some trust and some faith and some soundness to the Medicare trust funds.

So for those reasons some of us, as I said a moment ago, object to this because, frankly, we are just writing this into this particular proposal. We are not really examining how to fix this issue.

As I said a moment ago, the debate is not whether or not we ought to do something about the trust fund. The Democratic leader has spoken on numerous occasions about the importance of doing that. We all understand that. But that is not what this proposal is. It is written in here primarily, as was pointed out earlier by the Senator from Nevada, to provide the resources for a tax break.

Here we are, going to shut down the Federal Government in 3 or 4 hours,

thousands of people are either going to lose pay or be sitting home wondering what is going to happen tomorrow, and it comes down to this issue: Whether or not you can muscle the President into signing a continuing resolution which goes right at the heart of senior citizens, when a simple resolution extending the continuing resolution for a week or two would avoid the problem altogether.

It is a backhanded way of dealing with a very serious, very legitimate issue that must be dealt with in a more profound way than we are this evening. I thank the Democratic leader.

#### DISCUSSIONS ON THE PRESIDENT'S TRIP TO ISRAEL

Mr. DASCHLE. Mr. President, let me add another point that I think is important. It has been discussed over the weekend again, and for the life of me I cannot understand how this got started, but there has been some discussion, led particularly by the Speaker of the House, that on the trip to Israel last week the President did not come back to discuss any of these matters with leadership.

I must tell you, I was there. The minority leader of the House, DICK GEPHARDT, was there. The majority leader was there, and the Speaker was there. The Israeli Ambassador was there. So there are a number of people who were there who can vouch for what I am about to tell you.

The fact is that, not once, not twice, but on a number of occasions throughout that trip, both going and coming back, the President came back and expressed himself, talked with us, hoped we could work something out. We did not talk specifics, but we talked very specifically about the desire to resolve these differences. Not only did the President come back to talk to us, but on a number of occasions his Chief of Staff, Leon Panetta, came back.

As I say, I do not know how this got started. But there ought to be no question, and we ought to put to rest once and for all this rumor, this innuendo, this statement on the part of Republican leadership, especially the Speaker, that the President did not express any interest in open discussion of this issue.

He was there with some frequency. He came back on a number of occasions. And, of course, it was the Speaker's prerogative to seek the President if he felt so strongly about the need to talk. He could have come up. If he did not think it was enough, as many times as the President came back and as many times as his Chief of Staff came back—if that was not enough—he could have sought out the President. There was no "do not enter" sign in the quarters. There was no statement, "you are not welcome up here." There was every opportunity for people to come, every opportunity to talk with