

where Members want to vote "present."

I want people to know I think it was an absolute outrage that the President did this. He ought to be ashamed of it. The American people ought to hold him accountable. The Congress, in the strongest action we can take in this matter, is deploring the President's action.

I thank our colleague from Georgia for his leadership on this issue.

I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from North Dakota.

Mr. CONRAD. Mr. President, on the subject that has been discussed by the Senator from Texas and the Senator from Georgia, I think the President did make a mistake. I don't think it was appropriate to extend clemency to these people. I hope this is an issue that we can address by resolution and make clear where the Senate stands. We are going to have an opportunity to do that.

#### FISCAL YEAR

Mr. CONRAD. Mr. President, this morning I got up and, as is typically my habit, I opened up the Washington Post to see what was there. I turned first to the sports page to see how my Baltimore Orioles performed. I got good news there. That was a welcome addition to my morning.

On the front page of the Washington Post I was very surprised to see this headline: "GOP Seeks to Ease Crunch with 13-month Fiscal Year."

I have heard of some gimmicks in my time. Now we see our friends on the other side, who are not able to meet the legal requirement that they pass the appropriations bills on time by October 1, have resorted to a new concept. Instead of having a 12-month year, we will have a 13-month year.

I think our friends are going off on a tangent that should not be pursued. I think this would be a profound mistake. The last thing we need to do is solve our fiscal problems by creating a fiction of a 13-month year. That isn't what we need to be doing. We need to address directly and forthrightly the problem we face in trying to avoid raiding the Social Security trust fund. Let's do it honestly. Let's do it directly. Let's not engage in the fiction of creating a 13-month year in order to resolve the fiscal challenges facing this country and this Senate.

That is what the Republicans have come up with. They point out in the story:

By creating this fictitious 13th month, lawmakers would be able to spend \$12 billion to \$16 billion more for labor, health, education and social programs than they otherwise would be permitted under budget rules.

What are we doing? We are going to create a 13th month to deal with the fiscal problems of the country? I don't think so.

Senator SPECTER is apparently one of the backers of this idea.

"We all know we engage in a lot of smoke and mirrors," said Senator ARLEN SPECTER, chairman of the Senate Appropriations subcommittee, "But we have to fund education, NIH, worker safety and other programs. It's a question of how we do it."

I agree with it being a question of how we do it. The last thing we ought to do is create a 13-month year. If we want to cause a lack of respect of people in the country for the Congress, this is the way: Adopt the Republican proposal that the way to solve our fiscal problem is to create a 13th month.

I began looking at the calendar to try to figure out where we would add this 13th month, what we would call it. One thought that we had is that maybe we could have January, February, and then "Fictionary"—kind of a fictional 13th month. Maybe that could be the month: January, February, and Fictionary.

Or maybe we ought to have "Spend-tember," after September, or maybe before September. We could have "Spend-tember" for the 13th month.

There is something wrong with what our colleagues on the Republican side have come up with. Thirteen months? I don't think the American people are going to buy this. Everybody knows there are 24 hours in a day, 7 days a week, and there are just 12 months in a year. Search as we might, here is the calendar; there are only 12 months; there is no 13th month. That is not the solution to our problem.

If we started thinking of where we would add this month, some would advocate two Decembers. That would have a certain attractiveness. We would have two Christmases, all the retail sales twice. That is not a bad idea.

On this idea the Republicans have come up with for 13 months to solve our fiscal problems, my choice is to see 2 Octobers. I am a baseball fan. I could have the World Series twice. Others might have a different idea of where we could add a month.

I must say to our Republican friends, why stop at 13 months? If this is the way we are going to solve the fiscal problems of our country, let's go to 14 months, maybe add 15. Somebody in my office suggested we go to 24 months. That way, we would be able to double everybody's income in a single year. We would be able to have twice as much spending in a single year if we went to 24 months. I think we have real opportunities. If we keep adding enough months, we can completely avoid the Y2K problem altogether. Now this is a real opportunity, and I don't think we want to miss it.

Mr. DURBIN. I say to the Senator, if he yields for a question, if we can extend the year to avoid the tough decisions on the budget and not only avoid Y2K, but we can repeat the month of December and have Christmas sales and inject in the economy a lot more life—and of course kids enjoy Christmas—perhaps the Republican leadership is onto something by extending the year an additional month for budgetary purposes.

Mr. CONRAD. There are lots of good ideas coming out on this idea to extend the concept that our Republican friends have come up with to go to 13 months in a year in order to solve our budget problems. The last time we made a major change in the calendar, it was made by the Pope. I am not sure what that says about those putting forward this proposal, other than I can't wait to see what they come up with next.

I don't think this is the solution to the fiscal problems of America; 13 months is not the answer.

Going back to the headline, it really is kind of stunning: "GOP Seeks to Ease Crunch with 13-month Fiscal Year."

One person who has commented on this in this morning's paper is Robert Bixby, head of the Concord Coalition, a budget watchdog group. He says they are degrading themselves and we degrade the budget process by resorting to these budget gimmicks.

The only disagreement I have with that is, this goes way beyond gimmick when all of a sudden we are going to take a 12-month year and make it 13 months to address the budget problems of the country. I think our Republican friends have gone off in the weeds. I hope they reconsider. This is a mistake.

If we start going in the direction of adding months, where is this going to stop? We have 12 months. Thirteen months? Fourteen months? Are we going to be able to solve all the problems of the country if we start to engage in fiction? That is not the direction we ought to take. Does my colleague from North Dakota agree?

Mr. DORGAN. If my colleague will yield, this is remarkable. I was eating Grape Nuts, actually, when I read that this morning. That is not always a pleasant experience unless you have plenty of sugar. And then you get the newspaper and you read a headline that says, "GOP Seeks to Ease Crunch With 13-Month Fiscal Year."

I am thinking to myself, I have been around this place for some time and have grappled with a lot of fiscal policy problems. If we had thought of this a long while ago, we would not have all of these problems. If you have a problem, just change the calendar.

That would raise of course the question of what to name this new month. I suppose if they were really serious they could do what all the sports stadiums do, and just sell the name. How much money could you raise with a Microsoft month or a US Airways month? I suppose there are all kinds of possibilities along this line. But I think most people would look at this and say that it is not very serious governance—when you have a problem you cannot fix you create another month and then pretend you fixed it.

Some State legislative bodies have a rule that they must adjourn by a particular time. So what they do occasionally, is to take a black cloth and cover

the clock. Now we have budgeteers who think the way to solve a fiscal problem is to add another month to the calendar.

I don't know. We hear a lot of Byzantine and bizarre suggestions in this Chamber from time to time. But this one has to rank right up there. As a young schoolboy in the southwestern ranching country of North Dakota, I learned the days of the months through a little ditty. We all know it. Perhaps now it should be changed:

Thirty days hath September,  
April, June, and November,  
All the rest have 31,  
Except the Republicans,  
They have an extra month.

This is going to be confusing to a whole generation of schoolchildren if the GOP decides they are going to mess with the calendar.

We have had the lunar calendar, the solar calendar, the Gregorian calendar—I assume my colleague explained much of the history of the calendar. Perhaps the creative minds here in the Senate will make history when they try to find their way out of the corner into which they have painted themselves.

Let me yield the floor at this point to my colleague from North Dakota.

Mr. CONRAD. The Wall Street Journal, back in July, had this headline: "The GOP Uses Two Sets Of Books." Now we are going to have a new headline: "The GOP Uses Two Calendars." We have the one with 12 months, which I guess will run all the rest of our lives, but for budget purposes we will have 13 months.

The second part of the story in the Washington Post today said: Senate Republican leaders embrace a longer fiscal year to ease spending woes. They want to spend the money, but they want to make it appear as though there is less spending in this year, so they add a 13th month. I don't think that is going to fool anybody. It certainly should be outside the rules of this body, if we are going to be serious about maintaining the fiscal discipline that has done so much to restore the fiscal integrity of this country.

For the first time in 30 years, we have been able to balance the budget, largely as a result of the 1993 budget plan we passed. We received no help from our friends on the Republican side—not a single Republican vote, not one. That was a plan which put us on a path to reduce the deficit each and every year of the 5 years of that plan. In 1997, we added a little bit. That was done on a bipartisan basis. That was good. We did something together.

But now our Republican friends are retreating to the notion that the way to solve the fiscal problems of the United States is to add a 13th month. That cannot be a serious proposal. I cannot believe our colleagues are going to engage in that kind of charade and that kind of game and that kind of gimmick in order to address the serious fiscal problems facing the country.

After all, this progress has been made—getting our fiscal house in order—having the lowest inflation rate in 30 years, the lowest unemployment rate in 30 years, the longest economic expansion in our history. We are now going to resort to budget gimmickry to address the additional challenges that we face? That is not the way a great country does its work.

Mr. DORGAN. I wonder if the Senator will yield for a question.

Mr. CONRAD. I will be happy to yield.

Mr. DORGAN. Mr. President, we have had an opportunity to discuss this a bit, the gimmickry of doing all of these things. I was talking to my colleague, Senator BYRD, who has spent a great deal of time on the floor telling us about Roman history. We were just discussing the front page of this morning's newspaper with the headline about the easing of the fiscal crunch by creating a 13th month. Senator BYRD indicated that Julius Caesar in trying to reconstruct the calendar, somewhere around 46 B.C., decided he was going to have a 15-month year. Senator BYRD knows about all of these things. He has given wonderful lectures on the floor of the Senate about the rich history of the Roman Empire.

I just now learned this from our distinguished colleague. So apparently, I would say to Senator CONRAD, what we are discussing today has been done before. Julius Caesar did it, and he added 3 months to the calendar, apparently.

Mr. BYRD. Will the Senator yield?

Mr. DORGAN. Certainly.

Mr. BYRD. He was assassinated 2 years later, though.

Mr. DORGAN. If the Senator will yield, it seems to me that lends credibility to the question of whether or not this ought to be done. Those of us who wonder whether this is a good idea might take lessons from the history that is offered by Senator BYRD.

Mr. CONRAD. Can you imagine? I wonder what is going to happen in the schools of America now that the Republicans have said there are 13 months. Can you imagine the confusion of the elementary schools as they are teaching children their months? Where is this month going to fit? What is it going to be called?

I know the Senator from North Dakota has children in school. Have they been advised of this change?

Mr. DORGAN. They have already weighed in. They would prefer it fall in the summer. My children are in seventh and fifth grades, and if there is to be an extra month, they would prefer it fall somewhere in the summer.

Mr. CONRAD. Did they have any idea for a name of the month?

Mr. DORGAN. No. In fact, I was thinking this morning when I read this that we probably should have some kind of a contest, to create a name. Then too, as I indicated earlier, almost everyone today is selling names. If this is institutionalized as a month without a name, clearly one could offer it for sale.

Mr. CONRAD. Something like Federal Express month?

Mr. DORGAN. That's right, or Microsoft month or U.S. Steel—

Mr. CONRAD. Microsoft month. That might be a lucrative thing, to auction this off. That might be a way to solve the budget problem, instead of going to the 13-month plan the Republicans have, is to actually auction off a month. I think kind of the leading alternative, at least in my office, is "Spendtember." That has gone over pretty well.

Mr. DORGAN. If the Senator will yield, there is nothing to stop the Senate at 13 months. This relates to the whole aging process, which I think would be of great interest to a number of Senators. If this Senate enacted a longer year, and perhaps went to 15, 18, or even 19 months, we would have folks running for election who are 75 years old but who could claim they are only 68.

Mrs. MURRAY. Will the Senator yield?

Mr. CONRAD. I will.

Mrs. MURRAY. I thank the Senator for bringing up this headline. I, too, was struck by this new concept of adding a month to our calendar in order to solve the problems of the country. I agree, it has to be humorous; otherwise, we would all be crying. Because, truly, when I go home what my constituents tell me is what I think everyone is hearing: We have priorities in this country, particularly education. They are worried about preschool. They are worried about Head Start. They are worried about whether or not their child is in a class that is small enough that they get the individual attention they need. They are worried about whether or not their teachers have the kind of training they need to teach their children. They certainly are worried about school construction and the ability to send their child to a safe school.

We had a whole hearing this morning about school violence. But teachers have not come to me and said: How do we add this to our curriculum, explaining a whole new month that has been added by the Senate?

I know my colleague has worked with me on the Budget Committee for the last 7 years. We have worked very hard to reduce the deficit. There was a \$300 billion deficit when we arrived here in 1993.

We worked hard to be real. Despite the humor we have in this debate today, we need to get real about the budget; we need to get real about our priorities; we need to recognize we cannot put a priority on education verbally and put it at the end of the pile when it comes to the budget and then come up with gimmicks to pay for it.

I ask the Senator to comment because we worked on this together for many years.

Mr. CONRAD. Mr. President, I thank the Senator from Washington. She is exactly right. We do face a problem

this year, and the problem is we have these budget caps that were agreed to in 1997, and now things have gone better than anybody anticipated. We have been able to get our fiscal house in order. The question is how we maintain that discipline and at the same time fund the urgent priorities of the American people, especially education.

As was said by budget expert, Robert Reischauer, the former Director of the Congressional Budget Office, this notion the Republicans have come up with to just add a 13th month does not solve the problem; it avoids the problem. We will have spending caps in 2001 and 2002 as well, so all we have done is postpone and magnify the problem. We will have actually made the problem worse.

There is humor in this. I think we all see almost a theater of the absurd in the notion that our Republican colleagues have come up with as a way to solve the problem, which is to add a 13th month.

I say on a serious note, let's not do that. We have had success in getting our fiscal house in order by being straight with the American people, by passing legislation that fits our spending to our income. Let's not create a fix such as this in order to support a massive, risky, radical, reckless tax cut scheme which our friends on the other side have come up with that threatens the fiscal discipline that has been put in place, that has put us in such a strong position.

I thank the Chair and yield the floor.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate now stands in recess until the hour of 2:15 p.m.

Thereupon, at 12:31 p.m., the Senate recessed until 2:15 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. INHOFE).

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

#### DEPLORING THE ACTIONS OF PRESIDENT CLINTON REGARDING GRANTING CLEMENCY TO FALN TERRORISTS—Continued

Mr. COVERDELL. Parliamentary inquiry.

Is the matter of business before the Senate S.J. Res. 33?

The PRESIDING OFFICER. The Senator is correct.

Mr. COVERDELL. Could the Chair please advise the Senator from Georgia as to the time remaining on each side?

The PRESIDING OFFICER. The Senator from Georgia controls 26 1/2 minutes; the other side has 39 1/2 minutes.

Mr. COVERDELL. I thank the Chair.

Mr. President, I yield up to 10 minutes of our time to the distinguished chairman of the Judiciary Committee, Senator HATCH.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. I thank the Chair and my colleague from Georgia.

On January 24, 1975, during a busy lunch hour, an explosion ripped through the historic Fraunces Tavern in New York City, killing four people and injuring 55 others. On August 3, 1977, during the morning rush hour, a powerful bomb was detonated in a busy New York office building, killing one man and injuring several others. Credit for both these bombings was proudly taken by a terrorist organization calling themselves the FALN, an acronym from a Spanish title meaning the Armed Forces for Puerto Rican National Liberation.

In March of 1980, armed members of the FALN entered the Carter-Mondale campaign headquarters, bound and gagged women and men inside, and held them at gunpoint as they ransacked the offices. The FALN took credit for bombings and incendiary attacks in New York City, Chicago, and Washington, D.C., attacks which took place in department stores, office buildings, restaurants, even a women's restroom. In all, the FALN has been linked to over 150 bombings, attempted bombings, incendiary attacks, kidnappings, and bomb threats, which have resulted in the death of at least six people and the injury of at least 70 others.

On August 11, 1999, President Clinton, who up to this point had commuted only three sentences since becoming President, offered clemency to 16 members of the FALN. This to me, was shocking. And quite frankly, I think I am joined by a vast majority of Americans in my failure to understand why the President, who has spoke out so boldly in opposition to domestic terrorism in recent years, has taken this action.

In subsequent spinning, the White House has pointed out that the 16 offered clemency were not convicted of the actual attacks that killed or maimed people. But many of these 16 were involved in building bombs, and in storing and transporting explosives, incendiary materials, and weapons. In one raid alone involving the terrorists President Clinton has released, law enforcement recovered 24 pounds of dynamite, 24 blasting caps, weapons, and thousands of rounds of ammunition, as well as disguises and false identifications.

The administration argues that none of these people were "directly" involved with activities that hurt people. But these people, to the contrary, were convicted of conspiring to commit acts of terrorism. According to former Assistant U.S. Attorney Deborah Devaney, several of the FALN terrorists were captured in a van full of weapons and others were videotaped making bombs that they planned to use at military institutions.

It is only because of the good work of law enforcement that these terrorists

were caught and convicted before these deadly devices were used to take additional innocent human lives. Osama bin Laden is on the FBI's Most Wanted List for conspiring to commit acts of terrorism. According to the administration's logic, he too should be let go, if captured, because he was not directly involved in acts of terrorism, although we all know he has been funding the terrorist acts.

The administration also argues that these prisoners received longer sentences than they would have under the sentencing guidelines. Well, there are thousands of people in jail who were sentenced before the guidelines. Does each of them deserve to have their sentences reduced? The President will have to pick up the pace of clemency offers if he is to right all these so-called wrongs in the 15 months left in his term.

This whole episode raises a number of questions about this administration's approach to law enforcement and the rule of law in general. Were the normal procedures followed in the processing of clemency opinions? What set these 16 prisoners apart from the more than 4,000 who have petitioned this President for clemency, or the other tens of thousands serving time across the country? What prompted the President to make this offer of clemency? Who recommended it? On what basis was it granted?

Whatever the administration's arguments, the bottom line is that the President's ill-considered offer of clemency has now been accepted by 12 of the 16 FALN members, many of whom are now back on the streets.

These are people who have been convicted of very serious offenses involving sedition, firearms, explosives, and threats of violence. The FALN has claimed responsibility for past bombings that have killed and maimed American citizens. I personally pray that no one else will get hurt.

This is yet another example of this administration sending the wrong message to criminals, be they foreign spies, gun offenders, or, in this case, terrorists.

In this case, it appears President Clinton put the interests of these convicted criminals ahead of the interests of victims, the law enforcement community, and the public. I think we need to know: Did the Justice Department do its job?

There are substantial questions as to whether the normal process was followed in this case. Reportedly, the President made his clemency offer over the strong objections of prosecutors, the FBI, the Bureau of Prisons, and the victims of crime. In the Wall Street Journal today, Mr. Howard Safir, the New York City police commissioner, asserts that:

In my 26 years as a Justice Department official, I have never heard of a clemency report being delivered to the President over the strenuous objections of these agencies. The Department of Justice and the Attorney