

SENATE—Thursday, February 9, 1995

(Legislative day of Monday, January 30, 1995)

The Senate met at 9:15 a.m., on the expiration of the recess, and was called to order by the President pro tempore [Mr. THURMOND].

The PRESIDENT pro tempore. Today's prayer will be offered by our guest Chaplain, Rabbi Joshua O. Haberman, of the Washington Hebrew Congregation.

PRAYER

The guest Chaplain, Rabbi Joshua O. Haberman, offered the following prayer:

Dear God, we pause in this assembly of lawmakers to acknowledge Thee as the fountainhead of all law. Thine are the laws that govern physical reality; even so, Thou hast ordained the principles by which human beings must interact in order to prosper and live securely with one another.

Enlighten our minds so that our manmade laws conform to the God-given designs for humanity. Give us the sensitivity to detect and remove injustice and the good sense to temper legislative zeal with humility to listen to colleagues of either party, to those who agree as well as those who disagree with us. Let mercy and kindness neither blind us nor altogether forsake us as we counsel and act together for the good of our country. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The acting majority leader is recognized. Mr. LOTT. Thank you, Mr. President.

SCHEDULE

Mr. LOTT. Mr. President, this morning, the time for the two leaders has been reserved and there will now be a period for the transaction of morning business until the hour of 10 a.m., with Senators permitted to speak for up to 5 minutes each, with Senator HATFIELD to speak for up to 10 minutes and Senator BIDEN for up to 30 minutes.

At the hour of 10 a.m., the Senate will resume consideration of House Joint Resolution 1, the constitutional balanced budget amendment.

I yield the floor, Mr. President.

MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business, not to extend beyond the hour of 10 a.m., with Senators permitted to speak therein for not to exceed 5 minutes each.

Mr. HATFIELD addressed the Chair. The PRESIDENT pro tempore. The distinguished senior Senator from Oregon.

Mr. HATFIELD. Mr. President, I thank the Chair. (Mr. ASHCROFT assumed the chair.)

BALANCED BUDGET CONSTITUTIONAL AMENDMENT

Mr. HATFIELD. Mr. President, the American people elected the Republican Congress with the expectation that we show leadership and a willingness to make difficult decisions. In my view, the public shares the point of view that Government has grown too expensive. It has become bloated and ponderous. I believe that the programs of the New Deal and the Great Society put safety nets in place for those who are in greatest need, but those nets now strangle the Federal Government by tying up precious funding in a knot of regulations and poor management.

As I explain my thoughts on the balanced budget amendment, I want to make it very clear that I believe the deficit must be reduced and that a balanced budget is worth achieving. It is possible that I will be the lone Republican to vote against the balanced budget amendment, but I say now to my colleagues that I share my party's goals, but happen to disagree on the means.

The debate on the balanced budget amendment is not about reducing the budget deficit, it is about amending the Constitution of the United States with a procedural gimmick. This amendment that is before Members now puts new Senate and House rules regarding voting procedures into the Constitution. It does not balance the budget and gives no indication of how this might be done. Furthermore, it will not force Congress to budget responsibly. If indeed this is an amendment requiring a balanced budget, then how can we allow Congress to essentially suspend the Constitution with a three-fifths vote? This was a dangerous idea last year, and it is a dangerous idea this year as well. What other constitutional requirements would we like to waive with a three-fifths vote? Freedom of religion? Free speech? What other civil liberties shall we waive? A balanced budget amendment would allow the Congress to ignore the requirement for a balanced budget and to ignore the Constitution. This idea of Congress suspending a constitutional requirement cuts against the separa-

tion of powers principle so crucial to the foundation of the Constitution.

Given the make-up of the 104th Congress, passage of the balanced budget amendment may seem inevitable to some. Many people attribute this increased likelihood to the elections which occurred in November of last year. The election has been interpreted by some as proving that the American people are demanding that Congress balance our Federal budget. Or it may be interpreted by some who say that the Congress now has the political will to make the hard choices to make Federal revenues match Federal outlays. This is an important point, because Congress does not have the political will to tackle the budget deficit, a balanced budget amendment to the Constitution is nothing more than an empty promise.

As optimistic as I am about the opportunities this Republican Congress has before it, I am sobered by a recent event. I want to underscore this because I believe many have lost sight of it; that is, the demise of the Bipartisan Commission on Entitlements and Tax Reform. The Commission set out to tackle an enormous task. That task was to address the Federal Government's long-term spending commitments and to determine what the fiscal impact would be if this spending were left unchecked.

According to the Commission's report, the Commission was created,

*** to frame the long-term issue, educate the American people and policy leaders about the problem and potential choices, and to make specific recommendations on how to bring our future entitlement commitments and revenues into balance.

Now, Mr. President, the Commission, despite the dedication of all of its participants, was unable to agree on a specific set of recommendations on how to address these issues. In explaining the inability of the Commission to come to a consensus on this issue, a letter signed by the chairman, Senator KERREY, and the vice-chairman, Senator DANFORTH, states,

*** this result should not be surprising in an environment where political leaders in both parties are focusing more on short-term initiatives than on long-term, politically sensitive economic and social issues that sit on the horizon.

I submit that the inability of the Commission to reach a consensus on these very important issues is proof that the Congress still does not yet have the political will to tackle the tough issues which it will need to balance the budget.

Mr. President, that statement attributed to the Commission was made after the November elections.

It is also important to note some statistics which are contained in the budget just submitted by the President which relate to the proposal to exempt certain Federal programs from being covered by this amendment. According to the President's budget, interest on the debt, defense, and mandatory spending combined make up 82 percent of the Federal budget in 1995, and this percentage will grow to 85 percent of the budget by the year 2000. Unless reform of all aspects of Federal expenditures occurs, projected outlays for entitlements and interest on the debt will consume all revenues of the Federal Government by the year 2012. That is only 17 years away. With those facts looming before us, how can the Congress decide today what should and should not be taken off the table during the debate on balancing the budget. The Congress must look at every aspect of the budget, politically sensitive items included.

A balanced budget can come only through leadership and compromise. This compromise must come from each one of us. But, more importantly, it must come from those we represent—those who do not want their taxes raised any more than we want to raise them—those who do not want their benefits cut any more than we want to cut them. In the end there is no easy answer, and there never will be. Regardless of the procedural restraint in place, where there is political will to create a balanced budget we will create one, where there is will to avoid one, we will avoid it. The finding of the Bipartisan Commission I mentioned earlier indicates that the Congress still does not have the will to address the tough issues. As I stated during the debate on a balanced budget amendment last year, a vote for this balanced budget constitutional amendment is not a vote for a balanced budget, it is a vote for a fig leaf.

If I am skeptical about the ability of a gimmick to fix our budget, I am not skeptical about the ability of the people to demand and keep demanding that we respond to the budget challenge with real action. Real action is not a vote for an amendment to the Constitution which calls for a balanced budget by the year 2002. Real action is rolling up our sleeves and getting our fiscal house in order. Real action is working together, in a bipartisan fashion, to create a balanced budget, not to simply promise one. Real action means ending some programs—programs with popular appeal and vocal constituencies. Balancing the budget will result in an impact on each and every one of us—do we have the will to do that?

Bipartisan negotiation, leadership, and compromise have been the cornerstones upon which we have built all ef-

fective decisions on tough issues since the formation of our Government. Compromises are difficult to reach, but they are not impossible to reach. We have all just received the President's budget. The ensuing debate on the budget will provide the chance for the Congress to work together to balance the Federal programs of this budget. I hope the Congress does not miss this opportunity to debate the real issue of balancing the budget. Voting for a balanced budget amendment is easy, working to balance the budget will not be.

Although I will not support the legislation put before the Senate promoting a balanced budget amendment, I stand ready to get to the necessary work of crafting a long-term, sound fiscal policy which addresses the need to balance the budget. As chairman of the Senate Appropriations Committee I am committed to a thorough review of Federal programs to determine if they are wisely spending the taxpayers' money and whether or not programs have outlived their usefulness. Some programs are undoubtedly in need of reduction, and a few should be abolished.

But successful, long-term fiscal responsibility will not only depend upon program cuts. It demands a radical transformation in the way we do business as a government. My home State of Oregon has embarked upon a truly exciting effort to end the obsession with program compliance—and all the paperwork and bureaucracy which comes with that obsession—and instead making success government's goal. Success in training workers for new jobs. Success in getting families off public assistance. Success in reducing teen pregnancies. Government can and should do more with less. It is my hope that Congress will lead the way in making this a reality.

The Congress should not promise to the people that it will balance the Federal budget through a procedural gimmick. If the Congress has the political will to balance the budget, it should simply use the power that it already has and do so. There is no substitute for political will and there never will be. I yield the floor.

Mr. PRYOR addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

TRIBUTE TO J. WILLIAM FULBRIGHT

Mr. PRYOR. I thank the Chair for recognizing me this morning.

Mr. President, we, in the U.S. Senate, are often very fortunate to be witnesses to history as it is being made, and we often talk of the need to have a vision for America, for the country, for our Government, for our world and for our people. But very few of us ever, in and among ourselves, make history—very few of us. We often fall short of

articulating a true vision, settling instead to seize upon symbols as a substitute.

With that in mind, Mr. President, this morning I rise to pay tribute today to a former Member of this body who has repeatedly made history in his lifetime and who dare to articulate a vision throughout his lifetime. That man is J. William Fulbright, a native son of Arkansas, who served with the with distinction in the Congress for 32 years, 30 of those years as a Member of this body, the U.S. Senate.

He loved this body. Senator Fulbright died early this morning, and I would like to take a few moments of the Senate's time to remind the people of this body and the people of this Capitol and certainly the people of this land of the significant impact this remarkable human being had on the lives of Americans.

J. William Fulbright was born in the year 1905 to a family that became quite prominent in northwestern Arkansas. His father was a banker, a successful businessman, while his mother ran the Northwest Arkansas Times, the newspaper in Fayetteville. In fact, Mr. President, the public library in Fayetteville, AR, bears the name of Roberta Fulbright Library.

After graduating from the University of Arkansas at Fayetteville, Bill Fulbright attended Oxford University on a Rhodes scholarship, an experience that we will see later having a profound effect upon his life and his philosophy and, yes, upon his vision.

After earning his law degree from George Washington University, he joined the antitrust division in the Justice Department where Senator Fulbright, or Bill Fulbright at that time, helped to prosecute the landmark Schechter case, the "chicken case," as we call it, which helped establish the boundaries of Federal authority to regulate interstate versus intrastate commerce. It was a landmark case.

In 1936, Bill Fulbright returned to his native State of Arkansas to teach law at Fayetteville and there, 3 years later, he was appointed president of the University of Arkansas. At age 34, he was the youngest university president in America, and he gained national attention at that time for his efforts to raise the educational standards of not only the University of Arkansas but all educational institutions in America.

In 1943, Bill Fulbright won a seat in the U.S. House of Representatives, and he was appointed to the House Foreign Affairs Committee. He wasted little time making history.

In the spring of that year, he introduced a resolution that, even by today's standards, was remarkable for its brevity and its directness. Yet, it was powerful as a vision of young Bill Fulbright. The resolution read as follows, and it is one sentence:

Resolved, That the House of Representatives expresses itself as favoring the creation