

tion. But I would just say that there seems to be quite a test of wills. It is not of any interest to this Senator whether Mr. PACKWOOD or Mr. ROSENKOWSKI becomes the next Speaker of the House of Representatives. I do not believe that should be a legitimate part of a discussion, if it is, as to whether or not we continue to pitter and patter, and mumbling and pumbling through here now.

It seems to me, with a questionable lack of a quorum in the U.S. Senate, that we could simply suggest that we could probably dispense of this whole matter in a hurry if someone insisted on seeing whether or not we have a quorum present.

Likewise, such action could be taken in the House of Representatives.

So before someone comes up with that particularly wise move that might be necessary, I would think it would be in the interest of all parties to move as expeditiously as possible on the suggestion made by the majority leader.

The suggestion made by the majority leader would only allow us to pass reconciliation as generally agreed to by both bodies. The only thing it would eliminate would be the value-added tax.

Once again, I think that is a tax that deserves a lot of consideration, a lot of committee action, first in the House of Representatives and then over here in the Senate.

It seems to me that we would best follow the dictates of the procedures and best follow the dictates of wisdom if we would take action quickly on the suggestion made by the majority leader and then move about our business, which is sine die adjournment.

Having said that, like all of my colleagues I would very much like to go home to Nebraska where all of the family will be gathered this evening, except the father and the grandfather. That is important.

But more important, Mr. President, is the obligation that we assumed when we took our oath of office to move ahead with the business of the Senate. It seems to me that until we move on the suggestion made by the minority leader, which is the only way out of the morass that we are presently in as far as is known at this moment, until maybe something else is hatched in the closed-door sessions going on right now, we are going to continue to be looked upon as a body that seems never to know where it is going and when it gets to a place where it thinks it is does not know what to do.

Mr. President, although some of the remarks I have made this morning are in jest, it does seem to me that we ought to try and destroy, if we possibly can, the videotape recordings of the House of Representatives last night. I think we should, as best we can, assure that the people would not see things of that nature. I believe the people of the United States, while in polls they do not seem to hold the

Members of Congress in particularly high esteem, expect us, by and large, in retrospect, to do a more manageable job of passing laws than they saw last night in the House of Representatives and which they will be hearing about through action or no actions today on the floor of the Senate.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. DOLE. Mr. President, I move that the Senate stand in recess subject to the call of the Chair.

The motion was agreed to, and at 12:59 p.m., the Senate took a recess, subject to the call of the Chair.

The Senate reassembled at 3:52 p.m., when called to order by the Presiding Officer (Mr. GORTON).

OMNIBUS BUDGET RECONCILIATION ACT

Mr. DOLE. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on H.R. 3128.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

Resolved, That the House disagree to the amendment of the Senate to the amendment of the House to the amendment of the Senate to the bill (H.R. 3128) entitled "An Act to make changes in spending and revenue provisions for purposes of deficit reduction and program improvement, consistent with the budget process."

Mr. DOLE. Mr. President, first, let me apologize to my colleagues for this Friday afternoon session. I hope we can dispose of the remaining business in a fairly brief time because I know the weather is not good and I know many Members have to change their plans. This is, I think, a most important issue, one that I understand we shall have some debate on. We shall have the experts on both sides who have been the real principals in this effort over the past 11 months speak to some of these specific issues.

We have had a series of meetings today, and a series of conversations with White House officials and OMB officials. I have just spoken with Don Regan, the President's Chief of Staff, in an effort to determine what the President's attitude might be toward this bill in its present form.

The President is presently on his way by car to Camp David because of weather. Shortly before he left the White House, less than 30 or 40 min-

utes ago, there was a staff discussion with the President about the reconciliation conference report. I am at liberty to indicate that the President advised the staff, in particular the Chief of Staff, Don Regan, that before certain objectionable provisions are removed from the conference report, he would accept it, with one caveat. Apparently, there are a number of little new entitlement programs buried in the conference report and they may not have all been discovered—a new vision care program, other Medicaid Programs for unwed parents, and perhaps a number of programs that they are not quite certain of. But basically, these are the same programs that the President has called to our attention a number of times: The trade adjustment tariff, the OCS Lands Act, section 8(g), AFDC, Medicaid and food stamp quality control revisions, elimination of Medicare cost-saving regulations, the value-added tax on Superfund, Medicaid Program expansion which will increase State and Federal costs; and, as I said, the ones that we cannot quite identify completely are the various expansions of Medicare and Medicaid that may have been added by Representative WAXMAN in the conference.

Mr. President, this has been a bipartisan effort and I hope it continues to be a bipartisan effort—most of us in the Senate have struggled with this process all year long. Too long—I think most of us would agree, particularly the distinguished chairman of the Budget Committee and the distinguished Senator from Florida (Mr. CHILES), who is necessarily absent, and also Senator JOHNSTON, who has been substituting for Senator CHILES since his illness.

We have three or four options. Probably none of them are very good. I assume the easiest one, which would get us out of here the quickest, would be simply either to recede to the House or to strike the Senate amendment and send it to the President. But, based on information that I have, that would probably mean a Presidential veto. It would mean that our efforts and the efforts of all the others on the House side, Democrats and Republicans, would have been for naught.

There may be other options. One would be to have unanimous consent, which I shall propose in a few moments, that the Senate recede from its amendments and concur in the House amendment with a further amendment consisting of the conference report on H.R. 3128 with the following sections stricken—then I shall repeat those later.

That would take unanimous consent and I am advised that we not obtain such consent. I believe the option that we should pursue, then, because I still hope we can achieve some savings, the third option. That would be to insist

and its people, is to pass the instant legislation.

Mr. President, I might say that there are a number of motions that can be made at this time, the first of which, of course, would be to move to the conference report, which is highly privileged and nondebatable. There is also a motion that can be made to table the Senate amendment, which also would be nondebatable. And through two quick slices we could be at the question at hand. I would like to say we are not doing that, and we are not doing that because there is a bipartisan effort to try to find a way to pass this bill.

So I want, simply to remark to my colleagues who are listening on the squawk boxes that we are trying every way possible to find a way to pass reconciliation that will be both agreeable to the House, that will preserve the great savings—some \$79 billion altogether, if you take out the value-added tax, or \$83 billion if you leave it in—to keep those savings and to allow us to pass the legislation.

And I simply want to underline the fact that it is bipartisan, that it is an effort where on this side of the aisle we are not trying to use any legislative tricks, and certainly not even the arsenal of weapons that are available, and legitimate. And, indeed, our friends on the other side of the aisle, I think, are totally confident that we will not, which is the reason they have left the floor to go off to negotiate, and leave us to our own devices.

But I simply mention that because we want to find a way to make this bill become law, and to do it I hope before we lose too many more of our colleagues to the holiday travel schedules.

Mr. President, I see the distinguished Senator from Nebraska.

I yield the floor.

Mr. EXON. Mr. President, I think we are all too much short-tempered today, due to the fact that we have been working very long and very hard to come to some kind of an agreement, to still handle a series of measures. This Senator, as the Senate knows very well, was most unhappy, and not pleased with the farm bill that was passed. There was some consideration given at that time whether or not to have extended debate on the farm bill.

It seemed to me while that might have attracted some headlines around the country and it may have been good for publicity back home, it was not the rational, reasonable thing to do because at one time or another after we exhaust all the parliamentary procedures of the U.S. Senate and all of the parliamentary procedures of the House of Representatives in that regard, when the two parliamentary procedures of the two Houses get into the middle of a fray, we have the debacle that we have right now.

I think this whole procedure is very unfair. It is very unfair to the principals. It is very unfair, I think, to those

of use who have stayed here while, according to some of the remarks on the floor this morning, maybe we would have difficulty in even getting a quorum in the U.S. Senate.

Last night the parade of our colleagues in the House of Representatives who were over here tuning in on what we were doing, and justifiably so because they were concerned, told me that after the gavel fell last night, even though the House of Representatives has not adjourned sine die, there is no way that they could get a quorum in that body. It seems to me this is, indeed, a telling lesson in how not to legislate.

It seems to me the suggestion that was made earlier this morning on the floor of the U.S. Senate by the minority leader, the distinguished Senator from West Virginia, is the only way out of the morass that we are in at the present time. I simply do not understand—and I would like to ask the question of the Senate and the Senate leadership. Why are we not taking the reasonable way out of this difficult situation as outlined by the minority leader this morning?

I simply say the same suggestion was made last evening, but we could not do that because of some strongly held views and some strongly held wills relating back, of course, primarily to some disagreement with regard to what the conference committee did or did not do, and who was in good faith and who was in bad faith with regard to agreements that were supposedly tentatively worked out in the conference between the House and the Senate.

There are an awful lot of personalities involved in this, Mr. President, I am not sure that personalities should be that strongly involved when we are taking meaningful legislation of this type.

During the debacle and countering debacles last night, this Senator had the first chance ever to watch the debate in the House of Representatives on television. While this Senator has generally been a supporter of television in the U.S. Senate, after watching the so-called debate in the House of Representatives last night where there were cheers, there were hisses, there were boos, and there was hand-clapping, I do not know about television in the U.S. Senate. If it is as bad as that, then I am very fearful there may be some youngsters around the United States that stayed up late enough last night to see that program. If they did, it probably had more of an ill-effect on them as far as representative government is concerned than if they stayed up late watching x-rated movies. [Laughter.]

Mr. EXON. It just seems to me, Mr. President, very seriously that the system here, checks and balances, if we will, between the House and the Senate have deteriorated primarily as a result of the clash of strong person-

alities, and that we are almost threatening to break down the system.

I wonder what the Founding Fathers would have thought of a system today where we may or may not have a quorum in the United States Senate, and we probably do not have a quorum in the House of Representatives if we were considering passage and how to get around the passage of a fundamental piece of legislation.

This piece of legislation would make, I guess, the largest cuts in Government, and we are all concerned about reducing the deficit and getting on with the business of attacking reduction in the national debt, but it seems to me that the founders would have been shocked. They would have been surprised. They would have been dismayed. They probably would have taken time out even if the Christmas Day was upon them to make corrections to stop the kind of nonsense that seems to be going on here between the supposedly most deliberative body in the world, the United States Senate, and our colleagues across the way.

Another thing strikes my mind in that regard. Basically, it has been my feeling that fundraising measures should basically originate in the House of Representatives. Here we are in the U.S. Senate tied up today on whether or not we are going to have a value-added tax for the first time in our history as a part of our fundraising mechanism.

I have not made any final determination as to whether I am for or against a value-added tax per se. But I remind all that it is a significant step across a significant line that we have never done before. Here we are still moving to see if we cannot by hook or crook or parliamentary procedures, or one chicken being stronger than the other chicken in our game of chicken not before Easter, but before Christmas, try to do things that we should not be doing.

It seems to me whether you are for or against a value-added tax, that pales by comparison with the situation that confronts us. The reconciliation package that has been generally agreed on—and while it is not perfect, I support it, and I think Members in both bodies support reconciliation—has in it other important legislation.

I wonder how it looks to the people of America today when by failure to act by midnight last night we have in effect repealed the 8-cent tax on tobacco products now at a time when we need more revenue in this Government. Are we wise in not acting to preserve at least a tax on tobacco products as a means of legitimate revenue? That is not new revenue. That is revenue that we have had for a long, long time. But by our fumbling, by our bungling, and by our failure to at some time recognize the Congress has to work its will, we fumbled that away.

I do not know what all of the controversies are with regard to this legisla-

on the amendment—and request a conference with the House.

That is not for the purpose of going back and trying to sustain our position or the Senate position on financing the Superfund. As the distinguished Senator from Oregon, the Chairman of the Finance Committee (Mr. PACKWOOD) will explain, that issue has been decided. He is willing to give that up. But it is an effort to go back to conference with Members of the House to try to resolve these five issues—five out of hundreds—that will permit the President to sign this bill and permit us to achieve some savings.

To be very realistic, there is a rather broad difference between OMB figures and our figures on the savings in the reconciliation conference report. We are advised that OMB has advised the President that the total savings over a 3-year period is around \$8 billion, and maybe another \$8 billion in revenues.

Well, we have been advised by the CBO and the Budget Committee that the savings amount to about \$55 billion now based upon the fact that the farm bill is passed and there are \$7 billion savings in the farm bill that can no longer be credited here. There are a couple of other similar instances, as the budget chairman will discuss later. So our range goes from \$55 billion to as high as \$82 billion. But we have to keep in mind that some of those have already been achieved in other legislation, so they have to be subtracted.

We happen to believe that we may be more accurate than OMB, but they are the ones who advise the President. So the President is faced with the decision on whether or not to sign a bill which saves only \$8 billion over 3 years and has about the same amount of increased revenues—whether he should sign that bill if it includes a lot of new programs and goes back and undoes a lot of the reforms we made in 1981.

He does not believe that is very good policy. There has been a black lung provision added that not only raises taxes but provides forgiveness that costs about \$2 billion this was never passed by the Senate. It was part of the agreement the distinguished chairman of the Senate Finance Committee made in the conference, and those who made the agreement in effect undercut the agreement on the House floor last evening. But in an effort to resolve it, that is the process, the procedure that we will attempt to follow.

Now, I know that other things can be done, maybe others have other plans. I know the motion to table the Senate amendment has priority and that may be made.

At the present time, I would ask unanimous consent that the Senate recede from its amendment and concur in the House amendment with a further amendment consisting of the conference report on H.R. 3128, with the following sections stricken: First, section 12301 relating to AFDC and Medicaid quality control studies and

penalty moratorium; second, sections 13001 through 13011 relating to trade adjustment assistance; third, section 13203(b) relating to a 5-year moratorium on interest accruals with respect to the indebtedness of the black lung disability trust fund; fourth, subtitle B of title XIII relating to Superfund and its revenue sources; and fifth, sections 8001 through 8101 relating to Outer Continental Shelf Lands Act.

The PRESIDING OFFICER (Mr. GORTON). Is there objection?

Mr. JOHNSTON. Mr. President, reserving the right to object—

The PRESIDING OFFICER. The Senator from Louisiana reserves the right to object.

Mr. JOHNSTON. For the last almost 24 hours, we have been engaged in this negotiation about how we were going to get this deficit down. On this side of the aisle, I do not think there is anyone who can say we have not been cooperative. We have not been particularly brought into the process, I must say, but to the extent we have, we have offered the hand of cooperation, repeating that over and over again privately, here on the floor, and in the majority leader's office, when permitted to come at our request—at every instance of the time offering the hand of cooperation. It was not Senators on this side of the aisle who made the decision as to the strategy last night in sending back to the house the bill with the same amendment which they had turned down previously. This strategy was available to us last night when we could still amend. Rather than using that strategy of amending and putting these amendments back on the bill and sending it back to the House, we used up on motion of the majority leader and the chairman of the Senate Finance Committee our chance to amend by insisting again upon the same amendment.

Full cooperation, we tried that. It did not work. It lost by an even larger margin.

Now, this morning, we came in again offering full cooperation, saying, "We need a bill; the American people need a bill. We will do what we can to get it."

This strategy was suggested to us earlier. I personally said, "I will do what I can to help get it"—not because I like these amendments. Indeed, it was a different package when previously discussed. This is the first time I have even heard about all the elements of this package.

That is the kind of bipartisanship you get. You get something sprung at you out on the floor of the Senate without even discussing it with you. Nevertheless, as the package last existed, we were asked, "Will you try to sell it?" I said, "I will do the best I can." The leader, BOB BYRD, said he would do the best he could, and indeed we convened a caucus for that purpose. In the meantime, we called the leadership of the House and they say they have lost a quorum, it takes unani-

mous consent, and a number have already announced publicly and others privately. Congressman FARMER has already made a speech saying he would object to any change.

So, Mr. President, make no mistake about it, this strategy, however good it might have been at any one time, is no strategy now. It does not get you a bill. It is some kind of tactic, and I do not know what the tactic is or what its purpose is other than to elicit an objection from us, which will soon be coming because we are not going to be a party to bearing this bill, not after all the time and effort we have put in on this side of the aisle, not to mention the gargantuan efforts that Senator DOMENICI and others have put in in fashioning what is not a perfect bill but it is a good bill.

It is \$79 billion worth of savings without the so-called Superfund tax. And if all it is \$8 billion, I want to tell you we better shut down the CBO, do away with that agency of Government because it is not worth what we are paying them if they are that far off.

In any event, Mr. President, with that reservation and for those reasons, I object.

The PRESIDING OFFICER. Objection is heard. The majority leader.

Mr. DOLE. Mr. President, I regret that there is objection. I must say it was no surprise. We have had some prior discussion of this matter. We met in the minority leader's office, so there has been bipartisan discussion. My own view is that we are going to be gone for 30 days. It is not our problem if the House may not have a quorum. We have a quorum. We have about 40 of our Members here and I think there are 30-some Democrats here, so that is not our problem. We are here prepared to go to conference this afternoon on five very minor issues that can be resolved in 30 minutes. Now, if the House is gone, they say, "Oh, we can't do it, we left town," I do not believe that is our problem. We have enough problems of our own, but that is not one of them.

Do we want a bill? I hope so. I think so, because there has been a strong bipartisan effort following the May 10 vote, which was 50 to 49, with only one member of the other party voting for real deficit reduction. We can argue that at a later time. But it seems to me that now we need to try to complete the process, keep it alive, see if we can salvage something, if not today, when we come back or maybe even prior to that time the conferees could meet and see if they could resolve it.

I assume the conferees could meet informally while the rest of us are working at other places in January.

But in any event, I move that we insist on the Senate amendment.

Mr. JOHNSTON. Mr. President, point of order. Is that a 1-hour time agreement?

The PRESIDING OFFICER. It is a 30-minute motion equally divided.

Mr. JOHNSTON. That is to insist on the Senate amendment and return it to conference?

Mr. DOLE. It is the first part. Then I would request the conference, appointment of conferees following this.

The PRESIDING OFFICER. Who yields time?

Mr. PACKWOOD addressed the Chair.

Mr. DOLE. Mr. President, let me yield such time as he may consume to the Senator.

First, let me designate the distinguished Senator from New Mexico to allocate the time.

Mr. DOMENICI. How much time does the Senator desire? Fifteen minutes?

Mr. PACKWOOD. Five or six minutes.

Mr. DOMENICI. I yield 5 or six minutes.

Mr. PACKWOOD. Mr. President, let me explain partially the situation we find ourselves in today and why we got here and why the Senate feels a bit unfairly treated.

I feel very bad that we are going to give up not only just the Superfund funding, we are giving up on the Superfund Program. It is out, gone. It is going to be funded. It is not going to be funded under the tax that expired for the last 5 years. It is not going to be funded under the taxes for the next 5 years until it is resolved. That the funding of Superfund is now out, the Senate is not going to insist on its position on this issue when we go back to conference.

But as we were bargaining in conference with the House, as in all conferences, there is a give and take.

The House had very close votes in committee and on the floor on its method of funding the Superfund. In committee, the chairman of the Ways and Means Committee lost the vote as to the way he wanted to fund Superfund. On the floor of the House, as I recall, by only a 14 vote margin, he won it.

There was a slight anomaly, I thought, in the entire reconciliation process when there was no Superfund provision at all in the House bill, but under the rules, the Ways and Means Committee was credited with the revenues toward meeting their total. No bill, no revenues, a credit toward meeting their total.

So, if anyone wonders how you can come up from \$3 to \$13 billion, understand how funny money moves very easily in this body.

We went into negotiations and had the Superfund provision in our reconciliation bill.

In what I would imagine to have been a very dicey situation among the House conferees on Superfund, by a 9-to-4 vote, the House conferees offered to the Senate in essence what had been very close to the Ways and Means Committee position, absent only the fact that there was no fund-

ing out of general funds and no waste end tax.

The House said, "We will go along with the Senate," and the Senate really was going along with the House Ways and Means Committee position.

Involved in all these situations were the issues of black lung; Medicaid; AFDC; poor persons in families with unemployed parents and whether they were going to be eligible for welfare; whether or not State and local employees were going to be covered under Medicare; and trade.

There were other issues which the President does not like, such as intercontinental shelf, but I had nothing to do with that.

There was give and take, and the Senate gave on positions it would not otherwise have given on, such as black lung, State and local government coverage under Medicare, in which the Senate position raised \$4.7 billion and the House provision \$500 million. But in the give and take, we gave. We concluded the conference.

As with all conferences, you win some and you lose some. We came back to the Senate and we acted on the conference report, 78 to 1.

The House then went back and, in an irritation and fit of pique because they were mad, having lost their Superfund tax method among their own conferees, the majority asked for a rule in the House to strip out the method of Superfund financing that had been agreed to in the conference—stripping only that out—sending to the Senate a bill that now had things in it that the Senate would not have agreed to had the bargain of the conferees not been broken.

We gave up things to get things; and the House said, "No, we're going to throw out the things we gave up because we didn't like it anyway, and you can take it or leave it, with all the provisions you never would have given."

It is going to make it difficult for the Finance Committee and the Ways and Means Committee and other committees to reach honorable conclusions if, at the end, one can say, "We are not going to honor the contract."

So I am prepared to give up on the Superfund. That is for another day. We will fight that another day. But we need to go back to conference now basically on spending issues that were added in the conference, which would not have been added but for the Superfund financing agreement, and see if we can undo those so that the bill is acceptable to the President. I hope we can. I hope the conference concludes an agreement and that the agreement will be honorably kept by both sides.

The PRESIDING OFFICER. Who yields time?

Mr. JOHNSTON. I yield myself 7 minutes.

Mr. President, in recent days and weeks, we have had a lot of conversation in this body about the quality of life, about the deterioration in the Senate and its customs and its great

traditions. We all feel, in a very real sense, that that which has made this the greatest deliberative body in the world has somehow been lost or degraded or destroyed or that, in the process of modern times somehow we are losing it.

I can tell you that last night, as I watched the House of Representatives, I was not proud of that institution. All the pettiness of politics, it seems to me rose to the surface last night in the House of Representatives—personal interest, deep partisanship, a challenge to the Senate, like the comment over and over again, "We are not going to let them do that to us," and that kind of thing.

The national interest, it seems, got lost last night in the House of Representatives—somehow buried in what seemed to be a political contest or personal contest, will against will, political future against political future. The tiredness of the moment or the emotion of the moment seemed to have gotten lost last night, and we all know what happened in the votes.

It seems, Mr. President, that, in a little more dignified way, we may be ready to do that and again demonstrate that in the U.S. Senate today. I hope not. My words today would go to appeal to the national interest, to appeal to Senators on the basis of not whether it is good for the President or whether it is good for this party or that, but whether it is good for the country.

In my judgment, the motion that the majority leader has made would kill this bill. Make no mistake about it. You can argue that. You might sell it to such part of the American people as reads newspapers. Maybe it would not be interpreted like that. But we know that is so.

Why is that so? Because it comes back in February or late January or early February, and then what happens? February 5, the President's budget comes up. Prior to that time there will be all kinds of leaks about all these programs that will have to be eliminated or decimated because of the requirements of Gramm-Rudman. We all know that. We know the acrimonious atmosphere, the deep ideological differences.

We are going to be at a watershed, a crossroad, when we come back in January or February, and we are going to decide, for the first time, whether all this rhetoric about cutting budgets is real, whether people can really measure up to that. It is not going to be easy.

All these easy things we have done in these past few years, like cutting taxes, raising defense, spreading the goody bag out for everyone and not really cutting anything, all that is in the past. Now it is going to be tough, and it is in that kind of atmosphere that this conference committee would have to deal.

What is the House going to do? The House would be asked in that conference to cut further, to do away with such goodies, if that is the word, that are contained in this bill in order that you can have a lower starting point for Gramm-Rudman. Are they going to want to do that? The House thinks that domestic programs have been cut too much already. And so what happens if they turn this conference down? You move it from about 95 to 1, domestic over defense cuts, to 50-50 domestic-defense so you can move a lot of these uncomfortable cuts over to defense just by defeating this conference report.

In the atmosphere of January and February, do you not think that is going to be done? Do you not think someone along the way is going to figure this out? Of course, they are.

We are going to be well into the budget process by January and February, and it is going to be impossible to cut this thing.

If your real motive is to save the President embarrassment of having to veto, go along with it. It is a nice cute way. I mean, it is a nice neat sort of way. Say let us go back and cut some more and go to conference.

But we know that is not so. We know it is going to kill the bill if we do that.

We are going to have a chance when this debate is over in one fell swoop to send this bill to the President. By moving to table, and we will at the end of this debate, you can, without going to the House; it will go straight to the President. You would pass any other intervening action. And that bill would save \$79.5 billion, according to CBO, and it would not contain the Superfund tax which is the President's No. 1 objection. It may not be his whole objection. But it is his No. 1 objection.

Many of us have talked privately and publicly to the effect that the President would not dare veto this bill, not \$79½ billion right on the eve of the inauguration of Gramm-Rudman. I do not believe he would unless he gets very bad advice.

Mr. President, we are going to have a chance to do that, \$79½ billion. Oh, you can call it \$8 billion. If you call it only \$8 billion, do you realize what that says about the reputation of CBO? Has CBO been denigrated in their reputations around this place?

The PRESIDING OFFICER. The Senator is recognized for 3 additional minutes.

Mr. JOHNSTON. So far we say their \$79 billion in savings are only \$8 billion. I mean, do we really believe that? Of course we do not.

We have been acting on the recommendations of CBO bipartisan and with a solid track record around here the whole while. They say \$79½ billion. It is \$50 million a day savings. For every day we wait, just since last night we lose \$50 million. In another 30 days we will have lost \$1½ billion.

You say that is not much. Well, it is a lot more than we have saved lately.

Mr. President, we have a chance to have some real savings, not phony savings, real savings, savings now, not savings off somewhere in the future. That has been our problem around here. It is always talk savings now but not save now, not cut now. This is a cut now today, December 20. We can cut today. Or at least we can give the President the chance to sign these cuts.

If we miss the opportunity, Mr. President, we have hurt this country, in my judgment.

You may be able to escape the political blame for it by saying "I didn't mean to kill this bill, I only wanted to make a better bill." I wanted to make it a better bill, send it back to conference." Inside the beltway, at least inside this body, we know that means the kill the bill.

Mr. President, I hope we will not do that. It is not a perfect bill. There never was a complicated perfect bill that I know anything about that has passed this body.

If you want to wait for a perfect bill, you will not get it between now and next Christmas. They do not come like that. They are political compromises. But this one meets the targets. It has been a great bipartisan product.

The distinguished Senator from New Mexico has led us well on this matter. I hope we will not let it go down the drain here on the eve of Christmas.

I reserve the remainder of my time.

Mr. DOMENICI. Mr. President, let me make a couple of points. First of all, the distinguished Senator from Louisiana makes one point that I think we ought to all agree on. It is in the national interest that a substantial portion of this bill become law.

I am convinced. I was beginning to wonder about it 10 or 12 days ago, but I am convinced totally today that unless we do what the distinguished majority leader recommends here, the national interest will not be served because I am convinced we will not get a bill. We must send this bill to conference, even if that conference may not begin until late January or early February.

I am now absolutely convinced that regardless of what we say and regardless of what we contend, the President will veto this bill if we adopt the amendment, if we follow the path he suggests, and that is when the motion to table is made, if we vote for it, we are all finished. I am convinced we will may have no bill.

I am not one who shies away from a legitimate confrontation with the President. But I do not think we gain an awful lot by running around for 3 or 4 months and say he should not have vetoed it.

Let me tell you, ladies and gentlemen of the Senate, we are somewhat to blame for the position we are in.

Do you remember late in the debate when the distinguished minority leader raised the concern about extraneous material? He was concerned

that he said we ought to amend the Budget Act because, as a matter of fact, the reconciliation bill has no limits as to what people can do with it in their respective committees so long as they add some and subtract some and perform the accounting and estimating pursuant to the CBO baseline rules.

And we and the House, aside from the problem that the distinguished chairman of the Finance Committee raises that we have \$4 billion in program add-ons as a compromise for the now removed Superfund program, but with the spending increases still in the bill, aside from that, there are literally scores of programs that do not belong in this bill.

As I say, some will say, "Well, where have you been?" Let me tell you the way the rules are there is nothing we could do about it.

The distinguished chairman of the Budget Committee and his entire entourage of Members turned this bill over to the committees and they worked their will. I might say, considering the nature of the problem, there is an awful lot of good reform in this bill that is going to go down the drain if we do not send it back to conference and at least let them try to salvage a substantial portion in January.

There is reform in the veterans' program that is totally acceptable to the House that will never be done in an election year. There is reform that was done by the Government Operation Committee with reference to the Federal employees that will never occur, and I could go through a list of 15 or 20 like that that are gone. As a matter of fact, let me talk a moment about the argument about how much do you save. Frankly, the \$8 billion that the OMB director is talking about in savings and \$8 billion in taxes for a total of \$16 billion in reduction are patently absurd, but they do make a point, that since we have now passed three or four other bills that take credit for portions of these savings and change the law, it is probably somewhere between \$50 billion and \$60 billion, including the taxes, that we will save if we pass this bill.

But I am convinced that when we added scores of new programs, in particular those that the distinguished majority leader suggests we take out of this bill by unanimous consent, which was objected to, we put this in the position where the President not only will veto it but I think he will have at least an equal opportunity and perhaps more convincing the American people that we should not have put all those things in this bill and that to some extent by doing it the way we have, and the House is guilty also—I am not saying just the Senate—that we have made somewhat of a mockery out of a process that is supposed to be saving money and curbing programs of this Government.

If I were not convinced of that, I would be here arguing the other way.

I ask unanimous consent to have printed in the RECORD for anyone who is interested a list of the disputes as to how much we are actually saving and how much they contend in the White House through OMB that we are saving, and I will repeat that I think the savings is about \$50 billion over the next 3 years giving credit to some things that have already passed in appropriations or in the farm bill that should have been in this when we started this process.

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

Possible disputes on scoring resolved

Savings (gross).....	\$83.038
Offsets and minor registration already passed.....	-9.016
Subtotal.....	74.022
Agricultural credit (in farm bill).....	-6.8
Subtotal.....	67.2
OCS (8g): (not a policy change).....	-1.4
Subtotal.....	65.8
Highways (in app. bill).....	-2.5
Subtotal.....	63.3
Medicare hospital reimbursement (can be done by regulation).....	-4.0
Subtotal.....	59.3
IRS and Customs collections (dispute on scoring).....	-3.3
Subtotal.....	56.0
Out-year civilian pay (can be done later, in theory).....	-5.0
Total savings (if all allowances made for score-keeping).....	51.0
Net revenues.....	10.2

Mr. DOMENICI. Having said that, I do not want to mislead anyone. It will be very difficult in January and February to get this job done. We will be engulfed in a new budget. Gramm-Rudman will be staring us in the face in terms of a \$144 billion deficit target for fiscal year 1987. The President will have already sent us a budget, but I am convinced that even if there is a slight chance we should do it, we should. Because I do not think there is any chance that we will get it by passing this bill as it now stands.

So I believe that, while there are many good reforms in it, we clearly should not have passed trade adjustment in confrontation with a 6-week-old letter of the President saying, "Do not put it in." I do not think we should have passed the 5-year moratorium on interest and accruals on the black lung indebtedness that will cost \$2 billion. I do not think we should have changed the quality control under Medicaid and AFDC. Those were savings. We changed them.

I do not think we should have put the Superfund, as we planned to do it in this bill, in the manner that it originally came to us. But we did not take the President very seriously until

about now. I think that is kind of too bad. I think we have to do what the majority leader suggested and give it at least a chance to survive.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 1 minute remaining.

Mr. DOMENICI. I reserve the remainder of my time.

Mr. JOHNSTON. Mr. President, I yield 1 minute to the distinguished Senator from Colorado.

Mr. ARMSTRONG. Mr. President, I think the chairman of the Finance Committee got a raw deal, but that is not the issue. I think there is a lot of junk in this bill and I pointed that out last night just before we all voted on it, and that is not the issue, because we knew there were a lot of things in there that were not so good.

There are two issues. One is that by sending this back to a conference committee, do we avoid a Presidential veto? And the answer to that is, no. If we send it to the conference, the bill is going to be dead. It is a new form of Presidential veto. It is a veto without sending a bill to the White House. Some of the President's people come up and say, "Look, we are going to veto this," so we shunt it off to conference.

The real issue, as far as I am concerned, and the reason I am going to vote for the motion to be propounded by the Senator from Louisiana, is very simple. This is the same bill we voted for last night 78 to 1, except for one thing. We are taking out a tax provision. It is, in every other respect, the same bill we voted for last night.

So the only reason to vote against it is that we are that much in love with the tax provision, and I am not. So I am going to support the Senator from Louisiana.

Mr. JOHNSTON. Mr. President, I yield 1 minute to the distinguished Senator from Nebraska.

Mr. EXON. Mr. President, obviously we are so restricted on time that we cannot debate this. I cannot begin to say what I wanted to say in 1 minute, but then that will make everyone happy.

I associate myself with the remarks of my distinguished colleague and member of the Budget Committee, the Senator from Colorado. If you vote the way the leadership has asked you to vote, you kill the bill. I cannot understand how the same people that recommended that we vote for this 78 to 1, the same people who asked us to send this back over there twice—and I was here both times and agreed to send it back by voice vote, although I had some serious concerns about the value-added tax—the same people now are telling us this would be a disaster unless we make three or four changes that the President of the United States has to have before he signs the bill. It is all nonsense. Let us not go along with the majority leader.

The PRESIDING OFFICER. The Senator's time has expired.

Who yields time?

Mr. STEVENS. Will the Senator from Louisiana yield to me for a question to him?

Mr. JOHNSTON. Yes, I yield.

Mr. STEVENS. Mr. President, the Senator from Louisiana has worked long and hard to solve some of the problems for the States that have substantial oil and gas production. But I would ask him this question: If we do not find a way to get this bill down to the President, it is my understanding that, when he submits his budget in January, all of the savings that would come by virtue of the entitlement changes that are in this bill must go into his budget, because he is compelled to spend that money. When he does that, he has to make corresponding changes to the budget in order to comply with the target of Gramm-Rudman-Hollings, as I understand it. That means that the Coast Guard is going to lose money, all of the parks in the Bureau of Land Management, all of the civilian agencies that the Senator from Louisiana and I have worked very hard on, and the Department of Defense, also, that he and I worked very hard on, are going to be cut, cut down because of the real savings in this bill.

Now, is there not some way that we can find a way to get together here before we vote on the majority leader's motion and find some way to see if we can get this bill in a fashion that we can agree on in a bipartisan way to accomplish the objective the minority leader wanted to accomplish weeks ago and take advantage of the reduction in that budget that is going to come in January? Has the Senator really thought about the impact on the programs we have worked so hard on if this bill is not signed?

The President says he is not going to sign it. The Senator from Louisiana says, "Send it down to him so he will veto it." I happen to believe that man at 1600 Pennsylvania Avenue. He never told me he was going to do something and then did not do it. I tell you, I think he will veto it. I think the Senator from Louisiana would like to see a solution and I would like to see a solution. Is there not some way we can work out that solution tonight?

Mr. JOHNSTON. Mr. President, I believe the answer to that question is by voting for the motion to table the Senate amendment and sending this bill down to the President, I believe that cooler heads and he will sign the bill.

Mr. President, I yield the remainder of my time to the distinguished Senator from West Virginia.

The PRESIDING OFFICER. The Democratic leader is recognized.

Mr. BYRD. Mr. President, how much time do I have?

The PRESIDING OFFICER. The Senator has 2 minutes.

Mr. BYRD. Mr. President, in 2 minutes, let me just say that twice we on

this side have supported the effort to send the Senate amendment to the House of Representatives for conference action. Twice the House has rejected the Senate amendment, and the House is going to reject it if we send it back again. It is a way to kill this bill. It is a way to let Mr. Reagan avoid having to face up to the question as to whether he will sign a bill making budget deficit reduction now.

A motion now to table the Senate amendment will send this measure to the White House immediately. We are fast losing a quorum. We may still have a quorum here now. But this is the 20th day of December. Does anyone around here really believe that there will be more Senators here tomorrow; that there will be more Senators here on Monday; that there will be more Senators on Tuesday? Does anyone here really believe the House of Representatives will take this up again? They have twice spoken. They have twice rejected this amendment. Does anyone really believe the House will establish a quorum and take this amendment up again? No.

If we send this back to conference, that is the end of this measure, because the House is not going to accept this Senate amendment. In the meantime, we will have lost a quorum.

I say, let the President veto this measure if he wishes to do so. He has that power under the Constitution. But we have a responsibility, too. This is our chance to pass a budget deficit reduction that will amount to \$79 billion, according to the CBO; there is some question, but what baselines are the OMB using? That is what I would like to know. They can come up with different positions and different figures anytime it suits their convenience.

But I say the responsibility is on this Senate now to act and to act decisively. I hope the distinguished Senator from Louisiana will move, when the time has expired on both sides, to table the Senate amendment. We have tried it. We have stood by it. We do not want to see this bill killed.

The question is: Do we want deficit reduction, and do we want it now? This is our chance.

The PRESIDING OFFICER. The time of the Senator from Louisiana has expired. The Senator from New Mexico has 1 minute remaining.

Mr. DOMENICI. Mr. President, I am going to use my 1 minute and tell the Senate I do not think anybody around here has worked harder to make this process work than the Senator from New Mexico. I did not put all these provisions in this bill, and everybody knows that. Our procedure is that the committees do their work. If there is any blame, it is that we, 3 or 4 weeks ago, on this side and on that side, decided we could use this reconciliation to do anything we wanted. We decided we would add new programs so long as the addition of programs did not eat up the savings that we found some-

where. Maybe we have learned a lesson; maybe we have not.

Frankly, the issue is no longer the Superfund tax. It is the five or six or seven programs that we probably either should not have put in or went a little bit overboard on. But, at least, I believe the President will veto it and we will not get a chance to realize any of those.

I want to say to the Senator from Louisiana that I appreciate his work. He did a masterful job all the way through. I wish we could be here today getting it finished. I think we might in January and February.

So I hope the Senator's motion does not prevail.

The PRESIDING OFFICER. All time on the motion has expired.

Mr. JOHNSTON. Mr. President, I move to table the Senate amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

Mr. DOLE. 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. 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.

Mr. JOHNSTON. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. BYRD. Mr. President, I ask unanimous consent that the Chair secure order, maintain order, and that the clerk announce the vote of each Senator as it is called.

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

The question is on agreeing to the motion of the Senator from Louisiana to lay on the table the amendment of the Senate to the reconciliation bill. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. SIMPSON. I announce that the Senator from Maine [Mr. COHEN], the Senator from Alabama [Mr. DENTON], the Senator from Minnesota [Mr. DURENBERGER], the Senator from North Carolina [Mr. EAST], the Senator from Washington [Mr. EVANS], the Senator from Utah [Mr. GARN], the Senator from Iowa [Mr. GRASSLEY], the Senator from Oregon [Mr. HATFIELD], the Senator from Florida [Mrs. HAWKINS], the Senator from New Hampshire [Mr. HUMPHREY], the Senator from Idaho [Mr. McCLURE], the Senator from Alaska [Mr. MURKOWSKI], the Senator from Virginia [Mr. TRIBLE], and the Senator from Connecticut [Mr. NICKLES] are necessarily absent.

I also announce that the Senator from Maryland [Mr. MATHIAS] is absent on official business.

I further announce that, if present and voting, the Senator from Florida [Mrs. HAWKINS] would vote "nay."

Mr. BYRD. I announce that the Senator from Delaware [Mr. BIDEN], the Senator from Oklahoma [Mr. BOREN], the Senator from North Dakota [Mr. BURDICK], the Senator from California [Mr. CRANSTON], the Senator from Illinois [Mr. DIXON], the Senator from Connecticut [Mr. DODD], the Senator from Missouri [Mr. EAGLETON], the Senator from Colorado [Mr. HART], the Senator from Massachusetts [Mr. KENNEDY], the Senator from New Jersey [Mr. LAUTENBERG], the Senator from Montana [Mr. MELCHER], the Senator from Ohio [Mr. METZENBAUM], the Senator from New York [Mr. MOYNIHAN], the Senator from Georgia [Mr. NUNN], the Senator from Rhode Island [Mr. PELL], the Senator from Arkansas [Mr. PRYOR], the Senator from Michigan [Mr. RIEGLE], the Senator from Maryland [Mr. SARBANES], the Senator from Illinois [Mr. SIMON], and the Senator from Nebraska [Mr. ZORINSKY] are necessarily absent.

I also announce that the Senator from Florida [Mr. CHILES] is absent because of illness.

I further announce that, if present and voting, the Senator from Rhode Island [Mr. PELL] and the Senator from North Dakota [Mr. BURDICK] would vote "yea."

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

The result was announced—yeas 29, nays 35, as follows:

[Rollcall Vote No. 380 Leg.]

YEAS—29

Armstrong	Glenn	Long
Baucus	Gore	Matsunaga
Bentsen	Harkin	McConnell
Bingaman	Heflin	Mitchell
Bradley	Hollings	Nickles
Bumpers	Inouye	Proxmire
Byrd	Johnston	Rockefeller
DeConcini	Kerry	Sasser
Exon	Leahy	Stennis
Ford	Levin	

NAYS—35

Abdnor	Hatch	Roth
Andrews	Hecht	Rudman
Boschwitz	Helms	Simpson
Chafee	Helms	Specter
Cochran	Kassebaum	Stafford
D'Amato	Kasten	Stevens
Danforth	Laxalt	Symms
Dole	Lugar	Thurmond
Domenici	Mattingly	Wallop
Goldwater	Packwood	Warner
Gorton	Pressler	Wilson
Gramm	Quayle	

NOT VOTING—36

Biden	Evans	Metzenbaum
Boren	Garn	Moynihan
Burdick	Grassley	Murkowski
Chiles	Hart	Nunn
Cohen	Hatfield	Pell
Cranston	Hawkins	Pryor
Denton	Humphrey	Riegle
Dixon	Kennedy	Sarbanes
Dodd	Lautenberg	Simon
Durenberger	Mathias	Trible
Eagleton	McClure	Weicker
East	Melcher	Zorinsky

So the motion to lay on the table was rejected.

Mr. DOLE. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question recurs on the motion to insist.

Mr. BYRD. Mr. President, how much time remains on the vote?

The PRESIDING OFFICER. All time has expired on the vote.

The question is on agreeing to the motion.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask that further proceedings under the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senate will be in order.

The question is on agreeing to the motion to insist.

Mr. JOHNSTON. Mr. President, I move to recede from the Senate amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. DOLE. Mr. President, I ask that there be a time agreement of 10 minutes, 5 minutes on a side.

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

The Senator from Louisiana.

Mr. JOHNSTON. Mr. President, what this motion would do would be to have the Senate concur in the action of the House of Representatives, which is to say we would adopt the action the Senate approved here by 79 to 1, with one exception, and that is to excise or take from our bill the so-called Superfund tax, the excise tax that was objectionable in the House of Representatives. That is all this motion would do. If passed, this motion would send to the President a bill directly so that he by his signature could save \$79½ billion. Every day delayed is \$50 million in the meantime.

I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, we are going to check to see if the distinguished chairman of the Finance Committee desires some time but let me just say to the Senate, if I understand this correctly, this is just another way of voting on the same issue we disposed of on the motion to table. If the motion of the distinguished Senator from Louisiana prevails, and if the

House approves it, this bill goes to the President just as it would have gone to the President had the motion to table prevailed. I think we made the arguments that that would be an act of futility and in the national interest we ought to salvage whatever opportunity we have to get a major reconciliation bill and that it is far better served if we send this bill back to conference.

They will have time in January and February to decide whether we can get a conference report that would salvage substantial portions of the amount of money saved and taxes imposed in this measure.

I reserve the remainder of my time.

Mr. JOHNSTON. Mr. President, I yield 1 minute to the distinguished Senator from Texas.

Mr. BENTSEN. Mr. President, what we are talking about is that if we do not do it this way and we come back and try to change this reconciliation measure in any way, we are told that there is no quorum in the House of Representatives. They are operating under unanimous consent. So what we have done in this situation, I think, is a rather cynical move to get it over there and let it die. When you do that, you give up 74 billion dollars' worth of savings. It is the same vote we had the other day by 78-to-1, and we are sending it there to die, supposedly, to put the responsibility on the House of Representatives.

Frankly, that is what brought about Gramm-Rudman. I saw a lot of people who voted for it and said they were against it but had to vote for it to exercise discipline. This shows that we are not exercising our responsibility in the U.S. Senate, and it brings discredit to this institution.

I can tell you what the press is going to write: "Once again, the Congress of the United States ended up quarreling with itself and would not face up to making the cuts that have to be made in a responsible way to save money for the taxpayers of this country."

Mr. LONG. Mr. President, will the Senator yield?

Mr. BENTSEN. I yield.

Mr. LONG. If this motion carries, we will be receding on the amendment of the Senate. That is the Superfund tax.

Mr. BENTSEN. That is right. I say to my friend that I do not think anyone worked harder than I did on the Superfund. I feel very strongly about it. But I feel that we will fight that one another day. I think that with all the work we have done in the subcommittees, and arriving finally at a compromise and an agreement, we should carry it out.

Mr. LONG. I supported the Senator in that matter every step of the way, as did most of us on this side of the aisle, but it is obvious to me that we cannot prevail on that. There is no way on Earth we can prevail on that matter. The House voted on it twice and defeated it by a larger vote the second time. Apparently, the House is not going to have a quorum, anyway. That means it is the end of it.

Mr. BENTSEN. We should understand that, as we cast this vote, we are sending it over there to die, because they do not have a quorum.

Mr. EXON. Mr. President, the inconsistency of the Senate Republican leadership on this issue is amazing.

Last night, the Republican leadership in the House successfully led the effort to knock out the VAT, thus making it possible for the President to consider signing the bill to cut up to \$80 billion.

Now, today, the confused Republican Senate leadership lead the Senate fight to scuttle the Republican leadership in the House. These are the same people who claim they want budget reductions and balanced budgets. They invented and gave birth to the Gramm-Rudman fraud.

The Republican Senate leadership, when it came to put their votes where their rhetoric was, ignored these budget cuts and put it all off again.

Budget reduction leadership is not talk and posturing. It can only be accomplished by the courage to do and not delay.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. I yield to the Senator from Oregon.

Mr. PACKWOOD. Mr. President, let us not be mistaken about this being sent to die. It is being sent to conference, and there are four or five issues. This is not something that is going to take weeks and weeks, and it is not going to take the legion-sized number of conferees we had to do it. Will the House recede on AFDC, quality control? Will they recede on unemployed parents? Will they recede on some of the new spending programs that were added? I do not know. But this is not being sent back to die, so far as this conferee is concerned. I hope it is going back to strike an honest bargain.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. I yield the remainder of our time to the majority leader.

Mr. DOLE. Mr. President, I want to indicate that I hope we will all vote "no" on this and see what we can salvage in another conference.

I think the President made it rather clear that he would like to accommodate us if we would knock out some of these spending programs.

I think that those talking about Gramm-Rudman should be looking at spending programs, the additional money for black lung. It was a House provision. A lot of new programs were added on the House side in reconciliation.

So I hope the motion will not prevail.

I want to determine whether or not we can assume that this will be the last rollcall vote. Members on both sides have been asking me, and I do not know. We are prepared to suggest that we can do all the rest by voice vote. I am not certain.

Mr. JOHNSTON. Mr. President, we are prepared to state that on this side.

Mr. DOLE. If we prevail on this vote, I will request a conference and the appointment of conferees, and I do not think we need rollcall votes on that. I do not want anybody to leave and wonder why they were not properly advised.

Mr. FORD. Does this mean we will voice vote the black lung provision that you want to take out of the House bill?

Mr. DOLE. No, we are going to conference.

Mr. FORD. We are going to conference on that. We do not vote on black lung.

Mr. DOLE. We are not going to vote on the cigarette tax extension, either.

Mr. FORD. I understand that, but it comes next, I hope.

Mr. DOLE. Maybe.

The PRESIDING OFFICER. Who yields time?

Mr. JOHNSTON. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. One minute.

Mr. JOHNSTON. Mr. President, I yield to the distinguished minority leader.

Mr. BYRD. Mr. President, let there be no doubt about it: If this loses, we will go to the motion to insist, and that will send the reconciliation package back over there, and that will be the cemetery. That is where reconciliation will die.

The distinguished majority leader said it is "not our problem" as to whether the House has a quorum. It is a problem for those of us who want to see budget deficit reduction now.

Some Senators say the President will veto this bill if it goes to him. We can say that is "not our problem"; let the President make the decision. Is that what we are trying to avoid?

If we want budget reduction now, this is the easiest and quickest way of getting it. If we vote it down, remember, Gramm-Rudman will be here, and it will be all the tougher because we did not take the right action to send this bill immediately to the President of the United States.

I will not press for rollcall vote, but I will have the record show that I voted against the motion to insist.

Mr. DOLE. That would be true on the request for a conference and the appointment of conferees.

Mr. BYRD. On the motion to insist. I will vote "no" on the motion to insist.

Mr. DOLE. I assure my colleagues that following that, I will request a conference.

Mr. BYRD. I will support the motion to name conferees. The die will have been cast. The Senate will have to reappoint them.

Mr. DOLE. After this vote, there will be a voice vote on a motion to insist, and a voice on requesting a conference, and a voice vote on appointing conferees.

Mr. BUMPERS. Mr. President, I do not presume to take over the job of the majority leader, but would he entertain the suggestion to have unanimous consent, so that some of us can leave, so that we will know that this is the last rollcall vote?

Mr. DOLE. Yes. I make that unanimous consent request, that following the disposition of—well, I do not know whether we can do that. I do not know who is going to prevail.

Mr. BYRD. That is a constitutional matter. I do not think we can enter into any consent agreement that the vote must be by voice. I will not insist on rollcall votes. I want the record to show that I will vote against the motion to insist on the Senate amendment and go back to conference.

Mr. DOLE. Let us all keep our hands down, and nobody will get the yeas and nays.

Mr. LONG. Mr. President, will the Senator yield?

Mr. DOLE. I yield.

Mr. LONG. I will support the idea of a voice vote, but can we have it understood that we will simply have the same conferees we had before? That way, there will be no need for a vote.

Mr. DOLE. There is a slight difference, because I think Senator CHILES, at the request of that side, has been substituted. He will be here in January. That is the only change.

Mr. LONG. That is fine.

The PRESIDING OFFICER. All time having expired, the question is on agreeing to the motion of the Senator from Louisiana.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. SIMPSON. I announce that the Senator from Maine [Mr. COHEN], the Senator from Alabama [Mr. DENTON], the Senator from Minnesota [Mr. DURENBERGER], the Senator from North Carolina [Mr. EAST], the Senator from Washington [Mr. EVANS], the Senator from Utah [Mr. GARN], the Senator from Iowa [Mr. GRASSLEY], the Senator from Oregon [Mr. HATFIELD], the Senator from Florida [Mrs. HAWKINS], the Senator from New Hampshire [Mr. HUMPHREY], the Senator from Idaho [Mr. McCLURE], the Senator from Alaska [Mr. MURKOWSKI], the Senator from Virginia [Mr. TRIBLE], and the Senator from Connecticut [Mr. WEICKER] are necessarily absent.

I also announce that the Senator from Maryland [Mr. MATHIAS] is absent on official business.

Mr. BYRD. I announce that the Senator from Delaware [Mr. BIDEN], the Senator from Oklahoma [Mr. BOREN], the Senator from North Dakota [Mr. BURDICK], the Senator from California [Mr. CRANSTON], the Senator from Illinois [Mr. DIXON], the Senator from Connecticut [Mr. DODD], the Senator from Missouri [Mr. EAGLETON], the Senator from Colorado [Mr. HART], the Senator from Massachu-

setts [Mr. KENNEDY], the Senator from New Jersey [Mr. LAUTENBERG], the Senator from Montana [Mr. MELCHER], the Senator from Ohio [Mr. METZENBAUM], the Senator from New York [Mr. MOYNIHAN], the Senator from Georgia [Mr. NUNN], the Senator from Rhode Island [Mr. PELL], the Senator from Arkansas [Mr. PRYOR], the Senator from Michigan [Mr. RIEGLE], the Senator from Illinois [Mr. SIMON], and the Senator from Nebraska [Mr. ZORINSKY] are necessarily absent.

I also announce that the Senator from Florida [Mr. CHILES] is absent because of illness.

I further announce that, if present and voting, the Senator from North Dakota [Mr. BURDICK] and the Senator from Rhode Island [Mr. PELL] would each vote "yea."

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

The result was announced—yeas 30, nays 35, as follows:

[Rollcall Vote No. 381 Leg.]

YEAS—30

Armstrong	Glenn	Long
Baucus	Gore	Matsunaga
Bentsen	Harkin	McConnell
Bingaman	Heflin	Mitchell
Bradley	Hollings	Nickles
Bumpers	Inouye	Proxmire
Byrd	Johnston	Rockefeller
DeConcini	Kerry	Sarbanes
Exon	Leahy	Sasser
Ford	Levin	Stennis

NAYS—35

Abdnor	Hatch	Roth
Andrews	Hecht	Rudman
Boschwitz	Helms	Simpson
Chafee	Helms	Specter
Cochran	Kassebaum	Stafford
D'Amato	Kasten	Stevens
Danforth	Laxalt	Symms
Dole	Lugar	Thurmond
Domenici	Mattingsly	Wallop
Goldwater	Packwood	Warner
Gorton	Pressler	Wilson
Gramm	Quayle	

NOT VOTING—35

Biden	Evans	Metsenbaum
Boren	Garn	Moynihan
Burdick	Grassley	Murkowski
Chiles	Hart	Nunn
Cohen	Hatfield	Pell
Cranston	Hawkins	Pryor
Denton	Humphrey	Riegle
Dixon	Kennedy	Simon
Dodd	Lautenberg	Trible
Durenberger	Mathias	Weicker
Eagleton	McClure	Zorinsky
East	Melcher	

So the motion was rejected.

Mr. DOLE. Mr. President, I move to reconsider the vote by which the motion was rejected.

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question now is on the motion to insist.

Mr. BYRD. Mr. President, we have a general understanding that no one who was present at the time will make a request for the yeas and nays.

I ask that the RECORD show that I will vote no on the motion to insist and there are other Senators who

want that same privilege. I ask unanimous consent that they may show that in the Record.

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

The following Senators asked that they be recorded as voting "No" on the motion to insist: Senators ROCKEFELLER, EXON, JOHNSTON, and DeCONCINI.

The PRESIDING OFFICER. The question is on agreeing to the motion to insist.

The motion was agreed to.

Mr. DOLE. Mr. President, I request a conference with the House and that the Chair be instructed to appoint conferees.

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

The Clerk will state the names of the conferees.

Mr. DOLE. Mr. President, are the conferees the same as has previously been appointed, with one exception?

The PRESIDING OFFICER. With one exception, they are—

Mr. DOLE. I ask that they be approved without further reading.

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

The PRESIDING OFFICER (Mr. WALLOP) appointed:

From the Committee on the Budget—General conferees: Messrs. Domenici, Armstrong, Mrs. Kassebaum, Messrs. Boschwitz, Symms, Chiles, Hollings, Johnston, and Sasser.

From the Committee on Agriculture, Nutrition and Forestry: Messrs. Helms, Dole, Lugar, Cochran, Zorinsky, Leahy, and Melcher.

From the Committee on Armed Services: Messrs. Goldwater and Nunn.

From the Committee on Banking, Housing and Urban Affairs: Messrs. Garn, Heinz, Proxmire, and Riegle.

From the Committee on Commerce, Science and Transportation: Messrs. Danforth, Packwood, Goldwater, Pressler, Gorton, Stevens, Hollings, Long, Inouye, Ford, and Riegle.

From the Committee on Commerce, Science, and Transportation for the consideration of sec. 6701 of title VI only: Messrs. Danforth, Packwood, Goldwater, Hollings, and Long.

From the Committee on Energy and Natural Resources: Messrs. McClure, Domenici, Wallop, Johnston, and Ford.

From the Committee on Energy and Natural Resources for the consideration of sec. 6701 of title VI only: Messrs. McClure, Hatfield, Domenici, Johnston, and Ford.

From the Committee on Environment and Public Works: Messrs. Stafford, Chafee, Simpson, Symms, Bentsen, Burdick, and Lautenberg.

From the Committee on Finance—General conferees: Messrs. Packwood, Roth, Danforth, Chafee, Long, Bentsen, and Matsunaga.

From the Committee on Finance—For PBGC and ERISA Subcommittee only: Messrs. Packwood, Chafee, Heinz, Mitchell, and Moynihan.

From the Committee on Finance—For CHAMPU's Medical Subcommittee only: Messrs. Durenberger and Baucus.

From the Committee on Finance—For private health insurance coverage subcommittee only: Messrs. Heinz, Wallop, Durenberger, Baucus, and Pryor.

From the Committee on Governmental Affairs: Messrs. Roth, Stevens, Mathias, Cohen, Eagleton, Levin, and Gore.

From the Committee on Labor and Human Resources—General conferees: Messrs. Hatch, Stafford, Quayle, Kennedy, and Pell.

From the Committee on Labor and Human Resources—For PBGC and ERISA subcommittee only: Messrs. Hatch, Nickles, Thurmond, Kennedy, and Metzbaum.

From the Committee on Small Business: Messrs. Weicker, Gorton, and Bumpers.

From the Committee on Veterans' Affairs: Messrs. Murkowski, Simpson, and Cranston. Conferees on the Part of the Senate.

Mr. DOLE. Mr. President, I want to thank again my colleagues for their patience and understanding. I really believe that we have reached the right result. I know it is difficult for those who have been conferees to look forward to going back to conference. But I am advised by the distinguished chairman of the Finance Committee, and the chairman of the Budget Committee that they believe there may be some opportunity to still achieve some savings.

The President is on record now of indicating that he will sign the measure if we take care of these six programs, with one caveat. There may be some more entitlement programs which are added that have not yet been discovered by the President's advisers.

So it seems to me that we have an opportunity, and I hope we can reach a quick agreement when we come back. Or, if the House is prepared to go to conference now, I assume we can round up a few people that might even do that. But that would be highly unlikely.

In praise of Senators ROCKEFELLER and BYRD for their efforts to achieve compromise on financing of Black Lung Trust Fund.

Mr. MATSUNAGA. Mr. President, as a member of the Senate Finance Committee, I have worked long and hard with my colleagues on the reconciliation legislation that we are attempting to pass in final form today. One issue that has been especially difficult is the large deficit of the Black Lung Disability Trust Fund. For many months, Senate and House members have disagreed over what approach should be taken to solve this problem.

My distinguished colleague, the junior Senator from West Virginia, Mr. ROCKEFELLER, entered into the deliberations as soon as the problem was identified. For many months, he has played a pivotal role in bringing concerned Members of Congress, coal industry officials, and the United Mine Workers of America together to form a consensus on an equitable and responsible solution to the Black Lung Trust Fund deficit.

As a conferee on reconciliation legislation, I was constantly briefed by Senator ROCKEFELLER in the recent months on this important matter. Although the coal industry and coal miners are not part of my fine State of Hawaii, I have sympathized with my colleagues who represent States whose

economies are directly linked to the coal industry. In particular, I felt that our Nation should not retreat from its obligation to provide relief to the victims of the crippling disease of black lung.

With Senator ROCKEFELLER's advice and assistance, I decided to back a compromise that is now in the final reconciliation bill. It was nuclear whether the Senate and House leadership would agree to the compromise until the final hours of our deliberations. But fortunately, the arguments on behalf of the compromise plan convinced the conferees to adopt it.

I supported this compromise because I was convinced it will restore the solvency of the Black Lung Trust Fund. Thanks to the leadership of concerned Senators including Senator ROCKEFELLER, we have taken responsible action in time to avoid significant harm to the Black Lung Program.

There are others to congratulate for the efforts that were made on behalf of this provision of the reconciliation legislation. In particular, our distinguished minority leader, the senior Senator from West Virginia, Mr. BYRD, who helped a great deal to reach this positive outcome.

The people of West Virginia are indeed well represented in the U.S. Senate.

Mr. SASSER. Mr. President, as we now await final resolution of the conference report on the budget reconciliation bill, I would like to take just a few minutes to talk about one provision in the bill that I feel is both a major disappointment and ill-advised; namely, the banking provisions dealing with the Urban Development Action Grant Program.

I support the reconciliation bill. Overall, it represents much needed deficit reduction to the tune of some \$83 billion over the next 3 years; \$20 billion this year alone.

Differences between the House and Senate banking conferees regarding major housing authorization provisions has led to a situation where UDAG formula changes, which have tediously been negotiated over an extended period of time, are basically being held hostage. This is most unfortunate to the many communities around this Nation which have been bypassed over the past several years by a formula which unduly works to the advantage of cities in certain regions of the country to the detriment of other regions such as cities in the sunbelt, including my State of Tennessee.

A tremendous amount of time and effort has gone into assuring formula changes which will guarantee both the continuation and effectiveness of this important public/private partnership initiative. Those of us who wanted to restore UDAG's original mission, to restore its definition as a truly action-oriented program, undertook these negotiations some 2 years ago. We have

finally produced a compromise which is a compromise in the truest sense of the word, it is bipartisan, spans all regions of the country, and crosses philosophical and ideological lines.

UDAG's original mission has not changed. It is to provide a chance for distressed urban communities to stem the tide of decay, and to do it with a unique public-private partnership approach. It is "to assist cities and counties which are experiencing severe economic distress to help stimulate economic development activity needed to aid in economic recovery." This commitment would come from a community's own citizens, its own businesses, its own State and local governments.

In times of fiscal and budgetary austerity, this is exactly the kind of initiative that we should be striving for. I regret that the changes that I and others including Senators RIEGLE, HEINZ, GRASSLEY, and D'AMATO have worked so hard to achieve are not included in this bill.

I do not know whether this reconciliation bill will be passed before we adjourn sine die today. But I would just like to state for the record that whatever happens here today, I will be back on this floor at the earliest possible time next year pressing for changes which will preserve the essential mission of the UDAG Program while at the same time trying to make changes in the distribution formula which are fairer and more equitable.

Mr. GORTON. Mr. President, one of the provisions of the reconciliation bill is intended to control Federal motor vehicle costs, so as to produce budget savings. I am concerned about the impact of this proposal on the Bonneville Power Administration (BPA). The BPA is principally financed by electric rate charges, and so reductions in its costs would be passed on through lower rates, rather than showing up as Federal budget savings. Given the exemption of the Tennessee Valley Authority and the Postal Service from this provision, as well as report language indicating that the purpose of the provision is to produce budget savings, I would anticipate that the Administrator of General Services would apply the act's requirements to vehicles the elimination of which would produce budget savings.

In addition, many of the vehicles of the BPA are special purpose vehicles used for electric system operation and maintenance, and are not supplied by GSA nor readily available for lease in the private sector. Such vehicles are clearly intended to be exempt from the act.

I ask unanimous consent that a letter from myself to Senator ROTH, the chairman of the Government Affairs Committee, and his reply to me, agreeing with this point, appear at this point in the Record.

There being no objection, the letters were ordered to be printed in the Record, as follows:

U.S. SENATE,

Washington, DC, December 6, 1985.

Hon. WILLIAM V. ROTH, Jr.,
U.S. Senator, Washington, DC.

DEAR BILL: I'm writing to let you know my concern that Amendment 857 to the Senate budget reconciliation bill—dealing with federal motor vehicle expenditure control—would have a substantial adverse effect on the Bonneville Power Administration (BPA), an effect that I don't believe the sponsor of the amendment intended. For these reasons I'm asking your support for a clarification of the definition of "motor vehicles" contained in the amendment.

As you know, the BPA is one of six federal power marketing agencies. It constructs, operates and maintains the electrical transmission system in the Pacific Northwest. Approximately 90% of its fleet is off-road and special purpose vehicles, used in the field. These vehicles are required by the BPA in order to provide a reliable regional transmission network.

It is BPA policy to turn first to the General Services Administration (GSA) for their vehicle needs, and to purchase only those vehicles which GSA does not have available. There is no private sector alternative source for such specialized equipment. In addition, BPA is already in the process of conducting an A-76 study of its motor vehicle maintenance activities, to analyze whether these could be contracted to the private sector.

Given the unique characteristics of the BPA fleet, applying the requirements of Amendment 857 would result in a substantial paperwork burden to the agency with no real benefits through lower vehicle costs. I therefore ask your help in modifying the language to exclude such specialized field vehicles required by the six federal power marketing agencies from this amendment.

Attached is proposed bill and report which would seem to solve the problem.

Thank you for your attention.

Sincerely,

SLADE GORTON.

U.S. SENATE,

Washington, DC, December 17, 1985.

Hon. SLADE GORTON,
U.S. Senate, Washington, DC.

DEAR SLADE: I am responding to your December 6, 1985 letter regarding the Federal motor vehicle expenditure control provision included in the Senate budget reconciliation bill. You said this provision could have a substantial adverse impact on the paperwork burden to the agency with no real benefits through lower vehicle costs. We have reached agreement with the House, and I wanted to let you know the result now because of the uncertainty about when the conference report will be approved by the Congress.

The motor vehicle expenditure control provision in the final bill contains modifications that should allay your concerns. First, we simplified the data collection, study and reporting requirements which should reduce the paperwork burden, not only on BPA but also all Federal agencies subject to the provision. Second, we provided in the definition of "motor vehicle" that the Administrator of General Services could exempt from the provision's requirements "any other special purpose vehicle." This language was included to permit exclusion of field vehicles such as those required by Bonneville Power and the other five power marketing agencies. Therefore, I would expect the Administrator to act favorably on any request from these agencies for an exemption of their special purpose vehicles.

Sincerely,

WILLIAM ROTH, JR.

Chairman.

Mr. BENTSEN. Mr. President, there is no one in this Chamber more disturbed than I am by the failure of the other body to abide by the conference agreement, which was negotiated in good faith over many weeks.

But we must be realistic and deal with the options that confront us, and from what I can see those options are very limited. To be more precise, I believe they have been narrowed down to two.

We can either send a budget reconciliation bill to the White House or not.

Let me tell you what it means if the U.S. Senate fails to send a bill to the White House.

It means that the U.S. Senate will be responsible for adding \$52 million to the Federal deficit every day that legislation is not signed into law.

We're talking here, after all, about legislation that will reduce the Federal deficit by more than \$18 billion during the current fiscal year and by \$74 billion over the next 3 years.

(So far as my own State of Texas is concerned, the budget reconciliation bill also ends a long controversy over revenues from offshore oil and gas. My State's economy is struggling and our State finances are strained. This legislation would provide \$456 million to our State treasury immediately—money we need immediately—and a total of \$772.4 million over the next 10 years. I fought hard in the Senate to insure Texas a fair share of these funds. We won that debate and we should carry out that decision.)

It was only 1 week ago that the Senate approved legislation intended to eliminate the Federal deficit by 1991. Yesterday we voted for this legislation by a vote of 78 to 1. We are today facing our first hard choices on budget reduction since Gramm-Rudman was signed into law and a failure to act now—however persuasive the arguments might seem—would get this effort off on the wrong foot.

Mr. President, in my view we have no choice but to bring about this saving to the taxpayers and approve the budget reconciliation legislation sent to the Senate by the House of Representatives.

Thank you.

ROUTINE MORNING BUSINESS

Mr. DOLE. Mr. President, I ask unanimous consent that there be a period for the transaction of routine morning business for not to extend beyond the hour of 6:30 p.m. this evening.

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

CONRAIL

Mr. DOLE. Mr. President, when we return in January, unless there is something unforeseen which happens, and I do not anticipate anything, it

will be the intention of the majority leader to turn to Conrail as the first order of legislative business.

That is a matter of extreme interest to many of my colleagues, and to the Secretary of Transportation.

I think the distinguished chairman of the Commerce Committee wanted to make some comments.

Mr. DANFORTH. Mr. President, let me express my appreciation to the majority leader for that announcement.

The offer of Norfolk Southern Corp. to buy Conrail expires at the end of the year. I met recently with the CEO of Norfolk Southern, Robert B. Claytor, to discuss the status of the sale of Conrail legislation (S. 638). I told Mr. Claytor that while the Senate will not have time to consider the matter fully this session, it is my intention to bring S. 638 to the floor as the pending business when we reconvene in January. On the basis of this assurance, Mr. Claytor has indicated that he considers this to be substantial progress and has committed that Norfolk Southern is willing to extend its agreement with the Department of Transportation long enough to allow the necessary consideration and a vote on S. 638.

SINE DIE ADJOURNMENT

Mr. DOLE. Mr. President, I ask unanimous consent that the Senate turn to the consideration of House Concurrent Resolution 267, the adjournment resolution.

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

The clerk will report.

The bill clerk read as follows:

A concurrent resolution (H. Con. Res. 267), providing for a sine die adjournment of the first session of the 99th Congress.

There being no objection, the Senate proceeded to the immediate consideration of the concurrent resolution.

Mr. BYRD. Mr. President, may I ask the distinguished majority leader a question?

Does this resolution have in it the common provisions that have been put into such adjournment resolutions recently allowing the House and Senate to call themselves back?

Mr. DOLE. It does contain that language.

Mr. BYRD. I thank the distinguished majority leader.

Mr. DOLE. Mr. President, can we have that portion of it read? I think it is important.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

Sec. 2. The Speaker of the House, after consultation with the Minority Leader of the House, and the Majority Leader of the Senate, after consultation with the Minority Leader of the Senate, acting jointly, shall notify the Members of the House and Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

The PRESIDING OFFICER. The question is on agreeing to the concurrent resolution.

The concurrent resolution (H. Con. Res. 267) was agreed to.

Mr. DOLE. Mr. President, I move to reconsider the vote by which the concurrent resolution was agreed to.

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

The motion to lay on the table was agreed to.

ORDERS FOR TUESDAY, JANUARY 21, 1986

Mr. DOLE. Mr. President, I ask unanimous consent that when the Senate convenes the 99th Congress, the 2d session, on Tuesday, January 21, 1986, that the reading of the Journal be dispensed with, that no resolution come over under the rule, and that the call of the calendar be dispensed with.

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

RECOGNITION OF SENATOR PROXMIRE

Mr. DOLE. Mr. President, I ask unanimous consent that after the recognition of the two leaders under the standing order, the Senator from Wisconsin, Mr. PROXMIRE, be recognized for not to exceed 15 minutes.

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

ROUTINE MORNING BUSINESS

Mr. DOLE. Mr. President, I ask unanimous consent that following the special order, there be a period for the transaction of routine morning business not to extend beyond the hour of 1 p.m., with Senators permitted to speak therein for not more than 5 minutes each, and, provided further, that the morning hour be deemed to have expired.

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

FILING OF COMMITTEE REPORTS

Mr. DOLE. Mr. President, I ask unanimous consent that during the adjournment of the Senate over until January 21, 1986, that committees be authorized to file reports between the hours of 10 a.m. and 3 p.m. on Wednesday, January 8, 1986.

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

TEMPORARY EXTENSION OF CERTAIN PROGRAMS RELAT- ING TO HOUSING

Mr. DOLE. Mr. President, I ask unanimous consent that the Senate turn to the consideration of House Joint Resolution 495, relating to housing programs.

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

The clerk will report.

The assistant legislative clerk read as follows:

A joint resolution (H.J. Res. 495), to provide for the temporary extension of certain programs relating to housing and community development, and for other purposes.

There being no objection, the Senate proceeded to the immediate consideration of the joint resolution.

The PRESIDING OFFICER. The question is on the joint resolution.

The joint resolution was agreed to.

Mr. DOLE. Mr. President, I move to reconsider the vote by which the joint resolution was agreed to.

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

The motion to lay on the table was agreed to.

TEMPORARY EXTENSION OF CERTAIN TAX PROVISION

Mr. DOLE. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on H.R. 4006.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

Resolved, That the House agree to the amendment of the Senate to the bill (H.R. 4006) entitled "An Act to extend until March 15, 1986, the application of certain tobacco excise taxes, trade adjustment assistance, certain medicare reimbursement provisions, and borrowing authority under the railroad unemployment insurance program, and to amend the Internal Revenue Code of 1954 to extend for a temporary period certain tax provisions of current law which would otherwise expire at the end of 1985", with the following amendments:

In lieu of the matter inserted by the amendment of the Senate to the text of said bill, insert:

SECTION 1. EXTENSION OF INCREASE IN TAX ON CIGARETTES.

Subsection (c) of section 283 of the Tax Equity and Fiscal Responsibility Act of 1982 (relating to increase in tax on cigarettes) is amended by striking out "December 20, 1985" and inserting in lieu thereof "March 15, 1986".

SEC. 2. EXTENSION OF MEDICARE HOSPITAL AND PHYSICIAN PAYMENT PROVISIONS.

Section 5(c) of the Emergency Extension Act of 1985 (Public Law 99-107) is amended by striking out "December 19, 1985" and inserting in lieu thereof "March 14, 1986".

SEC. 3. EFFECTIVE DATE.

The amendments made by this Act shall take effect on December 19, 1985. As an exercise of authority under the commerce, taxation, and other powers under the Constitution, the amendment made by section 1 shall be treated for purposes of all Federal and State laws as enacted on December 19, 1985.

In lieu of the matter inserted by the amendment of the Senate to the title of the aforesaid bill, insert: "An Act to extend until March 15, 1986, the application of certain tobacco excise taxes and certain medicare reimbursement provisions."

Mr. DOLE. Mr. President, I move that the Senate concur in the House amendments.

The motion was agreed to.

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

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

The motion to lay on the table was agreed to.