

The administration supports the enactment of civil penalties as the best means of enforcing existing restrictions, and that is exactly what we do in the Libertad bill. So there goes that wide wingspread again from left to right.

Mr. President, I am going to reserve the remainder of my time because I have one or two other points that I may want to make, but I want there to be enough time for Senator SIMON to make whatever rebuttal he wishes to make.

Mr. SIMON. Mr. President, I think if we can, before we vote—I understand we are going to vote at 4 o'clock.

Mr. HELMS. Yes.

Mr. SIMON. If each of us can have 2 minutes, if that is satisfactory to the Senator from North Carolina, that is satisfactory to me.

Mr. HELMS. Mr. President, that is certainly a fair and reasonable request. I ask unanimous consent that 4 minutes equally divided be provided at 4 o'clock on the Simon amendment.

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

Mr. SIMON. I would yield back the remainder of my time.

Mr. HELMS. And I yield back the remainder of my time. I see the distinguished majority leader. I am glad to yield to the majority leader.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. DOLE. I understand the chairman has gotten the consent that we stand in recess at noon until 4 p.m.

I might explain to my colleagues, the purpose of this is so that the Finance Committee can complete action on the tax cut package. They agreed yesterday to have 7 hours and then they would vote. They started at 9 o'clock this morning. We cannot get consent for the Finance Committee to meet while the Senate is in session, so we have no recourse but to let the Finance Committee meet all afternoon. But right now they are moving along at a pretty rapid pace, and they would like to complete action. Hopefully, at 4 o'clock, they could finish and the Senate could come in and, as I understand, there will be three votes and then final passage.

Then after that we will hopefully take up the Labor, HHS appropriations bill or, if there has been any progress, State Department reorganization. I understand there is another meeting, the chairman has another meeting this afternoon at 2 o'clock. So hopefully we can finish action this afternoon on the tax cut package. Chairman ROTH and the ranking member, Senator MOYNIHAN, are trying to get that done by 4 o'clock. That would go to the Budget Committee. It is our hope that next Wednesday we will take up the reconciliation package on the Senate floor, Wednesday and Thursday. In the meantime, we have a number of items on which we hope to complete action.

I would also indicate that we will have, hopefully, next week a Transpor-

tation conference report; legislative branch appropriations, a new bill, but it is identical to the one vetoed by the President. That will be available early to midweek; energy and water conference report. That conference is going to convene next Tuesday at 9 o'clock. We hope to finish that day and then take that up. We are trying to get more and more of the appropriations bills to the President. We hope that he would indicate he will sign the bills.

BALANCING THE BUDGET

Mr. DOLE. Mr. President, before we recess, I would like to take a moment to discuss President Clinton's appearance before reporters at the White House this morning.

Republicans have been willing to work with the President in our efforts to finally balance the budget. Regrettably, the President's veto threat today makes us wonder whether he is serious about working with the congressional majority to fulfill the mandate the American people gave us. If anyone needs to think again, in my view it is President Clinton. Rather than continuing his cynical reelection campaign designed to scare the American people, particularly senior citizens, he should show some leadership and work with us to balance the budget, cut taxes for American families, protect Medicare from bankruptcy, and overhaul welfare.

If any plan puts America's elderly at risk, it is the President's plan, which fails to offer any long-term reforms, any choices for seniors, and any real solutions, just sort of a Band-Aid to get us beyond the next election in 1996.

I think it is interesting that the President confessed this week he raised taxes too much in 1993. I think a \$265 billion tax increase is a bit too much. It affected senior citizens, people who drive automobiles, subchapter S corporations, a lot of Americans who did not consider themselves rich until the President announced that only the rich pay taxes. But he has learned since 1993 that other people pay these increased taxes, too, who are not rich, when he increased taxes on Social Security, when he increased taxes on gasoline, when he increased taxes on subchapter S corporations, and a number of other people who were not rich.

So I think now that he has confessed he made a mistake on raising taxes, he ought to confess he has made a mistake on not wanting to adopt a balanced budget. He fought us in an effort to pass a constitutional amendment to balance the budget. He convinced six Democrats who voted for a balanced budget last year to vote no this year. We lost by one vote. We had 66. We needed 67.

So it seems to me the President is now saying, well, I raised taxes too much but it was not my fault; Republicans are responsible. Not a single Republican in the House or the Senate voted for the tax increase. I do not un-

derstand how he can blame us for that. It was the biggest tax increase in American history. In fact, I think the Senator from New York [Mr. MOYNIHAN] said, no, it was the biggest tax increase in world history, and it probably was.

So I would ask the President today, now that he is feeling in a mood to say he has made mistakes—and we all make mistakes from time to time—we would be happy to have him join us in this budget debate in balancing the budget by the year 2002 and protecting, preserving, strengthening Medicare and overhauling welfare and providing tax cuts for families with children, the very thing that the President proposed, I might add.

About 70 percent of our total tax credit goes to families. They are not rich. On the Senate side we have capped what your total income could be if you are going to be eligible for the tax credit for your children.

So, Mr. President, we agree you raised taxes too much. We agree it hurt the economy. We agree it probably cost a lot of jobs in America. We agree it cost a lot of dislocation, a lot of pain, a lot of suffering. But now that you have confessed to making that mistake, let us not make another mistake. Let us work together. Let us try to balance the budget, Mr. President. Let us try to save Medicare, Mr. President, and try to have a good tax cut for families with children and stimulate the economy with the capital gains rate reduction, and then reform welfare, which the President indicates he supports.

We are prepared. I know the Speaker is prepared. I hope that we might have some cooperation.

I yield the floor. And I think it is 12 o'clock.

RECESS UNTIL 4 P.M.

The PRESIDING OFFICER. The hour of 12 o'clock having arrived, the Senate stands in recess until 4 p.m.

Thereupon, at 12 noon, the Senate recessed until 4 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. THOMPSON).

CUBAN LIBERTY AND DEMOCRATIC SOLIDARITY [LIBERTAD] ACT OF 1995

The Senate continued with consideration of the bill.

AMENDMENT NO. 2934

The PRESIDING OFFICER. The pending business is the Simon amendment numbered 2934. There are 4 minutes of debate equally divided.

Mr. HELMS. 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. SIMON. 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. SIMON. Mr. President, our parliamentary situation now I believe is that I have 2 minutes to speak on behalf of my amendment and my colleague from North Carolina has 2 minutes to speak in opposition.

The PRESIDING OFFICER. The Senator is correct.

Mr. SIMON. Mr. President, this is a fairly clear and simple issue: Do we follow the advice of people like President Eisenhower who said, "Any limitation on the right to travel can only be tolerated in terms of overriding requirements of our national security."

Americans can travel to North Korea and China. Name the dictatorship anywhere, we can travel there. The one country we cannot: Cuba. Citizens of every other country in the world can travel to Cuba, but Americans cannot do it legally.

Now, we can go by way of Mexico or Canada and violate the law and do it, but that should not be the way we do things around here.

It is very interesting that in the Soviet Union we had this same question: Should we cut them off and isolate them, or should we have American visitors who go there and help to ameliorate their policy? We, fortunately, made the right decision that Americans could travel there. That should be what we do today.

Americans ought to have the right to travel anywhere where there is not a security risk for Americans. That ought to be part of the freedom that every American has.

Mr. President, I know there will be a motion to table. I hope, despite that motion, the amendment will be agreed to.

Mr. HELMS. Mr. President, I said earlier this morning when Senator SIMON and I were on the floor together that this amendment has prompted the widest political legislative extremes in history: The State Department and JESSE HELMS agree it is a very bad amendment.

I believe the distinguished Senator from Florida [Mr. GRAHAM] will move to table.

This amendment undercuts the embargo that has been in effect for eight Presidents. It does not help the Cuban people. Tourism will not change Castro. In fact, it will merely contribute to Castro's economic status a little bit.

I hope that the Senate will vote to table the amendment. I say that with all due respect to my friend and neighbor, PAUL SIMON.

I yield back the balance of my time.

Mr. GRAHAM. If I could use the remaining time of Senator HELMS for the purpose of a couple of points. First, the current Cuban Democracy Act provides for limited travel under controlled circumstances to Cuba by three groups of Americans: those who are traveling for educational, religious, or humanitarian purposes. The President, within the last 2 weeks, has given greater defini-

tion to who will fall within those three categories and will receive authorization to travel to Cuba.

The basic prohibition on general travel is a cornerstone of the United States' effort to isolate the dictatorship in Cuba while we were attempting to reach out to the people of Cuba with a hand of friendship. If we were to eliminate this prohibition on travel, we would be pouring dollars into Castro's thin coffers, dollars which would allow him to continue to operate the most repressive state security apparatus left in the world, one which has set new standards for human rights abuses. We would also prop up his regime against the inexorable forces which are leading toward its downfall.

Mr. President, I urge the defeat of this amendment by adopting the motion that I will offer to table the Simon amendment.

The PRESIDING OFFICER. Does the Senator from Illinois wish to use his remaining 25 seconds?

Mr. SIMON. Mr. President, the assistance to Castro in terms of economic terms is almost nil. What this amendment does is give Americans the freedom that citizens in every other country in the world have: To travel to Cuba. I think that ought to be a basic right of Americans—to travel to any country where there is not a security threat.

The PRESIDING OFFICER. The Senator from Florida.

Mr. GRAHAM. Mr. President, I move to table the Simon 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.

The PRESIDING OFFICER. The question is on agreeing to the motion to table the SIMON amendment.

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Delaware [Mr. BIDEN] is necessarily absent.

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

The result was announced—yeas 73, nays 25, as follows:

[Rollcall Vote No. 492 Leg.]

YEAS—73

Abraham	DeWine	Kassebaum
Ashcroft	Dole	Kempthorne
Bennett	Domenici	Kerry
Bond	Exon	Kohl
Bradley	Faircloth	Kyl
Breaux	Ford	Lautenberg
Brown	Frist	Lieberman
Bryan	Glenn	Lott
Burns	Gorton	Lugar
Byrd	Graham	Mack
Campbell	Gramm	McCain
Chafee	Grams	McConnell
Coats	Grassley	Mikulski
Cochran	Gregg	Murkowski
Cohen	Hatch	Nickles
Conrad	Heflin	Nunn
Coverdell	Helms	Pressler
Craig	Hollings	Reid
D'Amato	Hutchison	Robb
Daschle	Inhofe	Rockefeller

Roth
Santorum
Sarbanes
Shelby
Simpson

Smith
Snowe
Specter
Stevens
Thomas

Thompson
Thurmond
Warner

NAYS—25

Akaka
Baucus
Bingaman
Boxer
Bumpers
Dodd
Dorgan
Feingold
Feinstein

Harkin
Hatfield
Inouye
Jeffords
Johnston
Kennedy
Kerrey
Leahy
Levin

Moseley-Braun
Moynihan
Murray
Pell
Pryor
Simon
Wellstone

NOT VOTING—1

Biden

So the motion to lay on the table the amendment (No. 2934) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENTS NOS. 2906 AND 2908

The PRESIDING OFFICER. Under the previous order, the question now occurs on the en bloc consideration of amendments numbered 2906 and 2908 offered by the Senator from Connecticut [Mr. DODD]. Debate is limited to 4 minutes equally divided in the usual form.

Mr. DODD addressed the Chair.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, very briefly, the amendments we are about to vote on, or two amendments which were combined en bloc, deal with the issue of title II of this bill.

Regardless of how anyone feels about the present government in Cuba, title II of this bill does not deal with the Castro government in Cuba. It deals with the next government in Cuba. It says that the next government in Cuba must meet a set of four pages of criteria before we can provide even transitional assistance to the next government in Cuba.

Mr. President, I do not know what the next government in Cuba is going to look like. Hopefully, it will be a democratic government. But it seems to me that we ought not to be conditioning our assistance on some future government in Cuba in this piece of legislation.

Whatever else we may want to do to the Castro government, why would we want to tie the hands of this administration or future administrations when you have a change in Cuba? If we applied the same rules and the same criteria that are located in title II of this bill, we would not be able to provide the transitional assistance to many of the New Independent States that have emerged after the collapse of the Soviet Union.

I urge my colleagues in the next few minutes to just read sections 205 through 208 of this bill. They are four pages of criteria. Whatever else you may feel about Fidel Castro, however you want to change the government in Cuba, do not make it impossible for this administration or the next one to

deal effectively with that new government. This amendment strikes those sections of the bill, and I urge adoption of the amendment.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. I yield 30 seconds to the distinguished Senator from New Jersey.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. BRADLEY. Mr. President, I rise in opposition to the amendment by the Senator from Connecticut. Title II is authored by the only Cuban-American Democrat in the Congress, BOB MENENDEZ of New Jersey. For once, we should be ready when the commander of a Communist dictatorship falls. All this says is when the dictatorship falls, we should have in place emergency relief measures and assistance that will effect the transition from a command economy to a market economy, from a totalitarian state to a democracy. It says for once let us be ready when a Communist dictator falls.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. In that connection, let me read one paragraph from a letter dated today by Congressman MENENDEZ to the distinguished minority leader, Mr. DASCHLE:

Dear Mr. DASCHLE. As the author of title II of the Helms-Burton Libertad legislation and the only Cuban American Democrat in the Congress, I am writing to urge you to vote against the Dodd amendments which seek to gut title II of the legislation.

I yield the remainder of my time to the distinguished Senator from Florida.

Mr. GRAHAM addressed the Chair.

The PRESIDING OFFICER. (Mr. BURNS). The Senator from Florida.

Mr. GRAHAM. Mr. President, I, too, rise in opposition to the amendments offered by our colleague from Connecticut. This proposal lays out a rational transition from the current authoritarian Communist regime to what we hope will soon be a democratic and market-place political and economic system in Cuba. It is consistent with the provisions that were contained in the Cuban Democracy Act which was passed by this body by an overwhelming vote in 1993, but it continues the dual track of the United States providing pressure against the regime in Cuba while it opens up to the people of Cuba, including opening up with a clear statement of how we will assist the transition to democracy.

Mr. President, I move to table the amendments of the Senator from Connecticut.

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.

The PRESIDING OFFICER. The time has expired under the control of the Senator from North Carolina. The Senator from Connecticut has 21 seconds.

Mr. DODD. I yield back my time.

The PRESIDING OFFICER. The time has been yielded back.

The question now occurs on agreeing to the motion to table the amendments numbered 2906 and 2908, en bloc. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. FORD. I announce that the Senate from Delaware [Mr. BIDEN] is necessarily absent.

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

The result was announced—yeas 64, nays 34, as follows:

[Rollcall Vote No. 493 Leg.]

YEAS—64

Abraham	Ford	McCain
Ashcroft	Frist	McConnell
Bennett	Gorton	Murkowski
Bond	Graham	Nickles
Bradley	Gramm	Pressler
Breaux	Grams	Reid
Brown	Grassley	Robb
Bryan	Gregg	Rockefeller
Burns	Hatch	Roth
Campbell	Helms	Santorum
Coats	Hollings	Shelby
Cochran	Hutchison	Simpson
Cohen	Inhofe	Smith
Conrad	Kassebaum	Snowe
Coverdell	Kempthorne	Specter
Craig	Kerry	Stevens
D'Amato	Kyl	Thomas
DeWine	Lautenberg	Thompson
Dole	Lieberman	Thurmond
Domenici	Lott	Warner
Dorgan	Lugar	
Faircloth	Mack	

NAYS—34

Akaka	Glenn	Mikulski
Baucus	Harkin	Moseley-Braun
Bingaman	Hatfield	Moynihan
Boxer	Heflin	Murray
Bumpers	Inouye	Nunn
Byrd	Jeffords	Pell
Chafee	Johnston	Pryor
Daschle	Kennedy	Sarbanes
Dodd	Kerrey	Simon
Exon	Kohl	Wellstone
Feingold	Leahy	
Feinstein	Levin	

NOT VOTING—1

Biden

So the motion to lay on the table the amendments (Nos. 2906 and 2908) was agreed to.

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

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

The motion to lay on the table was agreed to.

Mr. DOLE. Mr. President, what is the pending business?

The PRESIDING OFFICER. Pending is the Helms amendment.

Mr. DOLE. I ask that the yeas and nays be vitiated.

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

Mr. DOLE. Have the yeas and nays been ordered on final passage?

The PRESIDING OFFICER. They have not.

Mr. DOLE. I ask for the yeas and nays on final passage.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. DOLE. How much time is left on the Helms amendment?

The PRESIDING OFFICER. There are 10 minutes of debate on the Helms amendment.

Mr. DOLE. Mr. President, we are about to conclude action on the Cuban Liberty and Democratic Solidarity Act. The Senate has spent a week on this bill. We had three cloture votes. A sustained lobbying campaign by the White House forced Chairman HELMS to delete a significant section of the bill. The Senate will pass the bill today, and the conference will certainly address the issue of stolen property.

I am confident that the House-Senate conference will be able to find a way to prevent Fidel Castro from using foreign investment to prolong his tyranny. That is the issue—do we want to allow the hemisphere's last dictator to replace his lost aid from the Soviet empire with western investment? The Senate will have another chance to address this issue when the conference report comes back.

We should be clear on what is still in this bill. Title I strengthens the international embargo on Cuba. It requires the United States to oppose Cuban membership in international financial institutions. It conditions aid to Russia on an end to support for Cuba. It tightens the restrictions against the importation of Cuban sugar. And it authorizes assistance to the real victims of Castro's repression—the Cuban people.

In the debate, some of the advocates of lifting the embargo have said this bill looks backward, that this bill does not respond to current conditions. Nothing could be further from the truth. Title II of the bill requires the President to look ahead—to look at the inevitable post-Castro period. Title II provides for support for a free and independent Cuba and authorizes suspension for the embargo and other restrictions once a transitional government is in place. Title II also provides incentives for a truly democratic government in Cuba.

So I think the President, the Senate is going to speak loudly today—in support of the Cuban people and in opposition to Fidel Castro. He should know that as he prepares to come to New York for whatever he is going to do at the United Nations. The White House has made its views known. By allowing Fidel Castro to enter the United States, and by vigorously lobbying against this bill, there is no doubt where they stand. Today, the Senate can make its views known, and I urge my colleagues to support the bill.

I thank Senator HELMS for his outstanding work on this issue.

Mr. DODD. Mr. President, I said at the very outset of this debate that when we consider legislation aimed at a foreign country, we ought to ask ourselves two basic questions. Is what is being proposed in the best interest of our Nation, and is it likely to achieve the desired results in the country in question—in this case, Cuba?

I have had grave concerns, Mr. President, about title III of this bill. That

section has been taken out. I thank my colleagues for supporting us in that effort. Notwithstanding, however, Mr. President, this changed. The two basic questions I raised at the outset of these remarks remain. In my view, the answer to both of those questions, if one reads this bill carefully, is "no."

It is not in our interest to complicate our relations with the governments of Russia or other New Independent State countries. Yet, provisions of this bill would do just that by linking our assistance to these countries, to their policies toward Cuba. We provide, Mr. President, assistance to Russia, and other of the New Independent States, because we want to see them carry out the kinds of programs that we are funding, because we want to continue to strengthen their still fragile democratic institutions. Conditioning, Mr. President, that assistance on what is going on in Cuba, I think, is counterproductive.

Provisions of this bill ultimately hinge on our arms control treaties with Russia, specifically, on Russian verification of United States compliance. While it is certainly legitimate for the United States to discuss the types of activities that appropriately fall within the scope of verification of arms control treaties, that should be done bilaterally with the Government of Russia, not unilaterally imposed by the Congress in the context of a debate about Cuba.

Other provisions of this bill bar Cuban participation in international financial institutions until after democracy has been established in that country. We all know, Mr. President, the critical roles played by the World Bank and International Monetary Fund in the early days of Russia's transition to democracy. It is foolhardy, Mr. President, to prohibit the IMF and the World Bank from offering their assistance and expertise to a post-Castro government as it grapples with the complicated task of dismantling a command economy.

Mr. President, I have already mentioned those provisions of the bill which my amendment would have sought to strike, provisions that severely limit the flexibility of the United States to respond to the change in Cuba when it comes. This bill could also have the United States spend more money on TV Marti, this time converting from VHF to UHF broadcasting. We all know that TV Marti has been a complete failure. GAO report after GAO report after GAO report has found that it is totally ineffective, that virtually nobody watches it, and that it is a total waste of taxpayer money.

More than just the individual provisions of the bill, Mr. President, the entire thrust of this legislation makes no sense whatsoever. Calling Castro names does not get Cuba any closer to democracy. We have spent a week debating this. It is too long.

Perhaps the only individual who will truly benefit from this debate is Fidel

Castro. Once again, we have managed to make him larger than life. Once again, we have given him excuses on why his government has failed and why the Cuban economy is in a shambles. Once again, we will force our allies to come to his defense because they profoundly disagree with our tactics. None of this, Mr. President, makes any sense whatsoever. We all know that to be the case, but frankly, to state it bluntly, because of domestic political considerations, we continue to take actions counterproductive to our own self-interest. I urge defeat of this amendment.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. HELMS. What is the time situation, Mr. President?

The PRESIDING OFFICER. The Senator from North Carolina has 3 minutes 34 seconds. The Senator from Connecticut has a minute 26 seconds.

Mr. HELMS. Mr. President, passage of the Libertad bill will send a message that Congress wants a tightening of the screws on Fidel Castro.

Castro knows that this bill will expedite his departure from power. Why on Earth would Castro have launched such a huge campaign against this bill if it wasn't harmful to his rule? He knows that the Libertad Act will help set the Cuban people free—free from oppression, free from communism, free from Castro's dictatorship.

As several principal cosponsors of this bill have already stated on this floor, including Senators DOLE and GRAMM, we are going to fight hard—and I mean very hard—to keep the pressure on Castro—and on this administration to work for Castro's removal.

Mr. President, let me say this: Fidel Castro is going to come to New York City this weekend to address the United Nations. Since the State Department has just given Mr. Castro a visa to enter this country, I want to give Mr. Castro an early Christmas gift to be delivered to the people of Cuba—a gift called the Libertad Act, on which we will vote final passage in a moment.

I yield the remainder of my time.

Mr. DODD. Mr. President, I point out that Richard Nixon also gave Fidel Castro a visa to come to this country. That kind of political rhetoric does not advance our cause. He is going to be larger than life when he comes to the United Nations. What we do here today is going to make him a hero when he comes to the United Nations. I regret that. I yield back my time.

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to amendment No. 2936 by the Senator from North Carolina [Mr. HELMS].

The amendment (No. 2936) was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the substitute amendment No. 2898, as amended, offered by the Senator from Kansas [Mr. DOLE].

The amendment (No. 2898), as amended, was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read a third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Delaware [Mr. BIDEN] is necessarily absent.

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

The result was announced—yeas 74, nays 24, as follows:

[Rollcall Vote No. 494 Leg.]

YEAS—74

Abraham	Faircloth	Lugar
Ashcroft	Ford	Mack
Baucus	Frist	McCain
Bennett	Glenn	McConnell
Bond	Gorton	Mikulski
Bradley	Graham	Murkowski
Breaux	Gramm	Nickles
Brown	Grams	Pressler
Bryan	Grassley	Reid
Burns	Gregg	Robb
Campbell	Hatch	Rockefeller
Chafee	Hefflin	Roth
Coats	Helms	Santorum
Cochran	Hollings	Sarbanes
Cohen	Hutchison	Shelby
Conrad	Inhofe	Simpson
Coverdell	Kassebaum	Smith
Craig	Kempthorne	Snowe
D'Amato	Kerrey	Specter
Daschle	Kerry	Stevens
DeWine	Kohl	Thomas
Dole	Kyl	Thompson
Domenici	Lautenberg	Thurmond
Dorgan	Lieberman	Warner
Exon	Lott	

NAYS—24

Akaka	Harkin	Moseley-Braun
Bingaman	Hatfield	Moynihan
Boxer	Inouye	Murray
Bumpers	Jeffords	Nunn
Byrd	Johnston	Pell
Dodd	Kennedy	Pryor
Feingold	Leahy	Simon
Feinstein	Levin	Wellstone

NOT VOTING—1

Biden

So the bill (H.R. 927), as amended, was passed.

[The text of the bill will appear in a future edition of the RECORD.]

Mr. HELMS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

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

The motion to lay on the table was agreed to.

(At the request of Mr. FORD, the following statement was ordered to be printed in the RECORD.)

● Mr. BIDEN. Mr. President, a serious family emergency in Pennsylvania has required me to leave this afternoon on the spur of the moment. Had I been present, I would have voted against the amendments offered by Senator SIMON and Senator DODD, and in favor of final passage of the bill. ●

Mr. KERRY. Mr. President, I do not want my vote for final passage of H.R. 927, the Cuban Liberty and Democratic Solidarity Act to be misunderstood. I was strongly opposed to the centerpiece of the legislation—title III. This title would have altered 45 years of international and domestic law and practice with respect to the resolution of claims resulting from the expropriation of U.S. property abroad. I supported efforts to ensure that that title was deleted from the bill.

I will oppose any conference report that restores this title or adds draconian provisions. I will join with my colleagues in utilizing all parliamentary procedures to ensure that a conference report containing what was title III is not enacted into law.

MORNING BUSINESS

Mr. COCHRAN. Mr. President, I ask, at the request of the Republican leader, unanimous consent that there now be a period for the transaction of routine morning business during which Senators may speak for up to 10 minutes each.

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

THE BUDGET RECONCILIATION

Mr. COCHRAN. Mr. President, I was just looking at a letter that was given to me by the chairman of the Budget Committee, the Honorable Senator from New Mexico [Mr. DOMENICI], advising that the Congressional Budget Office has had an opportunity to review the budget reconciliation package that has been assembled and will be presented to the Senate, we assume during next week. The good news is that the Congressional Budget Office's analysis of the bill as assembled at this point, assuming that the tax bill being reported in the Finance Committee is within the budget reconciliation targets, not only will achieve a balanced budget by the year 2002 but will actually result in a small surplus.

The letter from the Director of the Congressional Budget Office goes into more detail with the analysis that she and her staff have made of this reconciliation package. But I hope that between now and next week, when the Senate will have an opportunity to take up and debate the reconciliation bill, Senators will review these documents and the analysis that has been done, because this is the centerpiece of the effort to achieve the balanced budget by the target that was set in the budget resolution that has passed both Houses and is reflected in the conference report that earlier passed the Congress.

This is the centerpiece, this is the heart and soul of the effort to achieve a balanced budget. And we are about to embark upon a very historic debate for the first time in anybody's memory on a plan to actually achieve an annual operating budget that is in balance,

that changes entitlement programs as well as the appropriated bills that have passed the Congress which is about to take place. I hope that we will have an opportunity as we approach that period to talk about some of the changes that we foresee and the resulting influence that it is going to have for good on the fiscal policies of the country, as well as the effect on interest rates, the effect on the general overall economic environment for job creation and business activity, which will be positive and continue to move us in the right direction in terms of economic growth and economic well-being as a nation.

But I congratulate the distinguished chairman of the Budget Committee, Senator DOMENICI, for his good work and his strong leadership in bringing us to this point. We look forward to the debate on the resolution.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

RECONCILIATION LEGISLATION

Mr. DORGAN. Thank you, Mr. President. It is a timely opportunity to take the floor to follow my friend from Mississippi.

My friend from Mississippi was quoting from a letter dated October 18 from the CBO signed by Director June O'Neill. It is a letter that says that based on those estimates—referring to estimates in the letter—using the economic and technical assumptions underlying the budget resolution and assuming—this is the way economists talk—the level of discretionary spending specified in that resolution, the CBO projects that enactment of the reconciliation legislation submitted to the Budget Committee would produce a small budget surplus in the year 2002.

The Senator is quite correct about what this letter said. That is dated yesterday.

Let me, however, read a letter dated today signed by the same person, the Director of the Congressional Budget Office, June O'Neill. This is in response to a letter that Senator CONRAD and I wrote to her yesterday saying:

This is a curious letter you have sent to Congress, saying it is going to produce a surplus. Would you please tell us what the impact of the reconciliation bill will be on this country's fiscal policy? In other words, what kind of surplus or deficit will we have if you follow the law that exists in this country, in fact, the law written by the Senator from South Carolina, Senator Hollings, that says you cannot use Social Security trust funds as revenues to balance the budget?

So we sent the letter to Director O'Neill of the Congressional Budget Office, and here is the letter we received today from the Congressional Budget Office, this afternoon. The letter says in the first paragraph—the same kind of language from economists—"Excluding an estimated off-budget surplus of \$108 billion"—translated, it means by and large excluding the Social Security trust fund surplus in 2001 from the cal-

culuation—"the CBO would project an on-budget deficit of \$98 billion in the year 2002."

Now, I have an 8-year-old son who, when we last went to Toys 'R Us, was fascinated by vanishing ink. We passed this little thing. They sell vanishing ink. He said, "Daddy, how do they do that?" I said

I do not really know. I know it is simple. It does not cost very much. We could buy it and take it home. But I do not know how they do vanishing ink.

I could tell my son that we do not have to stop at Toys 'R Us. We have folks who have Ph.D.'s that know how to deal with vanishing ink.

Here we have an October 18 letter that says: "You Republicans have asked me, an appointee of the Republicans, how has our plan fared in your eyes?" And you said, "Well, we think you are doing real good. In fact, you have produced a surplus."

We sent a letter to the same person who said:

But if you do this the right way, if you calculate this the right way and do not take the Social Security trust funds, because you cannot misuse those, those are Social Security trust funds, do not bring them over here in the operating budget, that that is the way you do it, that is the way the law requires that you do it.

Then what happens is the same person 1 day later says, "By the way, in the year 2002 there is not a balanced budget. There is a \$98 billion deficit."

Mr. BUMPERS. Will the Senator yield for a question?

Mr. DORGAN. I would be happy to yield.

Mr. BUMPERS. The thing even more perplexing on the point which the Senator from North Dakota raises is this. This is the conference report of the budget bill. Let me read it. It says:

Section 205 of the conference agreement requires the chairman of the Budget Committee to submit the committee's responses to the first reconciliation instruction to the Congressional Budget Office.

So the committee has to send all of these things to the Congressional Budget Office.

Next sentence, if the Congressional Budget Office "certifies"—this is the operative word—if the Congressional Budget Office certifies that these legislative recommendations will reduce spending by an amount that will lead to a balanced budget by the year 2002, the second reconciliation instruction is triggered.

If you read the letter from the Congressional Budget Office, she does not certify anything; she projects a balanced budget.

Mr. DORGAN. Only yesterday. Today, there is a deficit.

Mr. BUMPERS. But the point is, certification is a certification. You look in the dictionary. It says: "certifies: to be accurate." I could project a balanced budget. But certification and projection are two entirely different words.