have to keep reminding ourselves, the language we use does not resonate because we keep talking about balanced budget, CR's, debt ceiling extensions, and it does not mean a thing to many people, but their children mean a lot to people and their grandchildren mean a lot, and that is what this debate is all about. It is not about numbers, it is not about a continuing resolution, it is not about a debt ceiling extension, it is not about any of us in this Chamber; it is about trying to do something for a lot of our young people who are going to want to find jobs.

I must say, as I read the Washington Post editorial again and again today—because I could not believe it; it was a good editorial—it talked about the real default, the default of leadership on the other side of the aisle.

I must say, as the Senator from New Mexico said earlier, when you do a lot of heavy lifting, you get a lot of criticism. We have been doing a lot of heavy lifting. We believe the American people gave us somewhat of a mandate to make fundamental change last November, and we have kept our word and our promise. We have worked together, and we have had some bipartisan support, just as we have had tonight. So it is not just a Republican effort. We had a number of Senators join us earlier this year on a balanced budget amendment. We lost by one vote. We hope to bring it up again.

Now, President Clinton says a lot of things at different times and in different ways. Yesterday, at a news conference or in a short statement, he mentioned the phrase ''balanced budget'' 16 times, by actual count. If the people who watched television last night saw the clips of what he has been saying in the last 2 years, he talked about a 5-year balanced budget when he was a candidate, then maybe 10 years, maybe 9, maybe 8, maybe 7.

Now, I think the President could indicate that he is in good faith by signing this bill. There is nothing in this bill that is going to hamstring the President of the United States. Nothing commits him to do anything, except it says we shall enact a balanced budget amendment in the next 7 years, using CBO estimates—updated CBO estimates—the very estimates that President Clinton asked us to use. CBO is the Congressional Budget Office, for those who do not understand these initials all the time. But when he first spoke to a joint session of Congress, he boasted about using CBO—Congressional Budget Office—figures in his budget and said they had been, as I recall, fairly accurate over the years. And they have been accurate over the years.

So we are not asking too much of the President of the United States. I am not one who advocates shutting down the Government of the United States. I would like to find some resolution, and if we cannot do it with this continuing resolution, maybe we can figure out a way tomorrow to resolve the differences.

What harm does it do the President of the United States to sign a bill that says we will have a balanced budget by the year 2002? He said today on television that he did not mind the 48 Democrats voting with Republicans last night because it was not binding. Well, if it is not binding on the 48 Democrats, why should it be binding on the President of the United States if he signs it?

Again, I want to thank my colleagues tonight who said to our Federal workers that it is time to go back to work, and said to the President of the United States, it is time to balance the budget. Again, I say, as I said earlier today, I do not think it does a lot of good to have press conferences every day where we say one thing and the President says something else. Why do we not sit down together, without the press? We are all adults. I believe the American people are looking to all of us for leadership. So the Government has been shut down Tuesday, Wednesday, Thursday, and it will be shut down tomorrow. Is that enough time? I think it depends on the leadership that we can produce in the next 24 hours. If not, we are going to go into the next week and then into the next week. I do not see much opportunity next week to have any resolution.

So I say, first of all, Mr. President, sign this resolution. It is not a bad resolution. I am told that the only objectionable feature is the balanced budget language, which does not legally bind the President of the United States. It seems to me that we may be very close. If the President would sign that tomorrow, and we send it down tomorrow—and I assume we will—then everybody can come back to work on Monday, and we could go on about the Balanced Budget Act of 1995, which we hope to finish tomorrow night around 10, 11 o'clock, maybe a little later. And then on Saturday morning, we will take up a conference report or two, and then Members could be off with their families for Thanksgiving, as many would like to do.

ORDER OF PROCEDURE

Mr. DOLE. Mr. President, I ask unanimous consent to include the Senator from Illinois, Senator CAROL MOSELEY-BRAUN, who would like to speak for up to 5 minutes.

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

The Senator from Delaware is recognized.

THE SHUTDOWN

Mr. BIDEN. Mr. President, I would like to comment on three items. One, I compliment Senator BOXER and Senator SNOWE for their initiative to treat us like everyone else; that is, if we are working and other Federal employees are working, and they are not getting paid, we should not get paid. Most of the public in our home States do not realize that all of us have voted for that already. We voted for that twice already. Unfortunately, the House of Representatives has either inadvertently or, in fact, refused to bring that up. I will not make a judgment about that. But we have been on record for some time.

I think it makes good sense. I just depart from one comment made by one of our colleagues who supported this initiative. I do not think the Congressmen and Senators are smug about this. The truth about this much of this is artificial. I have been here for 23 years and although we have never had this extent of a crisis, we have shut down for a couple of hours or a day. In every case, it has been standard operating procedure that everybody is made whole. The Federal employees—everybody is made whole.

So I do not think most of our colleagues thought that this sort of stupidity would go on as long as it has. Therefore, I do not think my colleagues sat there and said, ''By the way, I know people like the stenographer here, who is working, and I know he is not getting paid, and I do not care; ha, ha, ha, he is not going to get his paycheck.'' I do not think anybody thought about that.

I want to make this clear. Sometimes, in our zeal, we make it sound like this place is a little more heartless than it is. The truth is that there is an artificial element to this and, in all probability, nobody is going to end up losing a cent in this —unless this does go on for weeks or a month, which none of us wish to happen, and I think probably none of us believe will happen.

Now, sometimes we do stupid things. Sometimes ego and pride and politics and partisanship get in the way and everybody wakes up one morning and says, ''My Lord, how did we get here?'' I am hopeful that will not happen. That leads me to my second point.

My second point. I have great respect—and I mean this sincerely—for Senator DOLE, the majority leader. I have served with him and next to him for 23 years now. You cannot be around somebody that long and not get some sense of the man, the person. I do not know anybody who is smarter in this place, and I do not know anybody who is a better legislator in this place, or that I have had any better relationship or dealings with than him. I make one distinction in what he said. When he said the President is not bound in any real way if he were to sign the continuing resolution that the Senate sent to him, and he then mentioned the CBO figures, Congressional Budget Office figures—and he did accurately say the President, in the past, had mentioned Congressional Budget Office figures. But whether the President said it in the past or not, we all say things that turn out not to make so much sense sometimes—at least I have.

The truth of the matter is that it is important for the public to know not whose figures are right, but just to understand the debate. There is a fundamental difference in the outcome of a balanced budget and in how much you have to cut to get to a balanced budget, based upon how rapidly the economy grows or does not grow.

Now, the figures are infinitesimally small when you say them. For example, the Congressional Budget Office says the economy will grow, on average, over the next 7 years, at 2.4 percent per year. And along comes the Office of Management and Budget in the executive branch, and they say, no, the economy, over the next 7 years, will grow, on average, 2.6 percent per year. The public up there says, ''What is the problem? What difference does it make which number you accept?'' Well, I am not saying who is right. By the way, you know that old joke, I say to the former Governor of Missouri, now the Presiding Officer—I am sure he has asked a lot of economists about the impact of what happens in his State. But it reminds me of that joke that used to go like this: Give me a one-armed economist because every economist you speak to, no matter who they are, in their estimates, they say, ''On the one hand'' it could be this, and ''on the other hand'' it could be that.

I would love to find a one-armed economist who would only tell me this is what is going to happen.

Well, back to the central point, the difference between a 2.4 and 2.6 growth rate in the economy over 7 years is almost one-half trillion dollars more that would have to be cut from the Federal spending.

Right now if you said to me, I am sitting there and I say ''OK, I am President''—I am not President obviously—''I am President.'' You say to me, ''OK, I will agree to balance the budget in 7 years,'' and I look out there, and I say, ''All right.''

By the way, what is the magic? Why did we not say 5 years? Why did the Republican Party not say 5? Why did the President say 10? Why did we not pick 6? The truth is, it is of little relevance in terms of a goal. It is a practical relevance in terms of how much you cut and how rapidly you cut.

But back to the central point. I am sitting there as President. You come to me and say, ''I have good news. We have signed on to 7 years.'' Great. That is what I say. ''I can do this in 7 years.'' But the numbers they gave us are that we have to balance everything based upon the economy only growing this fast.

Mr. President, what that means is those cuts, that $1 trillion in cuts you were going to find to balance it over 7 years, you have to find $1.5 trillion. And you say, what does that mean? That means I either have to give no tax cut at all or that means I have to make major cuts in Medicare, or that means I have to make significant cuts in education. And for what? For the want of 1 year? For the want of 2 years?

I lay you 8 to 5, which is what is disturbing me, the American people are way ahead of all of us—the President, the Speaker, the leadership, Democrats, Republicans. They no more believe that we are going to balance the budget in 5 years than 7 years or 7 years than 8. They do not care if it is done in 8 years or in 6 years. They just want to know we are serious and we made a decision.

The glidepath of this Government spending over the next decade is going to be this way—down, and real numbers, real cuts, real changes. That, I agree, there is a mandate to both parties on that. But do you think anybody who sits home and says, ''Well, I have been thinking this over. I listened to that debate in Congress, and my grandchildren are going to be put in serious jeopardy if we do this in 10 years instead of 7. This means the health and welfare of my granddaughter.''

Do you believe anybody thinks that? What they are sitting home saying is ''God, all those guys and women down there, all they do is talk. They keep promising balanced budget amendments. I do not believe they will do it any time.'' That is what they really say about us all.

The truth is, I have been here 23 years. I have never seen a time—and I say this with total sincerity—where the overwhelming majority of the Members of this body have done anything other than agreed we have to balance the budget, and mean it.

I introduced a balanced budget amendment in 1984 that got nowhere. I am a Democrat that voted for the constitutional amendment to balance the budget. I have introduced on four occasions—four occasions—entire plans to balance a budget, knowing I am not President and I am not the leader, but for illustrative purposes. I tried with Senator GRASSLEY back in the 1980's to freeze all Government spending, including Social Security, including everything.

The truth is the last election did one thing. I do not know whether it really made you guys a majority party for long. I do not know. We will find out. I know one thing it did. What it did was it made sure that there was nobody left on the left in my party who, in fact, said we do not care about moving the budget toward balance.

These folks mean it. We all mean it. The public knows we mean that. I think they look at us and say, ''You are all being kind of childish.''

For example, I bet—and I should not say this because I do not know whether the Senator from Missouri, the Presiding Officer, would agree—I bet I could find 20 Members at least on the Republican side of the aisle if I were in charge of this outfit—and I am not—we could sit down and say, ''Here is the deal. You guys want a balanced budget in 7 years and you want CBO numbers. I want a balanced budget, too, but I do not want to cut as much Medicare as you do. I do not want to cut as much as you do, and I do not want to give as big a tax break as you want.''

So we can make a deal, make a deal. We will split the difference between the CBO figure of 2.4 and the OMB figure of 2.6. Take 2.5—that is $250 billion. And make another agreement. Agree I will go for a bigger cut in Medicare. I say we only need to do $89 billion. That is all we need—not $270 billion. I will split the difference with you on that.

You have to make a deal on taxes, too. As much as you want to help wealthy folk, and I want to help them, too, tell them to wait until the end of the line. We will not give them anything. We will not raise their taxes, but we will not give them a tax cut.

Just those gross numbers—by the way, also make a deal, satisfy the President. Do not do this in 10 years. Do it in 8 years. Do not do it in 7—you give a year, we give up 2 years.

Do you think the American public will go home and say, ''Boy, they all sold out. Boy, they all do not mean this. Boy, that is ridiculous. Boy, my grandchild is now in real jeopardy. Boy, my child's future I borrowed against now another 18 months''? I think they would say they are finally acting like mature adults.

I respectfully suggest, to go back to the original point I made, the majority leader said, what difference does it make whether it is CBO or OMB? Let me tell the difference. That is like saying to me, ''JOE, you got to forge this creek, the Ardent Creek. You have to forge it, and it is 43 feet wide where the rapids are, and you have a hook at the end of the rope.''

It makes a difference whether you give me a 48-foot rope or you give me a 38-foot rope whether I can get across that creek. If you give me a 38-foot rope, I cannot make it without getting awful wet and put in danger. Give me a 48-foot rope I can throw that sucker across, hook it around the tree, and have no problem bringing myself across.

That is the fundamental kind of difference between these numbers. These numbers are real. They make a difference.

I might add, the DuPont companies of the world, the Fortune 500 companies of the world who all of us say are better at estimating what will happen than we, they all say the growth rate will be about 2.9 percent per year. They say we will have $1 trillion difference from what the Congressional Budget Office says.

Let me say, if you ask whether I accept a DuPont Co. economist or a Federal bureaucrat's economist, I tell you where I go, this Democrat. If you ask whether I take an economist from Maryland National Bank or from the Chrysler Corp. in my State, I know which I would take. I would take the private sector guy.

What I am told is—and I may be wrong, but I do not think I am—I am

told the blue chip analysis, that is taking all the blue chip companies who have analyzed what the growth rate is going to be, the consensus is it is going to be about 2.9 percent per year.

I will tell you what. If we agree to their numbers, I can balance the budget and not cut Medicare and not hurt education and not make the changes I do not want to make and I can do it in 5 years.

This makes a difference. It makes a difference what numbers you pick. Like I said, it is like that rope. You tell me I have to get across a 40-foot creek with rapids and if I slip in the rapids I go over the dam, and you give me a 30-foot rope, I have a problem. You give me a 50-foot rope, I can do it. So the difference here is the length of the rope we are giving the President.

I will conclude by saying the Presiding Officer is the only Republican in the Chamber—and by the way I am not suggesting anybody else should be in the Chamber. All reasonable people are home at 10 minutes to 10 at night, and I do not know why I am doing it, because I am not sure that the four people in here, who are kind enough to be listening to me, are listening. But I would respectfully suggest the following.

The reason why a guy like me is a little bit suspect of the insistence on the CBO numbers is—I will be real blunt with you —I believe this is more than about balancing the budget. I believe this is about eliminating programs, or drastically changing programs that the Republican Party, understandably and defensibly, historically has not liked.

But it can be cloaked in balancing the budget now. Because if you give me the 30-foot rope, I have to get rid of education. I cannot pull education across that creek with me on my back. I cannot take Medicare across that creek with me on my back. I cannot take a lot of things across there—baggage that some of my friends on the Republican side, and some Democrats, do not think we should be doing anyway.

So I think what the President should do—presumptuous of me to suggest what the President should do. But, if the President called up and asked me tonight, Joe, what do you recommend about this? I would pick up the phone and I would call BOB DOLE and NEWT GINGRICH and I would say, Fellows, look, come on down. Let us have a cup of coffee. And I would promise NEWT could sit at the head of the table. I would let him sit behind my desk. And I would say, Here is the deal. Let's make a deal. Let's split the difference on the numbers, not between the private sector, but the two Government bureaucrats who said what the numbers were. Split the difference and let us split the number of years. I will take off 2, you add 1. And let's get back to work, and then let us fight about the details, which is what appropriations bills are about.

I hope we do that. I am not suggesting my particular formula, I say to the Presiding Officer. I am not so presumptuous as to say that is the only way to do it. But I do know one thing. Legislation is the art of compromise, not weakness, compromise, because we have very divergent views.

I have come to know a bit more about the Presiding Officer. He and I have divergent views on a number of issues, but I truly respect him. And I think he respects me. There is no reason why we could not work—I have to give something. You are never going to agree with my philosophy. I am never going to agree with yours, on the whole. So we have to give something.

I do not mean to paint it—I would like it if the Senator from Missouri and I could settle this, but I know neither one of us are in the position to do this. But the larger point is simple. I think it is time for us to sort of—I was going to say act like grown-ups. That implies they have not been. I think it is time to say, OK, everybody has made the point. Let us get back to work. Let us split the difference on these things. Because the truth of the matter is, if the President agreed to an 8-year balanced budget with CBO numbers, or OMB numbers, does anybody believe that means he is less committed to getting to a balanced budget? He locks himself to a balanced budget on those terms.

So the issue is not if. The issue is how. I think we could settle this quickly. I hope we will do it.

My colleagues are here. I will not do it tonight, but I was going to make a statement, and I will do it tomorrow, on a third point. That is Mr. HELMS'—and I love Senator HELMS—outrageous, in my view, holding up of the START Treaty and holding up the Conventional Weapons Treaty. But I will save that for another moment. Maybe the Senator would be on the floor, because I would rather deal with him on the floor. As my colleagues know, I never say anything that references another Senator without telling him first. It is nothing derogatory, but I hope he will reconsider. We are about to lose the START Treaty, and that is the thing that eliminates all those Russian missiles that could be aimed at us again.

My colleagues are waiting to speak. I thank my colleagues and I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

THE LAW OF THE SEA CONVENTION

Mr. PELL. Mr. President, from October 23 to November 3, 1995, the United States was host to an intergovernmental conference convened under the auspices of the U.N. Environment Programme to adopt a Global Programme of Action for the Protection of the Marine Environment from Land Based Sources of Marine Pollution. My colleagues know that I have long had a strong interest in the protection of the environment, and in particular of our oceans. In fact, in 1973, legislation was enacted that I introduced to create the position of Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs. I was pleased that the Congress and the President agreed with my strong feeling that increased cooperation with respect to the protection of our oceans be given greater focus and visibility at the State Department.

As far back as 1977 I introduced a resolution that required countries to conduct environmental impact assessments before carrying out activities that might impact the environment of another country or of a global commons area. The U.N. Environment Programme (UNEP) was to be the recipient of these impact assessments and in July 1995, I introduced Resolution 154 calling on other nations to adopt a similar approach. UNEP has retained its key role in the protection of the environment worldwide and the Washington Conference on Marine Pollution was but the latest example of its ongoing efforts to encourage all countries to cooperate in the protection of the environment.

This Conference was convened as a result of the U.N. Conference on Environment and Development held in Rio de Janeiro in June 1992. It recognized the fact that more than 80 percent of marine pollution originates from terrestrial sources and its aim was to ensure that all the Parties would coordinate their efforts in trying to reduce such sources of pollution. The two outcomes of the Conference were the Global Programme of Action for the Protection of the Marine Environment form Land-Based Activities, adopted at the end of the Conference, and the Washington Declaration, which was adopted by its high-level segment. Both the Programme of Action and the Declaration complement the legal regime set up by the Law of the Sea Convention which was signed by President Clinton and is still pending before the Committee on Foreign Relations.

I wish to call the attention of my colleagues to an article published in the Washington Post on November 4, 1995, which highlights the risks now weighing on our oceans and the need to take urgent action. I ask unanimous consent that this article be included in the RECORD at the end of my remarks.

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

[See exhibit 1.]

Mr. PELL. Mr. President, I have always been a very strong supporter of the Law of the Sea Convention because it sets up a new Constitution for the Oceans and because it is the perfect tool to put an end to such destructive measures as ocean dumping and other forms of direct pollution. In that respect, the Law of the Sea addresses the marine sources of oceans pollution. The Washington Conference aimed to