

and safety of those who consume donated food that regulatory protections remain in place.

I also remain concerned about subsection (b) of the bill, which transfers this provision from the National and Community Service Act to the Child Nutrition Act. But I will not object or seek to amend that subsection based on my understanding that the Labor and Human Resources Committee will continue to exercise jurisdiction over this provision in conjunction with the Agriculture Committee.

I ask the Senator from Missouri if my understanding of this jurisdictional matter is correct.

Mr. BOND. I agree with the Senator from Massachusetts that we have reached that understanding.

Mr. KENNEDY. I thank my friend.

Mr. SANTORUM. I ask unanimous consent the amendments be agreed, to en bloc.

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

The amendments (Nos. 5148 and 5149) were agreed to, en bloc.

Mr. SANTORUM. Mr. President, I ask unanimous consent the bill be deemed read the third time and passed, and the motion to reconsider be laid upon the table.

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

The bill (H.R. 2428) was deemed read the third time and passed.

Mr. BOND. Mr. President, I am pleased that the Senate supported overwhelmingly the passage of H.R. 2428, the Bill Emerson Good Samaritan Food Donation Act.

This is a tremendous tribute to my good friend and colleague from Missouri, Congressman Bill Emerson, who represented southeast Missouri's Eighth Congressional District for 16 years. Bill Emerson was well known in this body, and certainly to many around this city, and was loved by the people of southeast Missouri. He had a long and distinguished career of service in the U.S. Congress.

Bill was especially well known for his work in agriculture and in the fight against hunger, including being an ardent supporter of food distribution programs. One of his legislative priorities this session was a bill that would make it easier for millions of tons of unused food by restaurants, supermarkets, and other private businesses to end up in food pantries and shelters rather than in garbage cans and dumpsters.

The Bill Emerson Good Samaritan Food Donation Act is identical to legislation championed by Bill Emerson before his death. In the past, private donors have been reluctant to make contributions to nonprofit organizations because they are concerned about potential civil and criminal liability. With this legislation, private donors will be protected from such liability, except in cases of gross negligence and intentional misconduct. Those in need will truly benefit from this legislation.

Again, I am happy to be a part of this commonsense approach to fight hun-

ger, and I appreciate the cooperation of all Members involved in this process.

Mr. SANTORUM. Mr. President, I want to say this bill was a long time coming. We have been hassling through a variety of different amendments. I want to thank Senator LEAHY, Senator KENNEDY, and others for their cooperation in finally getting this bill to pass.

This is a bill that really is a tribute to a friend of mine and many here in this body, Bill Emerson, who recently passed away after a long bout with cancer. Bill did tremendous work in the area of nutrition on the Agriculture Committee in the House. This is a fitting tribute, a bill that will bear his name, that will provide much more food for food banks to be able to feed needy families all over this country.

I am very proud to have been involved with this effort. Thank you, Mr. President.

Mrs. HUTCHISON addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas is recognized.

HOMEMAKER IRA'S

Mrs. HUTCHISON. Mr. President, I want to say, along with many others who have talked about some of the really important legislation that has been accomplished in the last few weeks in Congress, along with the one that I have worked the hardest for, and the one that I think will have a lasting impact, not tomorrow and not next year, but 20 years from now, and that is the homemaker IRA's.

When I got to the Senate, I was very surprised that there was still the inequity against homemakers being able to save for their retirement security in the same way that someone who works outside the home is now able to do. In fact, this penalizes the one-income-earner family when the homemaker stays home and raises children. I think we should be encouraging homemakers to be able to do that, rather than discouraging them. That is why Senator MIKULSKI and I introduced the homemaker IRA bill in 1993.

We have been working for these 3 years, and this year, Senator ROTH, the chairman of the Finance Committee took up our cause. He and Chairman BILL ARCHER said that this would be a priority for them, and I want to thank Chairman ARCHER and Chairman ROTH for not only saying it would be a priority, but for delivering on that promise. They have delivered homemakers of this country an equal opportunity to save for their retirement security.

What this means, Mr. President, is that a homemaker will now be able to set aside \$2,000 a year toward retirement security, accruing tax-free. That can make a difference of over \$150,000 in a lifetime of savings, so that now a one-income-earner couple, if they both save the maximum amount for 30 years, would have around \$350,000 as a nest egg. That could make a big difference in retirement planning, espe-

cially for people who are squeezing to make ends meet so that one parent can stay home and raise the children.

So this is a wonderful accomplishment. It is one for which will not be appreciated, probably, in the near future because it does have to accrue into retirement. But this was a great bipartisan effort.

I do want to commend Senator LOTT for helping us move this through. I want to commend Senator ROTH and Congressman ARCHER for shepherding it through the committees in the House and Senate. I just want to say how much I appreciate Senator MIKULSKI, Senator FEINSTEIN, NANCY JOHNSON, and JENNIFER DUNN and SUSAN MOLINARI on the House side, along with BARBARA KENNELLY, for making sure that this did become an accomplishment of this session of Congress.

Thank you, Mr. President. I yield the floor.

Mr. COATS addressed the Chair.

The PRESIDING OFFICER. The Senator from Indiana.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1997—CONFERENCE REPORT

Mr. COATS. Mr. President, in a moment, I am going to propound a unanimous-consent request that we move to the conference report to accompany H.R. 3230, the National Defense Authorization Act for fiscal year 1997. I note the absence of members of the other party on the floor. Obviously, they will want to be notified of this. I do not intend to pull any surprises here. I will be propounding that UC in a few moments.

The reason I do this, Mr. President, is that we have worked long and hard and very diligently this year to avoid the problems that we encountered last year in not moving the defense authorization bill for fiscal year 1996 as quickly as we would have liked. There were some issues that were contentious, and we had difficulty resolving some of those issues.

There was a determination on the part of the chairman and members of the committee this year to avoid the problem we had last year. I commend Senator THURMOND for the extraordinary work that he led in bringing this item to closure in a timely fashion. We held hearings earlier than we ever have, we held markups earlier than we ever have—at least since I have been on the committee—and we moved forward in an extraordinarily efficient way. We resolved the contentious issues and the differences between Members and between our parties on those issues, and we have legislation which now has passed both the House and Senate, and we have a conference report that we ought to be prepared to vote on.

Now, the reason why this is so important is that within this conference report are a number of significant items that are important to the security of

this Nation. Most important is funding for antiterrorist activities that goes to various committees. And there probably is not a more pressing issue before the American people right now other than this terrorist activity that has taken place in the United States and questions as to what the response of the Congress and the administration is going to be.

This legislation provides for \$122 million for the strengthening of domestic preparedness to deal with threatened or actual use of nuclear, chemical, biological, or radiological weapons. We are facing a new world today, a world that leaves no American safe in their home, on the streets, at the Olympic games, in New York City, in Indianapolis, IN, or anywhere else. It is vitally important that we move forward in providing for adequate counters to these threats that exist to the American people. This legislation begins the process of doing just that, and the \$122 million that is authorized in this authorization bill is important to accomplish that purpose.

If we cannot move forward before we break for recess, we will have delayed, for at least 30 days, and probably more, moving this legislation onto the President's desk for signature, so that we can begin the process of dealing with the terrorist situation that we face.

There is \$201 million in here to carry out the provisions of the Defense Against Weapons of Mass Destruction Act, the Nunn-Lugar Act. This is a cooperative effort between the United States and the former Soviet Union. It is important to the security of the United States.

We have a number of other items in here, including pay raises for military uniform personnel and civilian personnel. We have a dental insurance plan for retired service members and their families. We have money in here, or authorization, to support research into the gulf war veterans' illness. We have \$466 million of authorized funds for construction of new barracks, dormitories and family housing.

For those Members who are familiar with the situation that exists within the military on family housing, who have bases in their districts or in their States, they know of the vital importance of moving forward with the rehab and construction of existing housing and the construction of new housing for our military. More than 60 percent of current military housing is labeled as substandard by military standards. It is housing that you, I, or anybody on this floor would not let our families live in, if we could help it. Yet, our service families have no choice. It is an urgent priority of the Secretary of Defense, the Department of Defense, and this Congress to begin to rehab and provide adequate housing for our military.

On and on it goes. There is \$6 billion for increasing funding for procurement of ships, aircraft, and tactical systems; \$3 billion for an increase for research

and development; increased funding for development of a national missile defense system and a tactical missile defense system that protects our troops in the field and Americans here at home.

I could go on, Mr. President, but we are faced with a situation that unnecessarily delays our ability to provide necessary authorization for vital national security interests that are important to the United States. I, for one, do not understand why we can't go forward with this. I believe I would at this point—

Mr. SANTORUM. Will the Senator yield?

Mr. COATS. Yes.

Mr. SANTORUM. Will the Senator from Indiana tell me, were the Democrats who signed this conference report—my understanding was that a majority of the Democrats on the committee signed this conference report, is that correct?

Mr. COATS. This conference report is overwhelmingly supported by Members of both parties, Democrats and Republicans. I do not have the exact numbers.

Mr. SANTORUM. My understanding is that all but two Democrats signed this conference report.

Mr. COATS. That is my understanding. The issues that divided us within this report have been resolved and accepted and signed by all but two Members.

Mr. SANTORUM. I thank the Senator.

Mr. KEMPTHORNE. Mr. President, I ask the Senator from Indiana if it is his belief that, so often when there is a conflict anywhere in the world where we may have to commit troops, that the one statement that you hear universally from this body and the House of Representatives is, "We support our troops."

Do you believe that if we take action on this defense authorization bill that would be a strong signal to our troops that we support them and that there is nothing that can stand in the way of authorizing that bill tonight, and send the message that we support our troops?

Mr. COATS. Mr. President, I say to my friend from Idaho that, if there were outstanding issues over which we had legitimate differences and we had not been able to resolve those differences and that is one reason not to go forward, that might be understandable. But the issues have been resolved. Democrats and Republicans have agreed to the resolutions of the contentious issues.

So, whether it is missile defense, or a pay raise, or readiness, or modernization, or funds to combat terrorism, all of those issues have been decided in the conference. We have done so in an expeditious fashion, and the American public has asked us to come here and do our work. I do not know of anything more important—I do not know of any mandate the Congress has in the Con-

stitution that is more important—than providing for the national defense. I do not know of any issue that is more important for Members of the Senate than being able to say to the people that they represent that we have provided for the national security of the United States. That is our foremost obligation.

As I said, were there outstanding differences of opinion on issues that we had not been able to resolve, I can understand why we might not be able to do this before this Congress recesses for a 30-day period of time. But, since that is not the case, since there is agreement, since it is a bipartisan agreement, I believe we ought to, in the interest of national security and the interest of combating terrorism, go forward. And I for one do not understand why we can't do that.

Mr. KEMPTHORNE. Mr. President, will the Senator yield for one further question?

Mr. COATS. Yes. I am happy to yield to the Senator.

Mr. KEMPTHORNE. This morning I received a personal phone call from the Secretary of Defense, William Perry, who thanked me as a member of the committee for all of the efforts that the committee put forth so that we could have this bill completed in conference, and the fact that it was here before the Senate. The Secretary indicated that he was so pleased with this authorization of the conference report, and he said that he was communicating to the President his strong desire that the President sign this bill because this is what the Pentagon wants, and this is what the administration wants.

Is that the Senator's understanding as well? And, again, is there any reason in the world we should not move on this tonight and give the administration what they have asked for?

Mr. COATS. I think the minority leader is about ready to tell us the reason we can't move forward tonight. Again, that just points to the bipartisan support. The administration has signaled through the Secretary of Defense, President Clinton's appointed Secretary of Defense, that they are happy with the bill. They thank us for moving forward with the bill in an expeditious fashion. They do not want to get into the situation that we got into last year any more than we want to put them in that situation. I have received similar calls. It appears to be a piece of legislation important to the United States, important to the national security, one that is supported by Democrats and Republicans, one that is supported by the administration, and, yet, we are not able to resolve to go forward in what Senator THURMOND and Senator NUNN a few hours ago said we can dispose of in 20 minutes.

Mr. SANTORUM. Will the Senator yield?

Mr. COATS. Yes.

Mr. SANTORUM. I also want to add to that laundry list of support that the House passed this bill with a vetoproof

majority. This has overwhelming support in the House of Representatives. As the Senator mentioned, the President would like this bill.

I am anxious for the Senator to propound his unanimous consent to see why we cannot move forward with this very vital piece of legislation for our national security.

Mr. COATS. Mr. President, I will now do that. I am sure the minority leader would like to comment on it. But I ask unanimous consent that we proceed immediately to the conference report to accompany H.R. 3230, the National Defense Authorization Act for fiscal year 1997.

The PRESIDING OFFICER. Is there objection?

Mr. DASCHLE. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. DASCHLE. Mr. President, I appreciate very much the comments made by the distinguished Senator from Indiana and my other colleagues.

This is the bill. It is over 1,000 pages. I will not ask the distinguished Senator from Indiana whether he has read every page or not. But I daresay that I suppose that, if anybody has, he has, as thoughtful and as studious as he is. But there are very few people in this body who have read this report. It is 1,000 pages long. We got it yesterday. Two Democrats on the conference refused to sign this report because they had very serious concerns about it that they would like the opportunity to discuss.

This is the most expensive legislation that we will pass this year in one bill. I intend to vote for it, I think. I want to read it over the next couple of weeks myself. I think I will be supporting it. But I must say it wouldn't be a bad idea if we just took a little time, had a little chance to read it, and discuss whether or not it is the bill we want to vote for. That is all we are asking.

I have heard a lot of comments about how this would only take 20 minutes or 15 minutes. I must say when you have a bill like this of 1,000 pages, I can recall many times we have been on the floor—whether it was health reform or many other bills—when someone has risen, and said with indignation, "We can't pass this because we do not know what is in it." I heard that speech from my colleagues on the Republican side probably a half-dozen times in the last Congress.

So I do not think it is too much to ask, Mr. President, that we have the opportunity to look at it, read it, hopefully talk about it, have a good discussion, and analyze it. After all, it is the defense of the United States that we are talking about here. We should not minimize it. We certainly should not demean it. And I am not implying that anyone is. But this is a very critical decision. This is something we ought to be careful about.

So we just are not prepared tonight, now that everybody is gone and were told that there would be no more votes,

to bring this up under any circumstances, especially under a unanimous consent agreement without any debate or any thoughtful deliberation, and without having read this. I can't do that. Not many of my colleagues can do that.

So let us just take another breath, take another look, and we will be ready to go when we come back in September.

I yield the floor.

Mr. COATS addressed the Chair.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, first of all, I appreciate the fact that the minority leader is willing to read the bill over the August recess. I just want to let him know, as a member of the committee who has helped negotiate the bill and is familiar with all aspects of the bill, that I will leave him my phone number in case he has questions. He can track me down, and I will be happy to answer those.

But I would state to the minority leader that, as he well knows, we frequently bring a bill that comprises a great number of pages to the floor and pass them with less tribulation than would be accorded this particular bill. We do so because they have been subject to weeks, if not months, of negotiations between members of the committee, between leadership, between all of those involved, and all of those who have questions about the various issues.

So when the bill finally arrives at the floor, when it finally comes here for final passage, we are all very familiar with it, and we know what the differences are between us. In this particular instance, probably the most knowledgeable Member of the U.S. Senate as to the national defense issues facing this country is not a Republican but a Democrat—Senator SAM NUNN, chairman of the committee for many, many years, now ranking member of the committee. It was Senator NUNN that just an hour ago stood on the floor and said we have resolved all the differences here; there is no reason why this should take very long. And that was propounded not by a Republican. That was propounded by the Democrat ranking member of the committee. The distinguished chairman of the committee, Senator THURMOND, agreed. Those of us who serve on the committee, both Republicans and Democrats, indicated that we have looked at it. We have been meeting in rooms for weeks attempting to iron out the small details and the differences on this.

There really are no outstanding issues. We could talk about issues, but they have already been discussed and they are already familiar to everybody here. I would also point out to the minority leader that just today the minimum wage conference report came to us, the safe drinking water conference report came to us, the health bill came to us yesterday, defense came on Wednesday.

Now, of those four—minimum wage, safe drinking water, health, defense—defense is the one that got here first. Those other three were passed today without extended debate, with very limited debate. Why? Because all of the details had been worked out, because we have been debating the bill for months and various committees have been meeting and all of us had the opportunity to look and determine what is in the bill, to raise questions about any details we had concerns about, and to resolve the differences. All of that has been done.

So anybody who has been watching this proceeding knows that we have just passed three major pieces of legislation that have been in negotiation for months, and yet they were brought to the floor with less time to debate than the defense bill. As important as those bills are—health, safe drinking water, and minimum wage conference reports—I do not believe they stand higher priority than the national defense of the United States.

I regret that the minority leader felt constrained to object to this bill. I regret that we have to delay moving forward to the important provisions in this legislation that affect all Americans.

Mr. President, with that I yield the floor.

Mr. ROTH addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

SMALL BUSINESS JOB PROTECTION ACT

Mr. ROTH. Mr. President, parliamentary inquiry. Under the unanimous consent agreement, following the vote, we were supposed to complete the debate on the health legislation and then proceed to the legislation on the minimum wage and small business taxes. We are anxious to move ahead on the small business tax legislation.

What is necessary to get us on that?

The PRESIDING OFFICER. The Senator is correct. By a previous consent agreement, debate on the conference report to the Small Business Job Protection Act, H.R. 3448, is the pending business. The Senator from Delaware has 60 minutes under his control, the Senator from New York has 60 minutes under his control, and the Senator from Massachusetts, Mr. KENNEDY, has 30 minutes under his control.

Who yields time?

Mr. ROTH. I yield myself such time as I may take, and I will be very brief.

It is my understanding that there are no requests for time on the minority side. Is that correct?

Mr. MOYNIHAN addressed the Chair.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. MOYNIHAN. That is correct. My distinguished chairman, as always, has so stated the facts. But there is a small semantic issue here. Some call this the small business relief act; others on this side call it the minimum wage bill. But