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Senate

(Legislative day of Monday, July 10, 1995)

The Senate met at 9:30 a.m., on the expiration of the recess, and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Let us pray:

Gracious Father, whose presence and power is revealed to the heart that longs for Your guidance, to the mind that humbly seeks Your truth, and to those who are united in oneness to serve You in a great cause, we ask that this time of prayer be an authentic experience of communion with You that issues into an inspiring conversation with You throughout the day.

We seek to receive Your presence continually, to think of You consistently, and to trust You constantly. We urgently need divine wisdom for our leadership of this Nation, and we have discovered that this only comes in a reliant relationship with You. Prayer enlarges our minds and hearts until they are able to be channels for the flow of Your spirit. You Yourself are the answer to our prayers.

As we move through this day, we seek to see each problem, perplexity, or person as an opportunity to practice Your presence and accept Your perspective and patience. We do not want to forget You, but when we do, interrupt our thoughts and bring us back into an awareness that You are waiting to bless us and equip us to lead with vision and courage. Thus, may our work be our worship this day.

In Your holy name. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able senior Senator from Alaska is recognized.

SCHEDULE

Mr. STEVENS. Mr. President, this morning there will be a period for morning business until the hour of 10 a.m. At 10 a.m., the Senate will immediately begin a rollcall vote on the motion to invoke cloture on the State Department reorganization bill. The Senate will recess between the hours of 12:30 p.m. and 2:15 p.m. for the weekly policy conferences. If cloture is not invoked in the morning, a second cloture vote will begin at 2:15 p.m. immediately following the recess. If cloture is not obtained, the majority leader has indicated the Senate may resume consideration of the energy and water appropriations bill or begin consideration of the Department of Defense authorization bill. Rollcall votes can, therefore, be expected throughout the session today.

Also, as a reminder, Members have until 10 a.m. this morning to file second-degree amendments to qualify postcloture and until the hour of 12:30 p.m. today to file first-degree amendments under the cloture procedure.

MORNING BUSINESS

The PRESIDING OFFICER (Mr. CAMPBELL). Under the previous order, there will now be a period for the transaction of morning business, not to extend beyond the hour of 10 a.m., with Senators permitted to speak for up to 5 minutes each.

Under the previous order, The Senator from Ohio, Senator GLENN, is recognized to speak for up to 15 minutes.

BENEFITS OF NASA-FUNDED RESEARCH

Mr. GLENN. Mr. President, I rise today to begin a series of statements in which I want to outline some of the research and other scientific benefits derived from NASA-funded programs. These are programs that have benefit, by and large, for every man, woman, and child in this country; indeed, for people all over the globe.

I note with pleasure that just recently, the House passed their appropriations bill regarding NASA's space station by a vote of 299 in favor and 126 against. That is well over a 2-to-1 margin. I hope we can match that in the Senate.

But every year in the Senate, when the time comes to consider the NASA budget, there are those doubters, there are those people who want to cut it. I do not want to see excess money going into NASA either, but I also think we need to step back once in a while and look at what we are talking about with regard to research.

If there is one thing this Nation should have learned throughout its history, it is that money spent on research usually has a way of paying off in the future beyond anything we can see at the outset. That is just as true with research in space as it is with research that we have done in other areas. Research by its very nature is not as amenable to cost accounting procedures as are some other programs. But that is why it is research: It is looking into the unknown, it is having inquiry into things we do not yet know about and do not yet know the value of. Yet, that has been at the heart of every bit of advance in science and technology that we have ever made as a nation.

Someone has to wonder, someone has to have a curiosity about what we do not know in a certain area, how can we do things better, what would happen if we knew the answer to a certain question. And they are willing to go out and do something about it. They are willing to exercise their wonderment, their curiosity. This Nation is just replete with examples of where that has been to our advantage.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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For example, we can think back in agriculture and we can see the old settlers planting corn. When I was a boy back in New Concord, OH, a good corn crop was probably 48 to 50 bushels per acre. That was considered pretty good around there in those days. Do you know what it was last year not far from where I grew up? There was one farm pointed out to me that won the competition in that little part of our State near Utica, OH, where our good friend, Gene Branstool, who was in the Department of Agriculture for awhile, comes from. That area had 239 bushels per acre last year on one of the farms—239 bushels per acre.

Back when I was growing up, the people thought 48 to 50 bushels was pretty good. Why do we need research? Why would anybody spend money on it when we are getting 48 to 50 bushels off this land, where people before had only 30 or 35? But we put money into an agricultural research system, and out of that system came improvements in soil and fertilizers and hybrids, a tremendous step forward when you got to hybrids.

So the increase in production is not something that indicates farmers are working six or seven times as hard as they worked back when I was a boy, but it means that we did basic research, even though nobody knew what the outcome of it was going to be at that time.

Out of that research then came improvements in the hybrids, machinery, fertilizers, soil stabilization, and all these things that give us this wonderful production today that makes us the envy of the world. We are not the envy of the world just because—just because—we have great plains on which to conduct all of our agriculture. We have that agricultural production out there largely because we did basic research more than anyone else in the world, and we are the envy of the rest of the world with that system that we set up in agriculture.

I can give other examples. In metals, we develop metals that now give more reliable engines, valves, and generators, and all the things that go to make up our industrialized society. We did metallurgical research that was the envy of the rest of the world. Now there are some places in the world, Russia being one of them, where we envy them in some of the metallurgical research they are doing. In some areas, we believe they are probably ahead of some of our metallurgical research.

Aeronautical research—why would anybody want to get up and fly like the birds? The Wright brothers wondered why not and then did it. That first flight they made was 120 feet long and took 12 seconds. Before that day was over, they had done four flights, the longest one just a little under 900 feet, 59 seconds I believe it was. But they were curious about why we could not get up and do sustained flights. People have wondered for thousands of years, I suppose, why we could not fly like the birds.

The Wright brothers were curious about it, and they were ridiculed by some of the people at the time, because why would anyone want to do this? Later on, when they were trying to sell one of the airplanes, or a series of them, to the Army to use and were in Washington demonstrating it, one of the people in Congress in one of the hearings was quoted as saying, ''Why not just buy one airplane and let them take turns using it?''

Well, it shows how myopic the view is of some people. The airplane was developed in part because we did basic research. Out of that start came an aeronautical industry that, in turn, had its own research done. The Government invested in wind tunnels and conducted lift experiments and drag experiments and metallurgical experiments along with some of that to see what would hold up in a wind tunnel. Out of that came the lifting bodies and the aerodynamic surfaces that were the basis of our whole aeronautical industry and helped develop such giants as Boeing, Lockheed, Grumman, Northrop, McDonnell-Douglas, and all the rest of the aviation companies that did not do all of that themselves. They could not. They did not have the resources. Yet, the Government went ahead with the research that let this whole new industry develop.

In medicine, we have had people concerned since we have been a nation in doing more medical research than any nation. Out of that has come a medical system that is the envy of the world. At the same time, we have problems with it because we want to see more people benefiting from that system. But we have made our medical advances and breakthroughs largely because of basic, fundamental research. We have people willing to go into the laboratories and conduct that kind of research in oceanography, for example.

Those who would think that just because we have moved into this new environment of space—there are some who think we should lay that down and it cannot possibly have any advantage to us. Yet, we have found in the past that exploring the unknown, whether it be in the lab or geographical expansion—can be just as valuable as any of the other kinds of research that we do. But we still have those who doubt.

I am reminded of a quote that is sort of a favorite of mine because it shows how myopic some views can be. It involves Daniel Webster. He rose on the Senate floor when they were considering some territorial acquisitions from Mexico back in 1852. These were the lands beyond the Mississippi. These were the great plains beyond the Mississippi. These were the mountains and plains clear to the west coast. He did not like that idea very much. Daniel Webster rose on the Senate floor and spoke in opposition to the purchase. He is quoted as having said the following:

> What do we want with this vast worthless area, this region of savages and wild beasts, of deserts of shifting sands and whirlwinds of dust and cactus and prairie dogs? To what use could we ever hope to put these great deserts or the mountains that are covered to their very base with eternal snow? What can we ever hope to do with the western coast, a coast of 3,000 miles rock-bound, cheerless, uninviting, and not a harbor on it? What use have we for this country? Mr. President, I will never vote one cent from the Public Treasury to place the Pacific coast one inch nearer to Boston than it is now.

We look back today and think how myopic that view was. I am sure everyone that comes from States west of the Mississippi would first be amused by Daniel Webster's statement. It shows how myopic the views of even well-educated, great public servants can become when they try and just assume that the status quo is what we are going to live with forever, and should live with forever.

When we look up at space, in order to stay up there, you have to go fast enough to set up enough centrifugal force going around the Earth so that you balance gravity, so that, we now can assume a zero gravity or microgravity environment. You cannot do that here on Earth. You can throw something up in the air and for the time period it is going up and coming back down, it will be in a zero gravity condition or zero-G condition. However such experiments are very short-lived.

In the spacecraft we have now, whether it be the space shuttle or the coming orbiting space station, up there on a permanent basis, we now have the capability of exercising this curiosity, exercising our wonder, exercising our look into the unknown to see how it can benefit us here on Earth. That is the reason why I rise today, to talk about the value of this and some of the things that, even at this early stage of investigation, this early stage of research in space, is of value to everyone right here on Earth.

Let me take the last Space Shuttle flight that went up as an example. The last flight was called an ''Ohio flight'' because, as it turned out, four out of the five people on board were from Ohio. The flight was not set up that way, as an Ohio flight, to begin with. It was just the luck of the draw on that assignment of crew that it turned out that four of the five people were from Ohio.

I went down before their launch and spent a couple of days with that crew down at Houston. It was intensely interesting. We went through some of the simulations the astronauts use for training there, as well as reviewed some of the experiments and things they were going to do on that particular flight. This was not an unusual flight in that regard. It was a flight that had a number of experiments on board—a dozen or so—and some of them that may have a particular benefit to people right here on Earth.

The people on that flight were Commander Tom Hendricks from Woodville, OH; Nancy Jane Curry from Troy;

Mary Ellen Weber of Bedford Heights, Don Thomas of Cleveland; Kevin Kriegle from Amityville, NY, who we made an honorary Ohioan for the duration of that particular mission. They did a great job. Many people watched the other day as they landed successfully at the cape after being delayed in coming back because of weather.

But the important thing I want to stress this morning is that just on that one flight, some of the things they had aboard may be of extreme value to everybody right here. Actually, they had a total of 18 different experiments that were on board that flight. The primary mission was to put into space the TDRS satellite, the tracking and data relay satellite system. This is a final installation of a series of space-based communication and tracking networks that will be used for lower Earth orbit communications.

The amount of communications of data relay that that particular satellite will be able to handle, to me, is sort of mind boggling. Once it is fully up and fully operational—it is up there now but not fully operational—it will be used as a spare in case one of the other TDRS satellites develops problems. But its capacity, when fully operational, will be to transmit information per second, equal to about a 20 volume encyclopedia, to be able to transfer that amount of data per second. The communications that something like that provides and the ability to communicate with different parts of the world almost instantaneously is rather mind boggling to even consider.

I will not try and go through all 18 of these experiments, but another one I was particularly interested in—and that the scientists at NASA are very excited about—is the bioreactor system. We were briefed on that in Houston, and one of the scientists describing this says that if this comes through the way they think it may, this is Nobel Prize material. Well, it may well be. What it does is it makes a new way of studying cancer cells and other cells that are in the human body. It provides a new way of analyzing these cells and may lead to a new way of treating them.

The reason it is different is this. In a laboratory here on Earth, if you want to grow some cancer cells you usually must grow them on the bottom of a Petri dish. These cells grow in essentially a two-dimensional way. Scientists can then analyze the cells, but because they are two dimensional, they do not exactly replicate how these cancer cells are found in the body.

A two dimensional model is not the cells' natural environment. Cancer cells in the blood stream, cancer cells in a tissue, are surrounded by other body fluids, body parts.

With the bioreactor, researchers can grow cells in a three-dimensional environment, more similar to what is found in the human body. When cancer cells are allowed to grow in three dimensions, researchers can use different experimental techniques, different drugs or lasers or whatever, to see how these cells or tumors may best be treated. On a lab here on Earth a bioreactor has been used to grow small three dimensional breast cancer cells, but eventually the forces of gravity take over and these models fall apart. In a constant microgravity environment, like that of the space shuttle or space station larger cell clusters can be grown—more similar to what is found in the human body.

The first efforts at that are being done now, and were conducted with this bioreactor development system which flew on the most recent shuttle. Stated in other terms, the ability of a bioreactor to provide the environment and metabolic support required to grow and maintain mammalian cell cultures in microgravity.

This is a short statement, meaning, basically, what I said a moment ago. The experiments that they were starting on this last flight on STS–70 were with cancer cells. They want to see what reaction they get, how they can maintain the cells there, what reaction they have to different conditions, and so on.

Can I say right here that we have the answer to cancer near at hand, or the answer to AIDS near at hand? No. But out of an inquiry like this might well come some advances that combine with others, and other research may give us a handle.

Surely, this environment that they are in, where they are surrounded by the normal body fluids in the reactor, is much more conducive to research.

The effect of microgravity on bone development has been an ongoing area of research. Research into osteoporosis, which is a degenerative bone disease, is one prime example. One thing that happens in microgravity is the body starts to correct itself, as it no longer needs the same skeletal strength it has here on Earth to maintain itself up there.

We used to worry about this because if one's body eliminated enough calcium and the bones became much less rigid, we used to joke about the possibility of ''jelly bones.'' Sometime in the future if a person went on a long space flight, maybe you would come back and your bones would be so weak, so much calcium was out of them, you might not be able to stand without taking a chance of breaking your leg.

Osteoporosis goes through much of this same process. Prolonged bed rest in the hospital creates some of that same process—the body throwing off much of the calcium that it has in its bones.

In space, you develop some of these characteristics much more rapidly. That is the reason why you see some of the pictures coming back, people are up there exercising, exercising, exercising, about an hour every day on a treadmill, tied down with bungee cords, because they find that hard exercise every day is the best way to prevent that from happening.

Here on Earth, one of the ways people prevent osteoporosis is by daily exercise. Up there, we can then use additional chemicals or medicines or whatever to see if we cannot reverse this process or at least prevent it from happening, which will have a direct relationship right here on Earth.

Another experiment, commercial protein crystal growth. Crystallized human alpha-interferon protein. The protein crystal growth experiments have been particularly interesting. These crystal growths occur with more purity and sometimes in much different size in the weightlessness of space than they do here on Earth. It opens up a whole new area of experimentation with regard to what may be of benefit right here on Earth. This particular crystal also may have some cancer benefits.

All of these things are not just curiosities in space, to be applied in space. They are of benefit to people right here on Earth. It always surprises me when people do not seem to want to realize or they talk down projects that may result in a whole new approach to disease. It may result in what we call tailormade drugs; in other words, drugs that will be tailored to a specific benefit to cope with a particular disease or a particular medical difficulty. They are doing those experiments there now.

Another experiment that has a title that is rather unwieldy may have some defense applications for us. We do not know yet. We think it may. It is called the HERCULES project. Now, HERCULES stands for hand-held, Earth-oriented, cooperative, real time, user-friendly, location targeting, and environmental system. That is some handle for the project HERCULES. What it is, is a space-based geolocating system to locate a wide variety of features on the ground with great accuracy. It has some defense applications that may come out of that, as well as other scientific applications.

Another experiment is microencapsulation in space to produce novel pharmaceuticals in a weightless condition which can be done with more purity than they can be done here on Earth.

Another one is a midcourse space experiment, which supports the development of surveillance capabilities of ballistic missiles during the midcourse of their flight. There are a number of experiments they perform on just that one flight.

Going back one flight before that, we all watched as astronaut Hoot Gibson flew the STS–71 mission, the shuttle-MIR mission. There were great pictures of that, that I am sure many of my colleagues saw. On that mission, in addition to just being able to rendezvous with two 100-ton vehicles coming together up there in space, they did metabolic experiments: Studying physiological responses in space, changes in blood volume, cardiovascular and pulmonary research, neurosensory research, how zero gravity affects brain

communication. Does that tie in with brain communication? We need information with regard to Alzheimer's disease or whatever. Also, behavior and performance research, long-term effects of microgravity on muscle coordination, mental acuity, and once again, the protein crystal growth experiments.

These are just a few of the things that are going on in the space program these days. I just mention these things now and, in subsequent remarks here on the floor, I want to give more information on some of these. I wanted to set the stage this morning by going back in just a few of the things that I have mentioned with regard to the value of basic research in this country, and that NASA is out there, right now, doing that kind of cutting edge, basic research, in this new laboratory of space.

Every year, NASA publishes a book called ''Spinoffs.'' This one is ''Spinoff, 1994,'' a whole book full of some of the things that NASA has been doing that are of value right here on Earth. Health and medicine, environment and resources management, public safety, consumer, home, recreational spinoffs, transportation, computer technology, industrial productivity, and manufacturing technology.

I will not try to read all the things here this morning for people, but I commend them to my colleagues and the staffs here on the floor for reading, to see what is going on in some of these areas. We will be talking more about some of these things as time goes on.

I know the time is limited here this morning. I will make some more lengthy remarks in days ahead. I wanted to take this time this morning to set the stage for the upcoming debate on NASA's budget.

People have looked up for hundreds of thousands of years and wondered what is up there in the air, and then the Wright brothers went ahead and learned how to fly and learned how to stay up there for a period of time, and people first thought, what use was it. But we know what use it became later on—our whole aircraft and airline industry that lets people travel to far places around the world.

Every time we come up with a new capability for doing research, it seems that there are those who do not want to recognize that something good may come out of it, whether it be agriculture research, metals research, aeronautical research, oceanography, geographical research, or whatever.

But, as I said starting out, if there is one thing this Nation has learned, it is that money and time spent on basic, fundamental research in whatever area usually comes back and shows more value than we could ever foresee at the outset.

Mr. President, I yield the floor.

TRIBUTE TO C. ABBOTT SAFFOLD, SECRETARY FOR THE MINORITY

Mr. HEFLIN. Mr. President, I rise today to join my colleagues in hailing the faithful service of Abby Saffold, who has served as secretary to the Democratic caucus since 1987. Abby has been one of the greatest fixtures in this body, and I cannot imagine the remarkably different place this Chamber would have been without her.

I remember well the days when this body was not so divided by party lines. Abby is a rare example of a person who provided her expertise to all, regardless of party. She did not concern herself with which side of the aisle we were on. She was helpful to anyone who needed of her.

I am sure Abby could tell remarkable stories about the questions that were posed to her throughout her career in the Senate. If someone was planning a vacation for 1999, they would first call Abby to ask if the Senate would be in session—and she would know. I am sure that she has been asked countless times ''When will be be out of here tonight?'' ''What's on the lunch menu today?'' or ''What's the best joke you can tell me, Abby?''

Abby has served as a school teacher and a case workers, and I am sure that those experiences have led to her expertise in working for and with Members of the Senate. She is well known for her endless knowledge of legislative procedures and negotiating skills, and for avoiding disaster through her expertise.

Abby was here with us all the late nights, still sharp, awake, and aware. There was no question whether she would be on the floor the next morning, and she was just as cheerful.

Abby is undoubtedly one of the brightest luminaries we have had the opportunity to work with here in the Senate. She learned from her experiences in Senator BYRD's office, working her way up from legislative correspondent to her position as the secretary of the majority, and most recently, as the secretary to the minority.

Senator BYRD taught her well. He passed on his attention for detail and professionalism to a truly great staffer. In appointing her, Senator BYRD gave us one of the greatest gifts any colleague could have—the opportunity for us to know the endless kindness of Abby Saffold. As Senator BYRD recently said, ''Abby has done it all, and done it all very, very well.''

As I look toward my own retirement, I would like to express by best wishes to Abby for hers. I doubt I will ever meet any finer person. We will all miss her presence here in this Chamber.

TRIBUTE TO DUANE GARRETT

Mrs. FEINSTEIN. Mr. President, only 48 years old, a veritable dynamo, exuding ideas and proposals, knowing his words commanded attention from the humblest abode to the White House itself, Duane Garrett seemed to have it all.

With a loving family, legions of friends, the respect and admiration of the lowly and highly placed alike, Duane appeared boundlessly blessed.

Lawyer, businessman, political adviser, art and stamp collector, sport savant, historian for the San Francisco Giants, fishing boat skipper—no one could fillet a salmon with such aplomb—radio talk show host, television commentator, Duane was a talented universalist—the proverbial Renaissance man.

Serious and thoughtful in his political analysis, witty and full of fun in conversation, a tenacious fighter for what he believed, yet practical and down-to-earth in his judgments, Duane was a true prodigy.

A giving man, always surprising friends with a gift—a stamp to a collector, a baseball card from a hero of long-ago to a young fan—but as only the generous can, Duane brushed aside gratitude. ''It was nothing. Just thinking about you,'' he would say.

And he would mean it because he gave from his heart.

With him, everything was done with enthusiasm born of interest in people and intensified by an endless curiosity about our world and our place in history.

He took to the microphone of his talk show with the same unrestrained gusto as he would enter a private conversation with an old friend.

He never held back. He always gave his all. He drew unselfishly from his knowledge and experience. Widely read and deeply thoughtful, he cut quickly and expertly to the heart of issues.

Certainly, I benefited from this ability as he advised me over the years, most recently as the cochair of my campaign for the U.S. Senate.

His candor could be counted upon. His word was his absolute bond. His thought was as rich and inventive as any person I know.

Also, he was a good friend, a person of great warmth and compassion. His mere walking into a room brought a brightness and warmth.

His bearish looming over a podium at a political dinner—and he was master of ceremonies at countless of them for me—was sure to give instant vibrancy to festivities. He was a master not only of long range ideas and concerns, but of the moment.

Actually, when his many talents and attributes are added together, the sum seems larger than life.

That makes his loss all the greater.

A giant who suddenly, without hint or warning, silences himself inevitably conjures a mystery.

But even in death there can be no detraction from what he contributed to life, no diminution of his love for Patty and his daughters, Laura and Jessica; no devaluation in the worth of the counsel and friendship he gave, or of the affection and respect he received in return.

While we may never learn or understand why this ebullient man should end his life, we can never subtract from his accomplishments.

We may never fathom the why of death, but we shall always be thankful for the fullness of his life.

Outwardly, Duane was the epitome of confidence and elan, seemingly so impregnable. Whatever pain he felt, or doubts he had, remained concealed behind the customary lift of his head and broad smile.

What drove him to that final, solitary walk on the Golden Gate Bridge may elude us, but what we shall always know is his love for his family and his zest whenever he was on the other end of the phone, or sitting in the living room or booming his opinion on radio or television.

His life is what matters. His death is mere punctuation that makes clear the substance and meaning that came before.

Indeed, Duane seemed to have it all, and for those of us who knew him he endlessly seemed to give his all.

So very much alive, so bursting with ideas, so expressive, so reaching out to help others, Duane, even now that he is gone, reverberates in our mind in endless reminders of the vigor and principle he brought to politics and other endeavors.

Campaign manager, advisor, counselor, invariably shrewd and insightful, always helpful, thoroughly unselfish, unfailingly available and generous with his time, Duane Garrett was always there.

And always shall he be.

FOREIGN RELATIONS REVITALIZATION ACT

Mr. MCCAIN. Mr. President, I intend to offer an amendment to the Foreign Relations Revitalization Act of 1995 to assist the President in his efforts to deal with the growing threat to American interests from Iran. President Clinton clearly sought to address this threat with his May 6 Executive order establishing a full United States embargo of Iran. It is my hope that short of successfully encouraging other nations from trading with Iran, an extremely challenging task, the President will be able to use the authority in this amendment to encourage other countries to at least refrain from contributing to Iranian weapons capability.

The 1992 Iran-Iraq Arms Non-Proliferation Act, which I cosponsored with then-Senator GORE, established sanctions against third parties which assist Iran and Iraq in their efforts to rebuild their weapons capabilities. It was a start, but it did not go far enough. Efforts by Senator LIEBERMAN and me last year to expand the legislation were unsuccessful.

The 1992 bill was intended to target not only the acquisition of conventional weapons, but weapons of mass destruction as well. In the process of amending the bill to the 1993 Defense Act, however, the explicit references to weapons of mass destruction were dropped.

The amendment I am offering today attempts to make these applications absolutely clear. It also removes from the proposed sanctions exceptions for assistance under the Freedom Support Act, thereby removing the benefit of the doubt Congress gave Russia in 1992. As I will explain later in my statement, Russia has used this exception to the detriment of United States policy in the Persian Gulf.

To the current list of sanctions against persons assisting Iran and Iraq in its weapons programs, which already include procurement and export sanctions, the amendments we are offering today add the denial of visas, denial of commercial credit, and denial of authority to ship products across United States territory. To the list of sanctions against countries offering similar assistance, the amendment adds the denial of licenses for export of nuclear material, denial of foreign military sales, denial of the transfer of controlled technology, denial of the transfer of computer technology, suspension of the authority of foreign air carriers to fly to or from the United States, and a prohibition on vessels that enter the ports of sanctioned countries.

The threat from Iraq is not an immediate concern. The most important aspect of our policy with regard to Iraq must be to remain firm on the U.N. embargo. But given the history of the Iraqi military buildup before the gulf war, the sanctions included in the Iran-Iraq Act may at a later date be as important with regard to Iraq as they are currently in the case of Iran. Once the embargo is lifted, there will be a great temptation for cash-strapped economies to resume sales of military hardware to Iraq. Outside forces may once again be compelled to maintain a balance in the region through arms sales and a dangerous escalation of firepower.

It is also vitally important to prevent the reemergence of an Iraqi conventional military threat. One need only observe the origins of the weapons which constituted the Iraqi threat in 1990 to know that the key to any post-embargo containment strategy will depend on our ability to influence Iraq's trading partners in Europe, Russia, the People's Republic of China, and North Korea.

The threat from Iran is more immediate. The Iranian buildup in the Persian Gulf is common knowledge. Its importation of hundreds of North Korean Scud-C missiles, its intention to acquire the Nodong North Korean missiles currently under development, and its efforts to develop nuclear weapons are well established—as is its conventional weapons buildup.

Successive CIA directors, and Secretaries Perry and Christopher have all testified to the effect that Iran is engaged in an extensive effort to acquire nuclear weapons. In February, Russia signed an agreement to provide Iran with a 1,000 megawatt light water nuclear reactor. The Russians indicate that they may soon agree to build as many as three more reactors—another 1,000 megawatt reactor, and two 440 megawatt reactors.

I have raised my concerns regarding this sale with the administration on a number of occasions. I have maintained that under the Freedom Support Act of 1992, which the Iran Iraq Act of 1992 was intended to reinforce, the President must either terminate assistance to Russia or formally waive the requirement to invoke sanctions out of concern for the national interest.

The State Department has informed me that ''to the best of its knowledge, Russia has not actually transferred relevant material, equipment, or technology to Iran,'' and so there is no need to consider sanctions. I have been further informed that they are ''examining the scope of the proposed Russian nuclear cooperation with Iran, and as appropriate, they will thoroughly evaluate the applicability of sanctions,'' presumably, if at a later date they can confirm the transfer.

I have no reason to question the State Department's evaluation of the facts on the ground. However, I would note that there have been public reports of as many as 220 Russians employed at the site of the proposed reactor. There seems to be a dangerously obscure standard for determining when material, equipment, or technology useful in the manufacture of nuclear weapons has actually been transferred, especially when as is the case with Iran, the reactor may already be partially complete.

At what point in the construction of the reactors does the transfer become significant? Do we allow the Russians to build portions of the reactor which do not strictly involve the transfer of dangerous equipment or technology while Iran obtains the most vital assistance from other sources? Although I cannot make this determination myself, common sense and an appropriate sense of caution would dictate that any assistance provided Iran in its efforts to acquire nuclear technology is significant.

The administration declined to identify the dispatch of technicians to the site as sufficient proof that a technology transfer was occurring. However, now that we are approaching the completion of site inspection and preparation, and nearing the start of the actual construction, it is my hope that the President will make another assessment of the situation.

I would point out that although the administration may have technical grounds for arguing that it is not yet required to invoke sanctions, making a determination on the applicability of sanctions sooner rather than later would serve as necessary leverage in resolving the issue. My intention is not to gut U.S. assistance to Russia. It is

to prevent Russia from providing Iran dangerous technology. Waiting to make a determination until the transfer is complete defeats the purpose of the sanctions.

Ultimately, I fear that the reason the administration has not made a determination is that it does not want to jeopardize our relationship with Russia.

Based on this assumption and anticipating that the State Department may at a later date find other ways to avoid compliance with the Freedom Support Act, the legislation we are introducing today makes the President's legal responsibility under the act more explicit.

We sent our Armed Forces to war in the Persian Gulf once in this decade. They endured hardship to themselves and their families. Some will live with the injuries they suffered in service to our Nation for the rest of their lives. And, as is the case with every war, some never returned. With the cooperation of our friends in Europe, whose own sacrifices to the effort to free Kuwait should not be forgotten, we must see that the service of these brave men and women was not in vain.

Stability and security in the Persian Gulf is vital to the world economy and to our own national interests. Aggressors in the region should know that if we must, we will return to the Persian Gulf with the full force of Operation Desert Storm. At the same time, our friends and adversaries elsewhere in the world should understand that the United States will do everything in its power to preclude that necessity. It is my sincere hope that his legislation will serve as an indication of just how serious we are.

DON'T ABANDON HANFORD

Mr. GORTON. Mr. President, the Nation's nuclear facilities are being singled out for strident criticism these days. The Hanford site in Washington State is one of those pointed to for its alleged waste and inefficiency. In fact, some of my distinguished colleagues have proposed legislation that would dramatically, fundamentally, and perhaps dangerously affect the principles which govern cleanup at Hanford.

I am troubled by these criticisms, Mr. President, not because they do not make some good points—for certainly, Hanford's cleanup operation is not perfect—but because they ignore two important factors: first, that cleanup operations at Hanford are actually progressing; and second, that this Government has an obligation to help communities which contributed in no small part to our victories in World War Two and the cold war.

The massive undertaking to clean up nuclear waste at Hanford is overseen by what is known as the Tri-Party Agreement. This agreement, forged in 1989, includes the Department of Energy, the Washington State Department of Ecology, and the U.S. Environmental Protection Agency, and is showing itself to be an effective means for guiding cleanup. As a recent article in the Tri-Cities Herald noted:

> Many in the Northwest, including former adversaries, say the pact is the engine driving cleanup and, while slow in the beginning, it now is speeding the work along.

From safety to new technology to administrative savings, Hanford has made great strides. I submit for the RECORD a list of Hanford's recent accomplishments from the Tri-Cities Herald. It shows how far Hanford has come, and how the Tri-Party Agreement has influenced and moved cleanup efforts.

The Blush Report, a review of Hanford commissioned by my distinguished colleague Senator JOHNSTON, cited the Tri-Party Agreement as the primary obstacle to efficient cleanup. But that report was wrong. Just ask the people who signed the Tri-Party Agreement, the contractors who follow its guidelines, and the people of Washington State who benefit from its success. For all its faults, the Tri-Party Agreement serves as a constant reminder to the Federal Government that cleanup at Hanford is a top priority.

And officials at Hanford are now looking to move 2,300 tons of spent nuclear fuel away from the Columbia River three years earlier than originally planned. This is not only good for the environment, but for the taxpayer as well—it may save as much as $120 million. Would the Federal Government, on its own, take the initiative like this and actually try to finish a project ahead of schedule? I have my doubts.

A unique example of innovation at Hanford is the use of microorganisms to get rid of pollution. These microscopic creatures are, according to DOE News, ''stimulated with a vinegar-like solution to 'eat' chemical pollutants such as carbon tetrachloride and nitrates.'' Mr. President, surely no one can say that Hanford is in the grips of bureaucratic sclerosis when it enlists what one local paper calls ''vinegar-swigging microbes'' in the fight against pollution.

I recently received a letter from Mr. Kenneth Kensington of Viatech, Inc., in Hastings, MI. Viatech is cooperating with the Department of Energy on certain aspects of the cleanup, and Mr. Kensington writes that such cooperation is valuable not just to Hanford, but to the private sector and the advancement of research and development as well.

Administratively, Hanford is also making great strides. Last April members of the Tri-Party Agreement met in St. Louis to create a ''Blueprint for Action and Cost Control.'' As the Tri-City Herald reports, ''[t]he officials at the St. Louis meeting examined how to better manage projects, reduce costs and increase competition, track savings and streamline the regulatory process.''

Mr. President, this strategy goes hand-in-hand with the legislation my fellow members of the Washington State delegation and I have introduced to reform cleanup at Hanford.

There is, Mr. President, another aspect to this issue, and that is the responsibility the United States of America has for supporting facilities like Hanford which provided the manpower and the materials that helped fight and win both World War Two and the Cold War.

Beginning in the 1940's, the Federal Government asked the Hanford community to join in the effort to combat Japanese, then Soviet, aggression. Hanford responded to the country's call, and performed its task magnificently, producing the materials to build up our Nation's defenses and face up to first the fascist and then the Communist threat. Tens of thousands of men and women worked on this mission, each contributing in their own way to American strength and security.

Now, Mr. President, as we all know, the cold war is won, communism is vanquished, and we should all be thankful for the hard work and dedication of people in communities like Hanford. After all, these communities sacrificed a great deal. At Hanford, thousands of tons of nuclear waste lie underground, the result of a decades-long nuclear effort. I understand, Mr. President, that some of my distinguished colleagues may be concerned by the cost of cleanup at Hanford, but I cannot believe they would suggest that we simply turn our backs on the people who never faltered in their duty to their country.

On Tuesday, the Senate Energy and Water Subcommittee approved funding for Hanford for 1996. I was very pleased by this, Mr. President. But I am still concerned about Hanford's long-term situation. I am very concerned that we stand by our commitments.

Mr. President, I hope my colleagues will consider this issue carefully. I hope they will do what is right by the people of Hanford, and not, in their rush to save dollars, forget Hanford's invaluable service to America.

Mr. President, I ask that this article from the Tri-City Herald be printed in the RECORD.

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

[From the Tri-City Herald, July 2, 1995]

SIGNIFICANT ACCOMPLISHMENTS HAVE BEEN MADE, MILESTONES REACHED SINCE SIGNING OF TRI-PARTY AGREEMENT

Here's a rundown of major accomplishments at Hanford since the Tri-Party Agreement was signed in 1989:

Hanford's highest risk—the ''burping'' tank 101–SY—was resolved by installing a giant mixer pump that controls releases of hydrogen gases from the tank.

Fabrication was completed on a spar pump, the second of its kind for waste tank use.

Contaminated liquid discharges to the soil were eliminated.

K Basins, which hold highly radioactive used nuclear fuel, were made earthquake-proof.

Forty million dollars was saved by selling nitric acid stored in the Plutonium Uranium Extraction Finishing Plant to British Nuclear Fuels in England.

Getting that nitric acid out of PUREX will cut 10 months off the former chemical processing plant's deactivation schedule. The first shipment of nitric acid arrived in Great Britain this month. Two shipments will leave Hanford each week until December, when all 190,000 gallons will have been removed.

The Uranium Oxide Plant deactivation is done, which mean the former processing plant is ready for final cleanup and disposition. This project was done four months early and $800,000 under budget. Deactivation reduced the annual cost of maintenance from $4 million to $40,000.

This so-called interim sludge stabilization program was completed at the Plutonium Finishing Plant (PFP) 85 days early. That was the first major step in the eventual cleanup of the plant.

The work was done inside two small furnaces in a PFP glovebox. Moist, chemically reactive plutonium scraped from 236 containers was heated to 1,000 degrees Celsius, converting it into about 30 kilograms of impure plutonium oxide that was sealed in containers and placed in PFP's shielded vaults. Stabilizing this material reduced total worker radiation exposures by 25 percent.

Fuel was removed from the Fast Flux Test Facility four months ahead of schedule and $475,000 under budget.

An evaporator was constructed and has reduced the amount of radioactive liquids in underground tanks from 61 million gallons to 55 million gallons. By evaporating a portion of the water and thus concentrating the remaining liquid waste in double-shell tanks, there will be more available storage space for wastes to be transferred out of other troublesome tanks.

The extra tank space provided by the evaporation means six new tanks, at an estimated cost of $378 million, won't be needed.

With evaporation, only water is removed. The condensate water is being piped to nearby basins to await final processing.

In the N Reactor complex, 13 of 32 buildings have been deactivated and are ready for final disposal. Cleanup of the N Reactor's fuel basin is to be done in 1997.

Two effluent disposal facilities have been built in central and southern Hanford to treat contaminated liquids. The liquids will no longer be dumped into the soil; a practice that began in 1943.

The 200 Area Treated Effluent Disposal Facility was $25 million under budget and fulfilled 12 TPA milestones.

Reduced annual overhead costs by $200 million and infrastructure costs by $22 million.

The $31 million Waste Sampling and Characterization Facility was built, a laboratory to provide analysis of Hanford's wastes. The complex includes an analytical laboratory, nuclear spectroscopy laboratory and solid-waste storage facility. Nonradioactive and low-level radioactive samples can be analyzed, as can samples that cannot be sent to commercial laboratories.

250,00 pounds of carbon tetrachloride will soon have been removed from the soil in the 200 Areas, nearly 34 million gallons of contaminated ground water will have been treated, 56,000 cubic yards of contaminated soil excavated and 52 buildings decontaminated and decommissioned.

A new drilling technology now in use at Hanford is safer, three times faster and minimizes wastes better than conventional drilling methods while producing higher-quality samples.

K Reactor water basins have been converted into fish-rearing ponds to revive Columbia River salmon runs. The project is in cooperation with the Yakama Indian Nation.

The Hanford Advisory Board was created to provide public direction on cleanup from stake-holders throughout the Northwest.

A super landfill was created in central Hanford to receive debris and soil from the planned riverside cleanup.

Numerous buildings, including the B Reactor water treatment plant, have been demolished.

Construction is under way on the $230 million Environmental and Molecular Sciences Laboratory, a 200,000-square-foot building that will house equipment and programs to study molecular interactions and likely will lead to improved cleanup technology.

The Fitzner-Eberhardt Arid Lands Ecology reserve and the North Slope have been cleaned. Combined, they make up 45 percent of the 560-square-mile site. The lands, which had contained no radiological contamination, are to be turned back to the public, but a debate continues on who will get the land. By 1997, another 65 square miles along the Columbia River will be available for other uses.

Additionally, several new technologies are in use. They include:

Virtual reality, a simplified version of a special stereoscopic viewing system to inspect Hanford tanks. The system gives operators the feeling they're actually in the tank looking for structural flaws.

A high-temperature melter system to allow for more ''waste loading'' during eventual vitrification of tank waste. Increased operating temperatures allow greater flexibility to incorporate more volume of waste into the glass, thus reducing the number of radioactive glass logs to be sent to a permanent repository.

A device that for the first time measured the amount of gas in tank 101–SY.

a tungsten ball, about the size of a softball, that has been suspended into that tank on a wire cable to provide information on the thickness of waste inside.

WAS CONGRESS IRRESPONSIBLE? CONSIDER THE ARITHMETIC

Mr. HELMS. Mr. President, as of the close of business yesterday, Monday, July 31, the Federal debt stood at $4,960,151,653,142.55. On a per capita basis, every man, woman and child in America owes $18,828.82 as his or her share of that debt.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mr. SANTORUM). Under the previous order, the hour of 10 a.m. having arrived, morning business is now closed.

FOREIGN RELATIONS REVITALIZATION ACT

The PRESIDING OFFICER. The clerk will report the pending business.

The assistant legislative clerk read as follows:

A bill (S. 908) to authorize appropriations for the Department of State for fiscal years 1996 through 1999, and to abolish the United States Information Agency, the United States Arms Control and Disarmament Agency, and the Agency for International Development, and for other purposes.

The Senate resumed the consideration of the bill.

Pending:

Dole amendment No. 2025, to withhold certain funds for international conferences if funds were expended for U.S. participation in the United Nations Fourth World Conference on Women while Harry Wu was being detained in China.

Helms amendment No. 2031, to authorize reduced levels of appropriations for foreign assistance programs for fiscal years 1996 and 1997.

Kerry (for Boxer) amendment No. 2032 (to Amendment No. 2025), to express the sense of the Senate regarding the arrest of Harry Wu by the Government of the People's Republic of China.

Hutchison amendment No. 2033 (to Amendment No. 2025), to express the sense of the Congress that the United Nations Fourth World Conference on Women, to be held in Beijing, China, should promote a representative American perspective on issues of equality, peace and development.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, the clerk will now report the motion to invoke cloture.

The legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on S. 908, the State Department reorganization bill:

Senators Dan Coats, Spencer Abraham, Nancy Kassebaum, Rick Santorum, Jesse Helms, Judd Gregg, Rod Grams, Olympia Snowe, Bob Dole, Thad Cochran, Paul Coverdell, Larry Craig, Phil Gramm, Kay Bailey Hutchison, Don Nickles, Trent Lott.

CALL OF THE ROLL

The PRESIDING OFFICER. Under the previous order, the mandatory quorum call has been waived.

VOTE

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate on S. 908, the State Department reorganization bill, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

The yeas and nays resulted—yeas 55, nays 45, as follows:

[Rollcall Vote No. 345 Leg.]

YEAS—55

Abraham	Gorton	Murkowski
Ashcroft	Gramm	Nickles
Bennett	Grams	Packwood
Bond	Grassley	Pell
Brown	Gregg	Pressler
Burns	Hatch	Roth
Campbell	Hatfield	Santorum
Chafee	Helms	Shelby
Coats	Hutchison	Simpson
Cochran	Inhofe	Smith
Cohen	Jeffords	Snowe
Coverdell	Kassebaum	Specter
Craig	Kempthorne	Stevens
D'Amato	Kyl	Thomas
DeWine	Lott	Thompson
Dole	Lugar	Thurmond
Domenici	Mack	Warner
Faircloth	McCain	
Frist	McConnell	

NAYS—45

Akaka	Feingold	Leahy
Baucus	Feinstein	Levin
Biden	Ford	Lieberman
Bingaman	Glenn	Mikulski
Boxer	Graham	Moseley-Braun
Bradley	Harkin	Moynihan
Breaux	Heflin	Murray
Bryan	Hollings	Nunn
Bumpers	Inouye	Pryor
Byrd	Johnston	Reid
Conrad	Kennedy	Robb
Daschle	Kerrey	Rockefeller
Dodd	Kerry	Sarbanes
Dorgan	Kohl	Simon
Exon	Lautenberg	Wellstone

The PRESIDING OFFICER. On this vote, the yeas are 55 and the nays are 45. Three-fifths of the Senators duly chosen and sworn, not having voted in the affirmative, the motion is rejected.

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

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

The Senator from Washington is recognized.

Mr. GORTON. Mr. President, I ask unanimous consent to proceed for 5 minutes as if in morning business.

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

Mr. GORTON. I thank the Chair.

(The remarks of Mr. GORTON pertaining to the introduction of S. 1099 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

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

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

FOREIGN RELATIONS REVITALIZATION ACT

The Senate continued with the consideration of the bill.

AMENDMENT NO. 2033

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

The PRESIDING OFFICER. The pending business is amendment No. 2033 offered by the Senator from Texas.

Mr. HELMS. Mr. President, Senator HUTCHISON's amendment providing guidance to the U.S. delegation to the U.N. Conference on Women in Beijing is important for the signal it sends to the administration—and to the United Nations.

The upcoming Beijing Conference offers a smorgasbord for radicals who are constantly fighting against traditional family values—paid for, in part, by American taxpayers. Organizers of this U.N. Women's Conference are determined to peddle their bizarre views of the family and the role of women. There is already too much kowtowing to fringe elements at the United Nations in New York and that is why this amendment is necessary.

The Senator from Texas and the Senator from Indiana clearly explained the amendment yesterday. It simply urges the U.S. delegation to the Beijing Conference to promote genuine women's rights and traditional family values, and not the agenda of a few activists who have captured the hearts and minds of U.N. bureaucrats.

In all honesty, Mr. President, it is astounding that an amendment even needs to be offered to protect the institutions of motherhood and the family. But, experience has shown that if Congress ignores the Beijing Conference, the United Nations will soon be pushing every country in the world to accept the United Nations strange notion of motherhood and family and even gender.

Some ideas promoted in the Beijing Conference ''Platform for Action'' are too bizarre to be believed, as I will explain in a moment. But, the American people know exactly what is going on, thanks to a multitude of news stories in the Christian and secular media.

You may remember, Mr. President, that some folks—but not this Senator—were sold a worthless bill of goods before last year's U.N. Conference on Population Control in Cairo. Senators and Congressmen were assured, promised, and guaranteed that Cairo Conference organizers and the U.S. delegation would not promote abortion-on-demand as a so-called international ''reproductive right.'' But that is exactly what happened thanks to Tim Wirth, who was being advised by former Congresswoman Bela Abzug.

Senator HUTCHISON's amendment does not address this issue. But, it should come as no surprise that organizers of the Beijing Conference are determined to repeat what happened at the Cairo Conference—that is, they will attempt to coerce prolife foreign governments into creating a so-called ''right'' to abortion-on-demand.

Making matters worse, Mr. President, is the fact that this conference on women's issues is to take place in China of all places, where women are routinely forced to undergo abortions and sterilizations against their will, in the name of population control. Holding the Conference in China is nothing less than a slap in the face to women everywhere. It sends the clear signal that the United Nations finds China's grotesque behavior acceptable.

Lest anyone think that I have exaggerated the extent to which the United Nations has pandered to extremists, ask yourself why the word ''mother'' is virtually nonexistent in the Conference ''Platform for Action'' document. This is a conference on women, after all. Conference organizers prefer ''caretaker.'' The reason: because they dare not condemn—indeed they probably endorse—so-called homosexual marriages.

Ask yourself, Mr. President, why Beijing Conference organizers refuse to agree to a definition of the word ''gende'' as meaning only male and female. The United Nations apparently has decided that the world is made up of five genders: male, female, homosexual, bisexual, and transsexual—whatever that is. The U.N. Conference Secretariat stated that, ''gender is relative.'' What in the world does that mean?

This administration is also on record stating that ''gender differences'' are ''cultural—changeable, variable.'' [AID ''Gender Analysis Tool Kit'']. And what is worse, Mr. President, they arrogantly want to shove this nonsense down the throats of American taxpayers, and ask them to pay for it.

It is obvious what is going on. These strange ideas and values may be acceptable to U.N. bureaucrats or even to some in this administration, but they are not acceptable to the American people, and that is why this amendment is important. I urge Senators to support Senator HUTCHISON's amendment.

It is my understanding that the distinguished Senator, the manager on the other side, is willing to accept the amendment.

Mr. KERRY. Mr. President, we have looked at this amendment. We will be happy to accept it.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to the amendment.

The amendment (No. 2033) was agreed to.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

AMENDMENT NO. 2041

(Purpose: To express the sense of Congress regarding the consolidation and reinvention of the foreign affairs agencies of the United States)

Mr. HELMS. Mr. President, I send an amendment to the desk and ask it be stated. It is already at the desk. I ask that the clerk read it slowly because the amendment speaks for itself.

The PRESIDING OFFICER. Is there objection to setting aside the pending amendment? Without objection, it is so ordered.

The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from North Carolina (Mr. HELMS) proposes an amendment numbered 2041.

At the end of the bill, add the following:

SEC. . SENSE OF CONGRESS REGARDING CONSOLIDATION AND REINVENTION OF FOREIGN AFFAIRS AGENCIES.

(a) FINDINGS.—The Congress finds that it is necessary in order to make the Government more efficient and to realize significant budgetary savings for the American taxpayer—

(1) to consolidate and reinvent foreign affairs agencies of the United States within the Department of State;

(2) to provide for the reorganization of the Department of State to maximize efficient use of resources, eliminate redundancy in functions, and improve the management of the Department of State;

(3) to assist congressional efforts to balance the Federal budget by the year 2002;

(4) to ensure that the international affairs budget function shoulders an appropriate share of the reductions in United States Government spending necessary to eliminate the $4,800,000,000,000 budget deficit; and

(5) to strengthen—

(A) the coordination of United States foreign policy;

(B) the leading role of the Secretary of State in the formulation and articulation of United States foreign policy;

(C) the authority of United States ambassadors over all United States Government personnel and resources located in United States diplomatic missions, in order to enhance the ability of the ambassadors to deploy those resources to the best effect that will attain the President's foreign policy objectives; and

(D) the United States Foreign Service, as the forward deployed civilian force of the United States Government, through renewed emphasis on the original principles which undergird the distinct Foreign Service personnel system. These include worldwide availability, assignments based on the needs of the service, rank in person, and merit-based advancement.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the President should—

(1) consolidate within the Department of State, or eliminate, such duplicative, overlapping, or superfluous personnel, functions, goals, activities, offices, and programs that the United States Arms Control and Disarmament Agency, the United States Information Agency, and the Agency for International Development have in common with the Department of State in order to realize a budgetary savings to the American taxpayer of at least $3,000,000,000 during fiscal years 1996 through 1999;

(2) encourage the United States foreign affairs agencies to maintain a high percentage of the best qualified, most competent American citizens serving in the United States Government while downsizing significantly the total number of people employed by these agencies; and

(3) ensure that all functions of diplomacy be subject to recruitment, training, assignment, promotion and egress based on common standards and procedures, with maximum interchange among the functions.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. I thank the Chair.

Mr. President, if ever an amendment submitted in this Senate spoke for itself, this one does. That is why I asked the able clerk to read it in its entirety. And if there is a Senator who can offer an equivalent savings while preserving foreign affairs programs, I ask that Senator, whomever he or she may be, to do so.

The point is, and the fact is, they cannot do it. It cannot be done. So we are playing games with this business of not voting cloture and proceeding on this bill in concert with the administration, which has set out at the outset to say we will delay, we will obfuscate, we will do everything to block this bill. That is what is going on.

Mr. President, I ask for the yeas and nays. We do not need anybody except the two managers.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. KERRY addressed the Chair.

The PRESIDING OFFICER. Does the Senator from North Carolina yield the floor?

Mr. HELMS. Yes, I yield the floor, of course.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I thank the distinguished Senator from North Carolina. Let me say to my friend from North Carolina that I think it is unfortunate that within a mere matter of hours on a bill we proceed to a cloture vote and behave as if somehow there is a major effort to delay a bill. I think there are 139 amendments on this bill—139 amendments; 94 of them—it is now 144 amendments—94 of them are from the Republican side of the aisle. Most of them are from my colleague from North Carolina.

So to suggest that a bill that was laid down yesterday—was laid down Friday afternoon, to be technically correct—but first debated yesterday for a few hours, beginning at 2 o'clock in the afternoon is now suddenly, on Tuesday morning, the subject of some kind of delay confuses me and, in fact, I think sort of does an injustice to the legislative process.

This is a very important bill. It represents a major overhaul of the means by which the United States of America delivers all of its foreign policy effort in the world. It has the most significant reorganization in it in modern history. It has some $3 billion-plus of cuts. It is a very significant altering of the mechanism of foreign policy.

There are many people in the U.S. Senate, Mr. President, who feel that it runs roughshod over the constitutional prerogatives of the President of the United States. Let me give you an example. I think every word of the amendment that the Senator just put in, with the exception of maybe five, I would support.

I think it is a very strong statement of what the Secretary of State ought to do. It is a very strong statement, an exhortation to reorganization, we should do that. But it has a specificity as to a particular department or a particular movement that we have suggested in keeping with constitutional prerogatives of the President ought to be decided by the President.

All we are suggesting is give the President a mandate from the Congress to make the cuts, but allow the President to determine exactly how they are going to be made.

I can remember my friends on the other side of the aisle over the years that President Reagan and President Bush were in office consistently coming to the floor and saying, ''Get the cotton-picking micromanaging hands out of the administrative process. Congress shouldn't micromanage. Congress shouldn't decide every single movement of personnel. There ought to be some administrative capacity here.''

Here we are suddenly, because President Clinton is in office, and we are going totally role reversal back on all of those restraints on micromanagement, and we are telling them, ''You have to specifically get rid of this department, you have to put it here; you have to get rid of this department, you have to put it here; you have to get rid of this department, you have to put it here.''

Now, all we have suggested is this would not be a problem if we came to the floor and adopted a compromise that was proposed by the administration and Democrats, which would have suggested, look, give the President a mandate for consolidation, but allow the President to decide what he wants to consolidate and where, how it best will function.

Here there is a mandate that you put certain departments within the Department of State when all of the former Secretaries of State have said, while they may be in favor of the concept, they have no confidence that the current State Department has the capacity to effect it. We have not addressed that here. There is nothing that deals with the capacity of Foreign Service officers to pick up these particular missions. There is nothing that deals with the capacity of these missions to be effected within the context of the State Department. So while, on the one hand, you are making this enormous shift, there is no commensurate administrative capacity or enablement to be able to actually implement the shift.

So I just say to my friend, this is an effort to legislate, not an effort to delay. Legislating is what we ought to do. We are supposed to come to the floor of the Senate and make some wise decisions about how to best demand change or mandate it and how best to make these savings.

I wonder if my friend from North Carolina would be willing to mandate the savings but take out the specificity and simply say we are going to try to find X amount of savings within this Department in order to try to reduce the budget, but leave up to the President the capacity to be able to choose where that might occur.

May I ask my friend from North Carolina—turning to his sense-of-the-Senate request on page 3, reading at line 15, paragraph 1, the Senator says, ''It is the sense of the Congress that the President should consolidate within the Department of State or eliminate * * *.'' —I wonder if the Senator intends that it be an option of one or the other, just to clarify.

Mr. HELMS. Well, I say to the Senator, I have a corrected amendment here, and to call for the regular order on amendment 2031, I will send a second-degree amendment——

Mr. KERRY. I have asked a question of the Senator. But I do have the floor.

Mr. HELMS. Of course you do. But I thought you wanted a remedy.

Mr. KERRY. I wanted to know what his intention was before I give up the floor for any further action. I am trying to find out the status of the amendment.

Mr. HELMS. I will answer that in due time, I say to the distinguished Senator. If he yields the floor, I will do it right this minute.

Mr. KERRY. I would like to just pursue a few thoughts, Mr. President, before we perfect this. I gather now that it does need an amendment, needs to be perfected. I may not object to that. I want to clarify what it is we are precisely talking about.

Mr. HELMS. If the Senator will yield, why do you not put in a quorum call, we will discuss it, and I think he will agree to the modification.

Mr. KERRY. Mr. President, I will do that in a moment in order to try to see if we can make an agreement on this. The Senator from Connecticut was here a moment ago. I know he wanted to address this particular amendment. So I am hopeful to give him that opportunity. I simply say to my friend again—and we can discuss this privately while in a quorum call—it is something we have had some discussion on in the past. I personally am not averse to some kind of consolidation, and I have said that to the Senator. I personally think that there are ways to more effectively deliver the interests of the United States through our foreign policy establishment.

I do not think that this particular recommendation ought to be treated lightly, and I have never suggested that. What I do think is that we should try to construct a mechanism which affords the administration the maximum amount of flexibility in keeping with the notion that it is really their responsibility to decide which ''t'' to cross and which ''i'' to dot. I think, as the Senator from Connecticut will demonstrate, there are very strong feelings here about one particular shift versus another. So I ask my friend if, rather than putting in a quorum call, he and I could spend a minute visiting while the Senator from Connecticut addresses the amendment.

Mr. HELMS. That is a call of the Chair. We have two Senators seeking recognition. I will leave that to the Chair.

Mr. KERRY. I yield the floor.

Mr. SANTORUM. The Senator from Maine is recognized.

Ms. SNOWE. I certainly want to speak to this amendment and to the issue of consolidation, because I think it is more. As I said yesterday in my opening statement, I thought it was essential that there should be bipartisanship on this consolidation. This is not a new issue. In fact, Secretary of State Christopher had recommended this originally, only to be rejected in the inner-agency process. The Vice President has said through the process of reinventing Government he recommended and, in fact, said they would submit a proposal to the Congress that would yield $5 billion in savings through the consolidation, through the merging and streamlining within the State Department and its related agencies. We have yet to see that proposal.

There has been no proposal forthcoming from the administration to achieve the goals that are outlined in the authorization in this amendment before us today, or as mandated by the budget resolution that passed the Congress. We have a certain mandate to meet specific funding levels for the 150 account, and the consolidation helps us to reach that goal. So the administration, for the last 5 or 6 months, has not worked with the committee on this consolidation proposal in any fashion. They have not been proactive; they have not made recommendations. They simply rejected the idea of any consolidation. This is not a new issue.

Five former Secretaries of State did support this proposal. The fact is, they were not reticent in their support for this proposal. Former Secretary of State Eagleburger said that this consolidation was necessary in order to change the focus at the top within the State Department. This would be the impetus for creating the change that is necessary for this consolidation to work and that it was vital because the State Department was going to have to approach its own agenda differently in advancing foreign policy goals.

After rejecting the Secretary of State's plan within the administration, the only proposal the administration made with respect to consolidation and merging were two small elements within the department. One was consolidating the State Department and the USIA Office of Inspector General and a merger of the State Department Office of Foreign Missions and the Bureau for Diplomatic Security. That was it.

So we are now saying that we are going to move forward with the proposal. But that still could include the administration's proposal because the mechanism that is included in this legislation allows the President to propose alternatives or refinements to this plan and is required to submit a reorganization plan for each agency that would be considered by Congress by a resolution of approval under expedited procedures.

So we give the President the opportunity to address this particular consolidation plan. But today they have been silent. So I think that we have an obligation to move forward on this issue because five former Secretaries of State said this is the direction we should take in order to reintegrate these policy functions, but also to make sure that we revitalize these agencies and these functions. That is what is important.

We have provided a detailed way in which to streamline and consolidate the funding and personnel of foreign affairs agencies.

We need to take that approach. The administration, and I know that no one thinks that we should dictate to the administration as to how we should consolidate, but the President has a right to offer a plan. It is not just going to be this President who will be affected by this consolidation. It is not aimed at a Democratic President by a Republican Congress, because future Presidents—certainly I hope there will be future Republican Presidents—will also have to live under this consolidation proposal.

I said yesterday it is not a Republican plan, it is not a Democratic plan. It is an American plan as to how to make the State Department more efficient and function more effectively in administering our foreign policy goals.

I hope we can support this consolidation. I think it is worthwhile for the future. We have had a number of people who testified before the subcommittee, suggesting this would be the appropriate approach to take. We have to look differently at the way in which we handle our goals within the State Department.

It is the end of the cold war. We have to make a transition to a balanced budget. We have to consider new approaches.

This requires us to look at the kind of consolidation and integration in our foreign affairs infrastructure that will be more flexible and cost effective. I think that is what is so important. We need a more flexible foreign policy structure. That is why it requires us to integrate our program decisions with changing, and frequently changing, policy goals.

It was less of a problem before the cold war ended. We had a single particular focus. Today, that is not the case. What was the rule is now the exception. What was the exception is now the rule. That is why this consolidation is so essential.

I hope that rather than engaging and saying this is a partisan approach, we want it to be a bipartisan approach. Unfortunately, the administration was unwilling to be forthcoming in any suggestions, other than to say they were opposed to it. I yield the floor.

PRIVILEGE OF THE FLOOR

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that Frederic S. Baron, a Pearson fellow in my office, be permitted privileges of the floor for the duration of the debate on S. 908 and S. 961.

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

Mr. LIEBERMAN. Mr. President, a number of Senators on both sides of the aisle have focused with some seriousness on the questions raised in this bill. The amendment currently before the Senate, offered by the Senator from North Carolina, is, of course, a serious proposal and deserves the kind of reasoned consideration that our colleague from Massachusetts has described.

I rise to speak about the impact of the bill before the Senate on one particular agency, which is the U.S. Information Agency, and to make the case,

respectfully, to my colleagues and to the chairman of the committee and members who come forth with this proposal, why I believe the USIA uniquely should not be consolidated as part of the State Department, although the general request for consolidation I think is a very worthy one.

Mr. President, I suppose I could spend this time explaining and defending the work of the USIA. It is a modest but highly effective foreign affairs agency. I do first want to say that I believe more is at issue here than just the work of the USIA.

The proposal to consolidate or perhaps to abolish the USIA presents another opportunity in this debate to address the choice that has been referred to here on the floor that we face at this juncture in our history between two profoundly different views of America's role in the post-cold-war world.

The choice, put simply, is this: Will America remain involved and lead in shaping the values and ideas, the military realities and the markets of the modern world? Will we continue to reach out in search of economic opportunities, cultural enrichment, and the alliances that strengthen our national security? Or will we step back and become a detached and reactive power that regards the wider world chiefly as a source of difficulty and danger?

Mr. President, I am convinced that on both sides of the aisle here the overwhelming majority of my colleagues have chosen the former course, which is to say staying involved in the world, exercising America's leadership role in the world, because that is not only the correct course but the realistic course.

Having made that choice, it seems to me that we are then left with the question of methods. What is the method we choose to remain involved and to remain the leader of the world, not just the free world, but the world overall?

Mr. President, I understand that some of my colleagues who share my concern for maintaining America's involvement and leadership have reservations about some aspects of our foreign aid program, including our involvement in the United Nations and other international institutions.

Mr. President, I want to respectfully suggest that for anyone who thinks that America must lead in today's world, it does not make common sense to favor the consolidation of the functions of the USIA to the Department of State, or certainly not to favor the abolition of the USIA. In fact, if we reduce our foreign aid and scale back our involvement in other multilateral organizations, as other parts of the bill before the Senate would do, I suggest that we will even have a greater need for a more robust, and I might say agile, USIA.

Mr. President, the distinguished chairman of the committee, Senator HELMS, and his committee, I say, have acted on a sound impulse, which is that we do need a searching reappraisal of the way we conduct our foreign policy in the post-cold-war era. The committee has produced a coherent, centralized, new architecture for our foreign affairs agencies.

However, no organization is an end in itself. Organizations are tools that we create to carry out our strategic and moral purposes as a nation. What are the goals? What is the strategy that the new centralized foreign affairs edifice laid out in this bill is meant to serve?

It is, indeed, an impressive organization, but I think we have to continue to come back and ask, What is its purpose? In that sense, what is our purpose—our American purpose—in the world, after the cold war?

Today, the cold war that possessed our thinking and our energies for four decades is over. The period of conflict with aggressive global totalitarianism reaches back another generation even beyond the beginning of the cold war. That is at an end. We are grappling with large and difficult questions about what role America should play in the world that go deeper than our country has faced for over a half century.

Now, the problems we face in developing a broad foreign policy to guide us into the next century are extraordinarily difficult. As was clear on the Senate floor last week in the debate on Bosnia, we have not yet reached a universal consensus about just when and how and under what circumstances the United States should exert its power and prestige in world affairs.

But disagree as we may about the specifics, so far as I have suggested a moment ago, I think we have maintained a remarkably broad consensus about one thing; that is, that the United States must continue our engagement with the world and must retain the capacity to lead, not out of the goodness of our hearts, but in the interests of our security and our principles.

That brings me back to the proposed consolidation or abolition of the U.S. Information Agency. Why is this such a key matter—an issue that I personally regard as a fork in the foreign policy road?

Mr. President, although we are searching for a new course for the future, I want to argue here that we should not abandon existing institutions just because they were developed during the cold war. Rather, we should profit from our experience in the cold war, which was, obviously, a very difficult and trying experience, but it was ultimately a successful experience. Where once we faced the Soviet Empire and feared a third world war, now, democracy and free market systems are establishing themselves from Vilnius to Vladivostok.

It is clear our military might was central to our success in the cold war. So, too, was the skill and perseverance of our diplomats and negotiators, and our political leaders. But what else ultimately helped us win this struggle that we sometimes overlook? My answer to that is that we engaged people, not just governments, but the people of the nations who were our potential adversaries in debate and discussion about the values, ideas and interests that guide the United States in world affairs. Our not-so-secret weapon here in the cold war was information and contact with people throughout the world, particularly those living under totalitarian regimes with the democratic world.

I think that had an enormous influence and helped and inspired peoples who were captive behind totalitarian walls to sustain their hopes and ultimately to rise up and create the pressure that miraculously crumbled the Berlin wall and all that it represented.

Mr. President, rather than wiping our foreign policy slate clean, I think we should draw upon the successes of the past to develop the foreign policy strategies for America's future. We must do this work together. Republican administrations can and should take credit for some of the great successes of public diplomacy which have enduring relevance today. The Reagan administration revived our understanding of the importance of values, ideas, and information in international affairs, and strongly supported the independent role of the USIA in conveying those values, ideas, and information. Far from losing importance, our values, ideas, and information—and an independent USIA—I think will be even more crucial as we chart our course in the next phase of world history after the cold war.

This new world is ever more democratic, ever more integrated into a global market economy, ever more linked by electronic communications. In such a world, relations among governments obviously remain important. But, frankly, such government-to-government relations simply do not matter as much as they did before. Increasingly, I believe, relations between countries will depend, as they have in the recent past, upon the perceptions and interests of the public within those countries, and particularly of what might be called key subsections of the public within those countries—political and intellectual elites, are two examples.

So, U.S. foreign policy in the next phase, with communications particularly growing as rapidly and in as revolutionary a fashion as they do today, must go beyond government-to-government relations and reach the people of the world.

We always say the world is a small world. It is a dramatically smaller world today. When I can sit at my personal computer—I have just been educated in the last several months—and try to reach one of my children who is at school in Boston, in the State of my colleague from Massachusetts, and find I cannot get into the so-called ''Gopher'' index to Massachusetts, so I go to the worldwide index of indexes and I am instructed to go through the index

of the University of Southern Australia in Perth, find an opening there, then go to North America, then to the United States, then to Massachusetts, then, at the risk of offending my colleague and alumnus of Yale, to Harvard, then to my son's room—and all of that happening in about 20 seconds—it is a very, very small world indeed.

We all know one of the forces that brought the Berlin wall crumbling down was the availability of knowledge within the countries of the former Soviet Union and Eastern Europe about what was happening elsewhere, knowledge that they obtained in ways that could not be stopped by the dictators. They obtained it over the radio and they obtained increasingly over the fax machine and the personal computer.

So the central roles of the Department of State as I see them are to develop our overall foreign policy and manage the relations our Government has with the governments of other countries. The Department of State, obviously, has extraordinary experience and skill at the work of government-to-government relations. But, as a recent statement by Freedom House put it: ''Public diplomacy—which is to say—our open efforts to win understanding and support among the peoples of foreign countries on matters that affect U.S. national interests—suffers when it is subordinated to the demands of formal diplomacy.''

This Freedom House statement is a remarkable statement for its content and those who have signed it. It lays out in greater detail the argument for the separation of public diplomacy from formal diplomacy.

Mr. President, I ask unanimous consent that the Freedom House letter on the USIA be printed in the RECORD following my remarks.

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

(See exhibit 1.)

Mr. LIEBERMAN. Mr. President, this statement is especially impressive for the list of leaders in America's foreign affairs community who have endorsed it—a list that includes Democrats and Republicans, conservatives and liberals. The signatories include, and it is a large list, Dr. Zbigniew Brzezinski, former National Security Adviser in the Carter administration, Dr. Edward Feulner of the Heritage Foundation, our distinguished former colleague, Senator Malcolm Wallop, Lane Kirkland, President of the AFL–CIO, Malcolm S. Forbes, Jr, and Ambassadors Jeane Kirkpatrick and Andrew Young, all signing this statement. A remarkable group, reflecting a broad consensus across ideological and partisan lines in the foreign policy leadership of our country, in favor of keeping the USIA independent and strong, not consolidating it into the State Department.

These opinion leaders base this judgment on long, practical experience in the tough work of international relations. They recognize, and I quote again from their statement: ''The culture of the State Department differs substantially from the culture of USIA.'' Formal diplomacy requires quiet, sometimes even secret negotiation; careful attention to consistency, nuance and form; and a willingness to continue even when the pace is painfully slow. That is the work of the State Department. Public diplomacy—the work of the USIA—requires openness, rapid response, and a willingness to put aside differences in order to make the most of agreement on broader themes that are shared by people throughout the world.

It says the obvious to say I have the highest respect for the foreign policy and diplomatic professionals of the Department of State. But their training and their experience, in my opinion, does not prepare them for the work in the informational environment, in the communications environment, the public-to-public environment, in which USIA and its officers and employees operate.

Let me say, responding to what has been said here a while ago, that the President and the Secretary of State should clearly determine the foreign policy of the United States. It is in the management and implementation of that policy that I believe the distinctions between formal and public diplomacy, between the State Department and an independent USIA, have their importance. It is in the management and implementation that the differences in organizational cultures add their respective values to the product.

The value of distinct organizational cultures is no novel, New Age idea. It was grasped by President Eisenhower when he founded USIA, and has proven itself in foreign affairs, now, for more than 40 years.

Operational autonomy is increasingly followed by corporations and other large financial institutions in the private sector. Centralized, pyramidal structures are what modern management is, frankly, trying to avoid. Teamwork is a recipe for success in both the public and private sectors. And the essence of teamwork, as it is understood in the modern organizational context, is in using the different talents of the different members of the team in working to achieve a common goal. That is why I believe, here, organizationally, the better course is to leave USIA independent.

As so many have said before me in this debate, victory in the cold war presents the United States with rare new opportunities. To grasp these opportunities, to advance our national interests and our moral principles, a more forward-positioned, engaged in aggressive economic, political, cultural, and communications, stance is required. The new world we face also holds many challenges and dangers and obviously we must be prepared to meet them. But I think we can best overcome those challenges and avert or mitigate those dangers and build a more stable, peaceful, and democratic international environment through purposeful engagement—engagement which is enhanced by the kind of active public diplomacy that an independent USIA can carry out.

What we now have is a plurality of means for engaging the wider world, and presenting American policy and projecting American interests and principles to different audiences, and one might say different consumers, worldwide. USIA inhabits the realms of the media, of education, of what we are happy to call in this country civil society, and what we are hoping to help develop in many of the fledgling new democracies that were former wards of the Soviet Union.

The USIA, incidentally, Mr. President, serves all agencies of the U.S. Government, not just the Department of State—but Commerce, Justice, Treasury, Defense, and others.

It is useful, I think, to all involved, that the USIA's program stand at one removed from the government-to-government functions carried on by the Department of State. When the Voice of America carries a news broadcast on a subject that is of some discomfort to a foreign government, is it not a good thing that our Ambassador can honestly say that the Voice of America is not controlled by—or organizationally aligned with—the Department of State?

Or to give another example, when one of our exchange programs brings a scholar from a foreign country to the United States who may be out of favor with the government of his country, is it not helpful that our ambassador can point out that the USIA, which has brought this scholar to America, is separate from the Department of State? And when that dissident goes home, will he or she not find it useful honestly to assert that their visit to the United States was not a foreign policy mission in behalf of the Department of State?

Mr. President, this formal separation is central I think to the credibility of our exchange and broadcast programs which have so well served America's interest in the cold war, which have so well served the interests and the aspirations of people living behind the Iron Curtain during the cold war and can so well serve people throughout the world who still yearn to be free?

People listening to USIA broadcasts around the world know that they are not hearing a propaganda instrument of the State Department but an independent voice—incidentally, a voice speaking so often in their language—reporting on world events and reflecting the views and values of the American people and helping make links between them in this country and the people of this country.

Mr. President, the United States Information Agency should not be part of the reorganization of foreign affairs agencies that are central to this bill. I say that respectfully. One of the

amendments that I have filed among the 144 that are filed would remove the USIA from the consolidation aspects of this bill, with the minor exception of the consolidation of inspector general functions, and would maintain the USIA as an effective and independent agency.

We learned in the cold war that persuasion and involvement with peoples is the most powerful instrument that American democracy has in foreign affairs. The power of an idea, the power of an American idea, of the American idea conveyed to people around the world, ultimately is what cracked the Berlin wall. The kind of engagement USIA had, for instance, with Solidarnosc—not just with people generally, but with specific heroes in the fight for freedom—with Solidarity in Poland or with the pro-democracy movements in Central America is the kind of engagement we need today throughout the world, and particularly, may I say, with the coming generation of leaders in China and with the modernizers in the Islamic world.

This is no time to pull back and stop speaking to the people of the world and their future leaders. This is the time to continue effective public diplomacy through the USIA—independent and strong—to meet new challenges, seize new opportunities, and advance America's principles and strategic interests throughout the world.

I thank the Chair. I yield the floor.

EXHIBIT 1

[From Roll Call, May 11, 1995]

THE FUTURE OF U.S. PUBLIC DIPLOMACY

New proposals have been advanced to place the United States Information Agency (USIA)—long the chief instrument of American public diplomacy—under the centralized control of the State Department. We believe this proposed consolidation and centralization would weaken American public diplomacy.

Why should the USIA remain independent? Through its broadcasting, numerous exchange programs and links with people throughout the world, it already is highly successful in promoting American interests and articulating who we are and how our policies and values are shaped. The State Department has a different though related role. It explains U.S. foreign policy to Americans and presents our government's official positions to foreign governments. The State Department values quiet negotiations, government-to-government contacts, protracted discussion, compromise and sometimes secrecy. A credible public diplomacy, by contrast, requires openness, the ability to respond quickly to rapidly changing world events, and independence in reporting, analysis and comment. In short, the culture of the State Department differs substantially from the culture of the USIA.

There are other important reasons to retain the USIA's present status.

Public diplomacy and formal diplomacy. While formal diplomatic relations conducted by the State Department are an important aspect of our government's diverse engagement with other societies, public diplomacy—our open efforts to win understanding and support among the peoples of foreign countries on matters that affect U.S. national interests—suffers when it is subordinated to the demands of formal diplomacy. We have long-term interests in developing flexible relationships with foreign educators, journalists, cultural leaders, minority and opposition leaders that must not be subjected to the daily pressures of official government-to-government affairs. USIA has filled this niche by setting up exchanges that introduce foreign representatives to U.S. governmental, nongovernmental, private, business and cultural institutions.

American values: independent voices, one theme. The promotion of American political and economic values has been an auspicious aspect of our foreign policy in recent times. The spread of democracy and the global communication revolution indicate that this form of engagement in foreign affairs will be of great importance in the future. Diversification and independence—not centralization and uniformity—make the U.S.'s message more meaningful and credible. The USIA's broadcasting and exchange programs should remain free of interference from officials with responsibilities in other areas. Radio Free Europe/Radio Liberty, Voice of America and Radio Marti remains vital sources of information around the world. In East Central Europe and the former Soviet Union (where independent media continue to face difficulties) RFE/RI is trusted precisely because of its journalistic integrity. This would be seriously compromised if they were perceived as official organs of State Department policy.

Re-orientation before re-organization. The structure of our foreign affairs agencies needs to be considered in light of America's global strategy in a rapidly changing international environment. Reorganization not rooted in a clear and comprehensive understanding and consensus about goals and missions cannot work or last. The USIA and federally-funded international broadcasting have track records of success and will continue to work. Indeed, with today's menacing phenomena of international criminal activity, terrorism, inter-ethnic hatreds and anti-democratic forces around the world, the work of USIA is more critical than ever.

We understand that there will have to be some significant reorganization and reprioritization in foreign policy. Those who have offered proposals for change have done some service. The world has changed, in no small measure because of our multilayered and multi-faceted foreign policy structures. Our goal should be coordination between agencies, not the kind of consolidated administrative centralism that will not work. The task of the State Department and the public diplomacy agencies should nurture one another, but must remain separate to be truly effective.

Ned W. Bandler, Vice Chairman, Freedom House; Saul Bellow, Author; Hon. Michael Barnes, Former Congressman, Chairman, Center for National Policy; Walter Berns, American Enterprise Institute; Daniel J. Boorstin, Librarian of Congress Emeritus, Historian; Dr. Zbigniew Brzezinski, Former National Security Advisor, Center for Strategic & International Studies; Hon. John H. Buchanan, Jr., Former Congressman; Hon. Richard R. Burt, Former Ambassador to Germany; Hon. Henry E. Catto, Chairman of the Board Catto and Catto, Former Director, USIA; William Van Cleave, Director, Center for Defense & Strategic Studies, Southwestern Missouri State University; Kerry Kennedy Cuomo, Executive Director, Robert F. Kennedy Memorial, Center for Human Rights; James S. Denton, President, National Forum Foundation; Patricia Murphy Derian, Former Assistant Secretary of State for Human Rights and Humanitarian Affairs; Vivian Lowery Derryck, President, African American Institute; Larry Diamond, Senior Research Fellow, Hoover Institution; Hon. Paula Dobriansky, Former Associate Director, USIA; William C. Doherty, Jr., Executive Director, American Institute for Free Labor Development.

Thomas R. Donahue, Secretary-Treasurer, AFL–CIO; Susan Eisenhower, Chairman, Center for Post Soviet Studies; Hon. Dante B. Fascell, Former Chairman, House Foreign Affairs Committee; Hon. Geraldine A. Ferraro, Former Congresswoman; Edward J. Feulner, Jr., President, The Heritage Foundation; Malcolm S. Forbes, Jr., Former Chairman, Board for International Broadcasting, Forbes Magazine; Al From, President, Democratic Leadership Council; Alton Frye, Senior Vice President & National Director, Council on Foreign Relations; Hon. Frank J. Gaffney, Jr., President, Center for Security Policy; Hon. Bruce Gelb, Former Director, USIA; Ernest Green, Chairman, African Development Foundation; Samuel P. Huntington, John M. Olin Center for Strategic Studies of Harvard University; John T. Joyce, President, International Union of Brick Layers & Allied Craftsmen; Hon. Max M. Kampelman, Former U.S. Ambassador, Commission on Security and Cooperation in Europe; Lane Kirkland, President, AFL–CIO; Hon. Jeane J. Kirkpatrick, Former U.S. Ambassador to the United Nations; Bette Bao Lord, Chairman, Freedom House Board of Trustees; Bruce K. MacLaury, President, Brookings Institution.

Hon. Leonard H. Marks, Marks and Cohn; Will Marshall, President, Progressive Policy Institute; Adam Meyerson, Editor Policy Review; Charles Morgan, Jr., Attorney; John Norton Moore, Director, Center for Law & National Security, University of Virginia School of Law; Steven W. Mosher, Director, Asian Studies Center, The Claremont Institute; Joshua Muravchik, Resident Scholar, American Enterprise Institute; Father Richard John Neuhaus, Executive Director, Institute for Religion and Public Life; Michael Novak, American Enterprise Institute; Hon. Charles H. Percy, Former Chairman, Senate Foreign Relations Committee; Robert L. Pfaltzgraff, Fletcher School of Law & Diplomacy, Tufts University; Richard Ravitch, Attorney; Walter Raymond, Jr., Former Special Assistant to the President for National Security Affairs; William S. Reese, President, Partners of the Americas; Peter Rodman, Director, National Security Program, Nixon Center for Peace & Freedom; Burns W. Roper, Former Chairman, Roper Starch Worldwide; Hon. Eugene V. Rostow, National Defense University; John Seiganthaler, Chairman, Freedom Forum First Amendment Foundation, Vanderbilt University.

Al Shanker, President American Federation of Teachers; Walter J. Schloss, Chairman, Walter J. Schloss Associates, Inc; Nina Shea, President, Puebla Institute; Marvin L. Stone, Former Editor, US News & World Report; R. Emmett Tyrrell, Jr., Editor-in-Chief, The American Spectator; Hon. Malcolm Wallop, Former U.S. Senator; Ben J. Wattenberg, Syndicated Columnist; George Weigel, President, Ethics and Public Policy Center; Allen Weinstein, President, The Center for Democracy; Hon. Charles Z. Wick, Former Director,

USIA; Jacques D. Wimpfheimer, Chairman, American Velvet Company; Hon. Andrew Young, Former Ambassador to the United Nations; James J. Zogby, President, Arab American Institute.

Mr. KERRY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Thank you Mr. President.

Mr. President, I would like to thank the Senator from Connecticut for a very thoughtful statement not just about USIA, but most importantly about the overall changes that are taking place in the world and the implications for the United States and for our foreign policy.

I think he has demonstrated the vision that is essential to any kind of decisionmaking with respect to the shuffling of the parts of our foreign public diplomacy effort. So I thank him for having shared those thoughts with us and I think provided a very important and credible statement with respect to this issue.

Mr. President, I would like to express further, following up on some of the things that the Senator from Connecticut has said, I think it is really important for us to understand, the United Nations particularly—and for a lot of appropriate reasons, I might add—the administration of the United Nations has been just sort of a morass without any seeming sense of concern or culpability, although I think in the last year perhaps the message may be beginning to get through.

But clearly, the ineffectiveness of the United Nations with respect to certain concerns, notwithstanding great successes, has clouded the image of that institution in its 50th anniversary so that for a lot of Americans, it is a very quick take. They think of foreign policy and they tend to think not of a global climate change treaty, not of the Montreal protocol which will reduce CFC's in the air and help to preserve the ozone layer, they do not think about the treaty to preserve Antarctica or the treaties with respect to arms control through the years that made an enormous difference in helping to win the cold war; they tend to think of the big symbols, and generally speaking, the symbols of either confusion or sometimes failure.

The result is, if you want to get a good applause line when you go home and give a speech, you can very quickly pick up a line that talks about how you should not be giving aid to other countries, that the aid ought to be coming back, you know, to whatever city in one State. If you say that when you are in a particular place, people are quick to respond and say, ''Boy, that is right. We ought to be get that money, not these other folks.'' And in some cases, unfortunately, it is true. AID and others have had some programs sometimes that lack accountability.

But name for me the corporation in America that has not sometimes had an advertising campaign that has been overboard or an excess of expense accounts or an excess in departments. Most of the great buy-outs of the 1980's were predicated on a lot of those far too expansive corporate budgets where value was not limited and people saw that they had an opportunity to come in, pare down, create a far more productive entity, raise the share value, and sell it for a killing. Indeed, that happened over and over again.

This is no different. There is no bureaucracy on the face of this planet that does not have organizational problems. The question is, what are we trying to do here, and what are the interests of the United States?

Foreign policy is not some foreign engagement exclusively. Foreign policy is the art of achieving our interests abroad. It is really an extension of the interests in every community here in our country. It is not really a foreign affair. It is a domestic interest that is represented through whatever happens abroad.

So when we engage in Latin America in an antidrug program, we are representing the interests of people in Kansas City, in San Francisco, in Boston, in New York, in Los Angeles, and all across this country. And to whatever degree we can get the cooperation of Colombians or the cooperation of Ecuadorians or Panamanians or the Caribbean countries in helping us to prevent the flow of cocaine or helping to prevent the flow of laundered money, we are representing our interests. That helps us here at home. It keeps perhaps 1 kid, 20 kids, hopefully 1,000 or a million kids out of trouble.

It seems to me that in the same way, Mr. President, in dozens of other ways, our interests are represented through the diplomatic efforts of our State Department in ways that a lot of Americans just take for granted on a daily basis. Take, for instance, the interests of New England in fishing. We have two of the most important fishing ports in all of the country in Gloucester and New Bedford, MA. Until recently, our fishermen were able to go up and drag off the coast of Canada for scallops. Now, because of an international treaty, we are not allowed to do that anymore, and we have huge tensions with Canada over the questions of fishing. We have huge tensions over the fish that are caught there, that are sold in the United States at a lesser price, that take away from our fishermen and their livelihood.

So these are the relationships. This is not a foreign interest. This is not an expenditure of money somehow that goes to someone else's benefit abroad. It goes to our benefit, Mr. President. Hopefully, if well represented and well negotiated, it goes to our benefit.

There are dozens of other ways in which examples abound about how our interests are or are not represented. We have millions of Americans traveling abroad every year, millions probably even as I speak right now. They expect to be able to walk into an embassy or a consulate office and get answers. They expect to be able to get a visa. They expect to have their interests represented. If they get in an accident abroad, if they have a sickness abroad, if something happens where they are falsely arrested or some other event takes place, we need to be able to represent the interests of those citizens abroad.

Increasingly, Mr. President, in every single sector that is important to the interests of Americans, we have been cutting over the last few years.

We made an enormous cut in the foreign affairs budget just 2 years ago. We made a cut 2 years before that. It has become sort of the whipping boy, if you will, of the budgetary process because there is no easy, quick constituency in the United States that leaps up and says, ''Oh, yes, I identify with that money.''

Already out of a $1.5 trillion budget, we spend less than 1 percent of the total budget on all of our foreign affairs interests, including foreign aid, and most of the foreign aid of this country, as we know, goes to two countries: Egypt and Israel. So, if you take the almost $12 billion, I think it is, that goes to Egypt and Israel, we are leaving ourselves something like $8 billion for everything else that we wind up doing around the world in respect to all of our treaties, all of our negotiations, all of our representing of our citizens, all of our efforts to try to deal with international crime, with international customs problems, with all of the other interests that we have across this planet.

I inform my colleagues that overseas workload has increased dramatically. My colleague from Connecticut was talking a few minutes ago about what has happened with respect to the sort of closing in of the world. The fact is that because the world is now smaller, because there are more airlines flying more places, because communications are easier, because there is a much broader middle class, not just in America, but in many other countries, people are traveling more. And because of that travel, there is far more of a relationship between nations than there was previously, much more commerce, much more just to keep track of.

The workload for our embassies in just issuing passports, the workload in this country in issuing passports, is a 60 percent increase in the last few years. The overseas consular operations have exploded—visas, increased services to Americans, refugee admissions. We have opened 30 new posts in the last 3 years because of the collapse of the Soviet Union and Europe. And yet, notwithstanding all of that increase, there has been no financial increase whatsoever. All of these new posts, all of this new work has been taken up by virtue of consolidation, cuts, deferred maintenance, reductions.

Mr. President, I respectfully suggest that a hard analysis of what has been happening to the budget with respect

to the State Department and the capacity of our Foreign Service entities to do their jobs over the last years has been such a significant reduction that we are getting to the point where we are losing our capacity to represent our own interests.

This is not smart anymore. This is the old story of cutting off your nose to spite your face. This is shooting yourself in the foot. It is reducing our own influence. I suggest that we ought to think hard about where we are going.

The State Department's budget has been frozen in recent years. In fact, the fiscal year 1996 request is underfunded by over $200 million, or by 10 percent when inflation and the exchange rate losses are factored in. That is an important thing to recognize, Mr. President. We operate our foreign offices, obviously, in a lot of places where the currency is fluctuating. So we send people there with an expectation that we are going to spend x amount of dollars. But because the dollar may go down, you wind up having a huge increase in expenses and it costs you a lot more to do the same business.

Have we increased the amount of money to represent that kind of increase in costs? No. We have taken it out of the building fund, we have taken it out of maintenance, we have cut other sectors, and we are beginning to get to the point where we are reducing our own capacity.

The State Department has already reduced its work force by 1,300 positions, and it has cut administrative expenses by almost $100 million. We have reduced the size of the senior Foreign Service already by 10 percent, and we have cut diplomatic security programs by 15 percent. This is what has already happened.

Now we approach this bill, and I want to share with my colleagues why I think there is such a problem in this bill.

Despite the fact that this bill meets the administration's 1996 appropriations accounts for the State Department and the USIA, the aggregate funding in this bill for 1996 is $450 million below the 1995 enacted level, and it is $330 million below the President's 1996 request. The total funding in the bill decreases sharply over the next 3 fiscal years. The authorized funding under this bill for fiscal year 1999 is over $1.3 billion below the 1995 enacted level.

I will add, Mr. President, that those cuts, that $1.3 billion by 1999, does not reflect the steep reductions in foreign aid funding levels for fiscal years 1996 and 1997 that are in the foreign aid bill. So when you add those cuts to the foreign aid bill, you wind up with the most significant reduction; in fact, you go below the function 150 budget resolution figures for the next 2 years. I do not think we ought to go below the budget resolution figures in the 150 account for those next 2 years, given the reductions that have taken place in the last years.

Mr. President, 10 years ago, in the height of the cold war, when you had a bipolar world with this intense focus on basically the Soviet bloc and China and whatever satellite countries of theirs were creating havoc in other parts of the world, our total international affairs budget was 2.44 percent of the total budget of our country—2.44. Today, it comprises only 1.3 percent. And in the last decade, the appropriations for function 150 have declined by $15.6 billion in fiscal year 1996 dollars. They have gone from $36.8 billion in 1985 down to $21.2 billion in 1995, all of that cut, notwithstanding what the Senator from Connecticut and I have just said with respect to an increase in responsibility, an increase in the number of relationships and an increase in the numbers of issues that we now face.

I might add, Mr. President, now that you have a world where you do not just deal with the Soviet Union and the whole focus is not on arms control and the arms race, you actually have unleashed a whole set of additional forces that make diplomacy far more complicated. In many ways, when you had the Soviet Union and the United States and people were dividing up along those lines, you had a much easier dynamic to work with than the current international economic competitive structure, with all of the attendant environmental, crime, refugee, ethnic conflict and other issues that have been liberated.

I respectfully suggest that the world we face today requires a knowledge of what is happening in countries, an understanding of that ethnic force, an understanding of who is who within the criminal constellation, an understanding of the dynamics of how we can assist other countries to move toward sustainable development—a host of issues that are far more difficult to leverage and that require personal relationships in the leveraging. Yet, here we are withdrawing ourselves from the very capacity to create those kinds of personal relationships.

Under the budget resolution, discretionary funding for the international affairs budget is reduced by $2.1 billion in fiscal year 1996 alone. And by fiscal year 2002, the Budget Committee's target date for the balanced budget, the mark for the function 150 discretionary funding is $14.7 billion.

Mr. President, we are going to go from $36.8 billion in 1985 to $14.6 billion in the year 2002, and we are somehow going to pretend that we are going to represent the domestic interests of the United States abroad with that budget while simultaneously meeting the needs of a country that prides itself in being the leader of the free world. I do not think it makes sense. I think it is ill considered. I think it is shortsighted. I think it is contrary to our national interests, and it may not be hyperbole to suggest that it is even dangerous for the interests of this country.

I recognize that economies have to be achieved in all respects, with respect to the Federal budget, including international affairs. But the dollar alone cannot be the sole measurement with respect to what we are doing. We do not just have a fiscal deficit, Mr. President, we have a leadership deficit, we have an involvement deficit, we have a presence deficit.

If you travel to Asia today, you will find greater presence of French and Germans and Japanese than you will Americans. I am consistently asked by foreign businessmen when the United States of America is going to get its act together and have the kind of presence necessary to signal our determination to be a real player beyond what our weaponry gives us.

It seems to me that those are the kinds of things we ought to be thinking about as we arrive at a budget, not just an arbitrary 602(b) figure that is thrown out by a couple of people sitting around saying, ''We will give this much to this committee and that much to that committee,'' without a real measurement of what the real impact is in the overall interest of our country.

In addition to the problematic budget areas, Mr. President, this bill also contains several provisions that are designed to undermine and place restrictions on the United States' participation in the United Nations system. For example, the bill mandates that the United States withdraw from several international organizations, including the International Labor Organization, and it eliminates funding for U.S.-assessed contributions to these organizations.

In addition, the bill places conditions on the full payment of the U.S.-assessed contributions to the United Nations and to peacekeeping operations that serve to weaken our leverage at the United Nations at the very moment when our leadership is needed.

It is very difficult to go to Mr. Akashi and Boutros Boutros-Ghali and suggest to them that the role of the United Nations ought to be different, and they ought to heed our advice at the same time we are pulling back from an obligation, as well as from other involvement and efforts of the United Nations. If ever we wanted to invite others to begin to spur whatever leadership we might be offering, it seems to me that that is one of the ways to do it.

So, Mr. President, I would hope that in the course of the deliberation on this bill we can try to rectify, to whatever degree possible, some of these things, so that we get back to the spirit of bipartisanship that governed the movement of this bill in the last 11 years that I have been here. There was an unfortunate vote along party lines sending this bill to the floor. It is my hope that we can use this time now in the legislative process to harmonize

and bring together a bipartisan effort when I think the Congress is most well-served and certainly when the interests of the country are served. Everybody knows that this country has been strongest when its foreign policy is bipartisan. The great standard was written by Arthur Vandenberg. In recent days, we have had joint efforts—whether it was Senators LUGAR and NUNN, who joined together with respect to Russia, or whether it was Senator MCCAIN and others here, who joined together with respect to Southeast Asia—and we have been able to show that bipartisanship makes a difference and it makes this country strong. I hope we can find that in further efforts with respect to this legislation.

Mr. HELMS. Mr. President, Senator KERRY is one of the most articulate human beings I have ever heard. I wish that he had somehow recognized in his eloquent comments the many efforts that we made—when I say ''we,'' I mean the Foreign Relations Committee majority—to work with the administration.

I myself pleaded with the Vice President of the United States to let us get together, as the Senator has recommended. The bureaucracy prevailed in the Vice President's office. I am not being personally critical of the Vice President. He has many things on his plate. But, in this case, the ball got away from him, and the heads of three agencies, which were going to be rolled into the State Department where they belong, prevailed.

Warren Christopher, the Secretary of State, went through the same agony last fall after the election when he recommended the sort of reorganization that the pending legislation represents. Secretary Christopher got his comeuppance, and he took it like a man. He is a faithful, loyal member of the administration. He wrote a letter the other day to Senator DOLE, which was amazing to me. Sometime during this debate, I am going to put his letter in the RECORD and my response to it.

I wish we could get together, but at this moment, the White House is calling the tune. There is nothing wrong with that. That is the way the administration works. But they cannot have it both ways, that we want to do this and that, when in fact they have done everything in this world, including personal invective, to undermine the pending legislation. There were news conferences at the National Press Club downtown. One of the bureaucrats made all sorts of remarks, including one that I had written this bill on the back of an envelope. The press came to me and said, ''What do you think about that?'' I said, ''Well, Abraham Lincoln did pretty well on the back of an envelope. I hope I have done fairly well.''

But it has been a personal affront to these people that anybody could suggest that their bureaucracies be trimmed. Let me tell you something about the U.S. Information Agency. There is a great push to keep it like it is. But let me tell you, Mr. President, if you retain the U.S. Information Agency as it is, it will cost $320 million over the next 2 years and $600 million during the 7-year effort to balance the budget.

Now, all the people who have been lobbied to keep the USIA just like it is better bear in mind what the Budget Committee is going to say about that. And all sorts of suggestions have been made that, well, we are doing well, we just need to do better.

Well, tell me about the 600 people, Federal employees, in the U.S. Embassy at Cairo, whose sole responsibility is to give away the American taxpayers' money. What sense does that make? It costs $200,000 a year to post one Federal employee overseas. They have 600 of them at Cairo alone.

Mr. President, I have several dear friends among the heads of State of other countries who come to Washington, and they come to see me in my capacity with the Foreign Relations Committee. If I had to pick a favorite, I guess it would be Eugenia Charles, who is the former Prime Minister of Dominica. I am sad to say that the Prime Minister is not running for reelection. She is a pleasant, down-to-earth lady. She always comes in my office with a smile on her face. The last time she was here, which was about 3 or 4 weeks ago, give or take, she walked in and said, ''Well, Senator, I see you are trying to do something about your foreign aid program.'' I said, ''Yes, ma'am, I am.'' She said, ''Well, it is none of my business, but something ought to be done. Do you realize, Senator, that it costs you more money to give away money than you give away?'' And that is it. It is the bureaucracy that just grows and grows and grows, and these efforts with the pending legislation, from the administration that has not cooperated with the committee at all—JOHN KERRY tried to. I do not know what sort of instructions he got from the people downtown to the contrary. But I wish we could sit down and work out the difficulties. I am not going to give away the store. I am not going to change this bill so that it does not meet the budget resolution which was adopted by this Senate and the House of Representatives. No, sir, I am not going to do that.

But if we can have an understanding that we are working on the same team, being the Senate of the United States, trying to get a job that needs to be done and needs badly to be done, then we can pull this bill down and we can operate in good faith. But I cannot have Bill Clinton's people looking over somebody's shoulder, because Bill Clinton already said he is going to veto it, and he does not even know what is in the bill. He wants to keep the status quo. He does not want to save any money on foreign aid. Otherwise, he would have sent somebody in good faith up here to work with the committee, which we urged him to do, which we urged his Vice President to do. But we were stonewalled.

So do not give me all this stuff about the administration has not been consulted. Later on in the debate, we will talk about this business of micromanagement. There has been plenty of what some would call micromanagement in the past.

AMENDMENT NO. 2042 TO AMENDMENT NO. 2041

Mr. HELMS. Mr. President, I send a second-degree amendment to the desk to amendment No. 2041.

The PRESIDING OFFICER. The clerk will report the amendment.

The Senator from North Carolina [Mr. HELMS] proposes an amendment numbered 2042 to amendment No. 2041.

Mr. HELMS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

Strike all after the word ''SEC.'' and insert the following:

. SENSE OF CONGRESS REGARDING CONSOLIDATION AND REINVENTION OF FOREIGN AFFAIRS AGENCIES.

(a) FINDINGS.—The Congress finds that it is necessary in order to make the Government more efficient and to realize significant budgetary savings for the American taxpayer—

(1) to consolidate and reinvent foreign affairs agencies of the United States within the Department of State;

(2) to provide for the reorganization of the Department of State to maximize efficient use of resources, eliminate redundancy in functions, and improve the management of the Department of State;

(3) to assist congressional efforts to balance the Federal budget by the year 2002;

(4) to ensure that the international affairs budget function shoulders an appropriate share of the reductions in United States Government spending necessary to eliminate the $4,800,000,000,000 budget deficit; and

(5) to strengthen—

(A) the coordination of United States foreign policy;

(B) the leading role of the Secretary of State in the formulation and articulation of United States foreign policy;

(C) the authority of United States ambassadors over all United States Government personnel and resources located in United States diplomatic missions, in order to enhance the ability of the ambassadors to deploy those resources to the best effect that will attain the President's foreign policy objectives; and

(D) the United States Foreign Service, as the forward deployed civilian force of the United States Government, through renewed emphasis on the original principles which undergird the distinct Foreign Service personnel system. These include worldwide availability, assignments based on the needs of the service, rank in person, and merit-based advancement.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the President should—

(1) consolidate and eliminate, such duplicative, overlapping or superfluous personnel, functions, goals, activities, offices, and programs that the United States Arms Control and Disarmament Agency, the United States Information Agency, and the Agency for International Development have in common with the Department of State in order to realize a budgetary savings to the American taxpayer of at least $3,000,000,000 during fiscal years 1996 through 1999;

(2) encourage the United States foreign affairs agencies to maintain a high percentage of the best qualified, most competent American citizens serving in the United States Government while downsizing significantly the total number of people employed by these agencies; and

(3) ensure that all functions of diplomacy be subject to recruitment, training, assignment, promotion and egress based on common standards and procedures, with maximum interchange among the functions.

Mr. HELMS. Mr. President, let me get back to one of the most heavily lobbied portions of the pending bill.

I said a while ago that keeping the U.S. Information Agency as it is will cost $320 million over the next 2 years, and $600 million during our 7-year effort to balance the budget. Those who do not care whether the budget is balanced or not in 7 years, do not care very much one way or another.

The effort to keep the U.S. Information Agency independent of the Department of State is misguided and it is out of step. The time has come to recognize the problem and to reorganize our entire foreign relations apparatus.

As JOHN KERRY has said with his customary eloquence, public diplomacy is an extremely important part of the way this country conducts business with other countries. It is, after all, the way we convey American values and interests, and the way that we communicate the American dream to the people around the world.

Accordingly, Mr. President, it ought to be part and parcel of the larger foreign policy effort, not shunted away out of sight, out of mind. As the single agency charged with the conduct of U.S. foreign relations, the Department of State must be given a clear mandate and must be provided with all the tools of the trade. Diplomacy can be a most effective tool, but its effectiveness can be truly realized only when it is synchronized with all the rest of the diplomatic initiatives.

That is just not the opinion of JESSE HELMS, a member of the Foreign Relations Committee. Five Secretaries of State have said the same thing. They have endorsed this bill which President Clinton, Vice President GORE, and now poor Warren Christopher, who is caught in a bind, say they oppose.

Now, S. 908 acknowledges what has to be the centrality of public diplomacy of foreign affairs, by putting public diplomacy at the center of the foreign affairs apparatus.

I ask, what is a better way to make sure that this tool gets used frequently, than to provide it to those who need it and to those who will use it, by creating an Under Secretary for Public Diplomacy within the Department of State, as this bill proposes? We will strengthen our core foreign policy apparatus, and 5 former Secretaries of State have testified and written letters of endorsement of this very proposal that is the pending business in the U.S. Senate.

As for the U.S. Information Agency, its consolidation into the State Department will allow us to stretch our dollars devoted to foreign policy. It will cut out the waste. It will cut down on the bureaucracy. It will cut out functions that really are not essential to our foreign policy. They may be desirable, but they are not essential.

Now, in the case of international broadcasting, the irony is that S. 908, the pending bill, is the best deal in town. They will not find a better one—not from Bill Clinton, not from AL GORE, not from anybody else. Right here, it is pending before the U.S. Senate.

S. 908, Mr. President, assures the continuation of the restructuring, the reduction, and the consolidation of broadcasting elements that began last fall. This bill will ensure that the Congress and the administration keep their commitment to support broadcasting around the world. Some of the people—lobbyists—who are opposing S. 908 would have you believe otherwise.

Broadcasting, under this bill, will remain independent and will be operated by the Broadcasting Board of Governors, which is a nonpartisan board that sets the broadcasting policy.

In a very real way, S. 908, despite the protests of people who will save it, passes the litmus test of USIA itself. It strengthens the role of public diplomacy in our foreign policy apparatus by integrating it with larger foreign policy concerns.

As has been shown, S. 908 in no way eliminates or reduces the capabilities needed to convey the American message to foreign populations. That is the job it was created to do in the first place.

It preserves those capabilities, but it also makes a strong move to abolish waste and needless bureaucratic duplication. That is where some nerves have been rubbed raw.

Make no mistake, the amendment to retain USIA, any effort to retain USIA independently, is a proposal to retain wastefulness and inefficiency. It is a tired old litany. I hope the Senate, if and when we are given an opportunity to vote on the matter, will understand what it is all about.

I yield the floor.

The PRESIDING OFFICER (Mr. ASHCROFT). The Senator from Maine.

Ms. SNOWE. Thank you Mr. President. I think the chairman has accurately stated the dilemma that faces members here in terms of making decisions about whether or not to move forward with a specific consolidation proposal.

The real question is whether or not there is support—bipartisan support—for a consolidation proposal.

We heard from Senator KERRY this morning, who said that he supports consolidation, the idea of consolidation. He basically said the same thing in committee.

The problem is, there has been no specific proposal forthcoming to achieve the goals of consolidation. That is the problem. Everybody talks about consolidation, eliminating duplicating functions and responsibilities, but there is no specific plan that has been put forward by the minority, on the committee or here on the floor, that achieves the goals that are necessary and indeed mandated by the budget resolution.

Even the Vice President said, back on January 27, that he would come forward with a plan for reinventing Government and these agencies in the State Department that would achieve a savings of $5 billion. We have no such plan.

The only recommendation the Vice President has made is eliminating 6 missions and streamlining the contracting services within the agencies. That is it. That will not achieve $5 billion. Even our savings are less than $5 billion. The fact is the budget resolution requires us to achieve $3.6 billion.

Now, somebody can say how we do it differently. I cannot understand, frankly, why the minority could not accept the principles that are embodied in the amendment that is before the Senate. It says, and it is a sense of Congress, that the President should consolidate and eliminate duplicative, overlapping or superfluous goals, activities, offices, and programs that the U.S. Arms Control and Disarmament Agency, the U.S. Information Agency, and the Agency for International Development have in common with the Department of State, in order to realize budgetary savings to the American taxpayers. That leaves $3 billion during fiscal years 1996 through 1999.

That is the essence of the amendment now pending before the Senate. It incorporates the principles of consolidation.

It is obvious that there is not an interest in working together in a bipartisan way to come up with a consolidation plan that can get a majority of support here.

Now, the President—and I can understand, there is a dilemma here for those on the minority side—the President proposed in his budget to increase the 150 account by $1 billion. The budget resolution that passed this Congress requires us to cut by $3.6 billion. That is what we have to do.

The President does not want to cut the foreign affairs account. He is asking for a $1 billion increase.

That is why I think we are meeting the resistance from the other side with respect to consolidation, because they do not want to consolidate. They do not want to eliminate. They do not want to do anything to change the status quo. That is what last year's election was all about—to change the status quo on how we conduct our business. That is what we have to do. That is our mandate here. It surprises me in a lot of ways to suggest that there are not ways in which we can do that. I happen to think that consolidation is necessary because I think it will reinvigorate the departments and the agencies. I think it will reinvigorate the

State Department in the way it conducts its foreign policy decisionmaking. I think it is necessary.

Does anyone here suggest that we should not look at the exchange programs? I am a strong advocate of the exchange programs. But, believe it or not, the exchange programs have doubled. They have actually doubled since 1990. They have doubled in the 1980's. So they doubled in the 1980's and they have doubled since 1990. We are proposing that we cut $400 million in the exchange programs that are duplicative. They are spread out all over the U.S. Government. We are saying we should consolidate and manage them because we do think they are important, especially in this post-cold-war period. It is important for our young people to have a chance to understand the cultures of governments of other countries. But does anybody think that we should not do it a little bit differently, given the proliferation of those exchange programs? I say not.

What about the Agency for International Development? As I said, the Director has done an outstanding job since he has been in that position. But there is much more to be done. Even he said, several years ago before he took that position, that the agency was a disaster. We have spent on development assistance since the agency was created $144 billion, and we still provide countries with assistance. Countries have received development assistance from 35 to 51 years consecutively. We have not made any headway.

The point is, we have to do things somewhat differently. We should tie development assistance to our foreign policy goals. There is nothing wrong with that. Indeed, I think we will maximize the benefits for our taxpayers, but also for our specific goal.

Sixty percent of the employees of the Agency for International Development work here in Washington, DC. There are 9,000 employees in the Agency for International Development—9,000. Just the administrative costs alone represent 25 cents on every development dollar we spend, but that does not take into account the grants. That is where the other 4,000 employees come in. We have 5,000 under the traditional administrative costs and overhead, and then we have another 4,000 employees that are paid through the grants that we issue through development assistance in the Agency for International Development.

Is anyone suggesting that we should not cut or reform those programs to maximize the benefits for the American taxpayers and, indeed, the program? No one is saying that the essence of development assistance and helping countries for sustainable development for the future to become independent economically is not essential. It absolutely is. The question is how we achieve those goals.

That is what we are attempting to do with this legislation: To consolidate and to improve the way in which we deliver these programs.

Public diplomacy—I have been a very strong proponent of the broadcasting functions under the USIA. Again, the question is whether or not we can move those functions within the State Department. I had concerns about maintaining the independence and integrity of the broadcasting functions of radio, for example. But we maintain that critical firewall in this legislation because we have a broadcasting board of governors. So we will maintain the independence and integrity of radio. But there is not anything to say that we cannot do things differently in bringing them into the State Department hierarchy.

Edward R. Morrow, who was once the USIA Director, said that oftentimes the agency was always brought in when a policy crash landed, but was never there when there was a takeoff. I think they will correct that longstanding problem. I think it is our responsibility to reform the public diplomacy structure. We create an Under Secretary for Public Diplomacy. We create a fifth person so that preserves the Foreign Service officers and their skills, because I have a great deal of respect for their professionalism and their dedication to their job. There is no greater demonstration of the way in which they perform than at the various embassies around the world. In fact, they are integrated fully into the process within the embassy. That is exactly the same kind of procedure we want to duplicate here in Washington, DC. Everybody works together.

Today, in a more democratic world than ever before, the foreign policy in those countries is very, very essential to the formation of policy in this country. That is what public diplomacy has become, an essential responsibility. I think we can emphasize that even more by taking the USIA and putting it into the State Department. We are not here to deemphasize it or say it is a lesser priority; absolutely not. We are saying it is very much a priority, and we are going to protect the integrity and the independence of broadcasting. In fact, we had the nomination hearing for the eight individuals who serve on that board, a very distinguished group of individuals that will bring a broad array of experience into the public and private sector to manage this board in this transition. I have a great deal of confidence in their ability to manage a very crucial change in the broadcasting function.

I hope, as generally can be the case, that we just do not have this natural visceral reaction in opposition to any kind of change. I am certainly willing to consider any proposal and any ideas to reform the consolidation that we have before us. I think we have to make a decision that consolidation is very, very essential. But we are not getting any specific or concrete ideas from the other side as to how to achieve it. We keep hearing, well, we support consolidation. But we have been hearing that for 6 months, and nothing has come forward that would suggest that they have a plan or indeed actually support any kind of plan for consolidation.

We will hopefully go through this legislation and hopefully we will have a vote, which I am going to ask for in a moment on the pending amendment, because I think it is important that we find out where everybody stands on the principle of consolidation of the State Department and its related agencies.

We are here today because we need to change the way in which we handle the organizational structure of the State Department and other agencies. But we certainly want to do everything we can to make it right.

Senator KERRY mentioned the fact that we have increased responsibilities on the embassies and our diplomatic corps. That is certainly true. In fact, this last year, I attempted to mandate a cost sharing so we apportion the costs within each embassy among a variety of agencies, because the State Department is not the only one that creates costs within our embassies. We have the Department of Commerce, the Department of Defense, and other agencies that have responsibilities for those embassies, and yet they do not pay their fair share of cost.

Unfortunately, I was not successful. I am not saying that we just should cut. I am saying that we should cut in a responsible way through consolidation. I do not think anybody can disagree on the purpose of consolidation.

So as we move forward in this debate, perhaps there will be some interest on the other side, and most specifically the administration, which obviously is governing the course and the direction of this legislation, with respect to accepting the idea of consolidation or not.

OPPOSITION TO ABOLISHING AID

Mr. LAUTENBERG. Mr. President, I oppose abolishing the Agency for International Development and merging its programs and personnel into the State Department. This proposal will do more than simply move some boxes around on an organizational chart; it will make fundamental changes in the ability of AID to perform its mission. As a result, it threatens our ability to protect and advance important American interests.

Let me begin by identifying three primary elements of AID's mission.

First, there is a clear and compelling humanitarian interest. AID's programs tells others, and reminds us, that the United States is a caring and compassionate Nation. That compassion and caring reflect both our character as a country and our recognition that we have the resources and the responsibility to do what we can to help those in need. Compassion has a place in foreign policy and our main instrument in this regard—in feeding children, providing housing and medical care, building

roads and sewers, and so much more—is AID.

Second, AID is the instrument through which we get on with the task of building functional democracies around the world. What we sought to preserve throughout the cold war, we can now expand. Country after country, on continent after continent, want to establish representative governments, democratically elected and based on the rule of law and a respect for human rights and liberties. The development assistance and expertise developed by AID is the way to get them the resources they need to achieve a result we all want. While there is an element of altruism in such programs, there is also a cold calculation that it serves our national interest. Wherever we are successful in ensuring that democratic principles take root, we are less likely to face the prospect of intervention in a political crisis, with it the high costs of peacekeeping and emergency relief operations.

Third, AID's overseas assistance efforts provide for both immediate and long-term economic benefits to the United States.

In the short run, nearly 80 percent of AID's grants and contracts go directly to American firms and private organizations. This creates American jobs, encourages American exports, and expands domestic prosperity. Over the longer run, our current and prospective foreign assistance efforts help to create future overseas markets for American goods and services in developing countries. A built-in, long-term preference for American exports bodes well for continued employment and prosperity here as well.

So, Mr. President, the functions that AID preforms are important. And the question now is whether we can continue that work in a new organizational structure.

I do not think we can or need to for three reasons.

First, AID is already reorganizing. The Agency is reinventing itself in order to become both more efficient and effective. Under the leadership of its Administrator, Brian Atwood, AID has already cut its costs. Overseas, AID will have closed 21 missions between 1994 and 1996. In its domestic operations, AID has eliminated 90 offices in Washington. Overall, AID has cut 70 senior positions and reduced total staff by over 1,200. Moreover, AID is adopting a new development strategy. Recognizing that its limited resources make it impossible to be all things to all people, it is targeting fewer countries for more intensive assistance. While some may criticize this almost triage-like approach, it certainly reflects a willingness to adopt a leaner focus to the problems it confronts.

Second, the suggestion that the savings will come out of ''administrative reforms'' is simply not credible. As I have indicated, AID has already scaled back. I do not believe there will be significant additional administrative savings from this consolidation. The reality is that AID's overseas operations, like all U.S. Government agencies and departments operations in our embassies and consulates, already are fully integrated into State Department administrative services on a reimbursable basis. So, the proposed consolidation would not save any money abroad. And domestically, there is no room in the State Department to house AID's employees and functions, so we will not save on building costs here in Washington, either.

The net result, I fear, is a further reduction in our developmental programs. Some may say ''well its about time.'' But that kind of response is usually based on a profound misunderstanding of just how much we spend on foreign aid. While many believe that such programs account for 8 to 10 percent of all Federal spending, in reality they now constitute only ½ of 1 percent of all spending by the U.S. Government. This level of spending already places us in the lowest ranks of the developed world in terms of per capita spending on foreign aid and assistance programs. Indeed, from 1956 to 1993, our share of official development assistance worldwide has dropped from 63 to 17 percent. Our current effort, then, is inadequate. This bill makes it even worse. And, as a result, it threatens our ability to protect the national interests I identified at the beginning of these remarks.

Finally, Mr. President, I have to note the major irony involved in this proposal. This proposal to augment and centralize the State Department is made by precisely the same people who profess to believe that ''big government'' should be decentralized and made more flexible.

Let me conclude, Mr. President, with this simple observation. Destroying AID is not the way to accomplish our foreign policy objectives. It would not be efficient or effective, and we should not do it.

OPPOSING CONSOLIDATION OF USIA

Mr. LAUTENBERG. Mr. President, I oppose consolidating the U.S. Information Agency.

We need to ask two questions about this proposal to abolish USIA and merge its functions and personnel into an expanded State Department. First, will it result in a less costly set of information, cultural and exchange, and broadcasting programs in support of American foreign policy objectives? Second, will it enhance the effectiveness of these programs as we continue to readjust and redirect our foreign policy interests?

Mr. President, the answer to both questions is ''no.''

Let us look initially at the purported cost-savings of merging USIA into the State Department.

There is a seductive logic to the argument that merging USIA into the State Department would result in substantial administrative cost-savings. But the facts reveal otherwise.

Managerially, USIA's overseas operations currently are well-integrated with State's. USIA—like all departments and agencies operating from our Embassies and consulates—already reimburses the State Department for administrative support services, such as housing, computers, motor pools, and the like. Consolidation will not save any money overseas.

Would there be savings in U.S. operations by merging USIA into the State Department? I do not believe so. Aside from its foreign press centers, the Agency by law has no domestic charter, no domestic presence. And we would not be able to eliminate the need for some sort of separate office space to house USIA's personnel and functions, since the State Department has none to spare.

In fact, USIA on its own and in response to the President's and Vice president's reinventing Government initiatives has already achieved major and substantial cost-savings. In this regard, I believe that it is important to remember that the Agency constitutes only 6 percent of the total function 150 budget but accounts for 58 percent of the total savings wrung from the 150 account in the past 2 years.

USIA has accomplished these savings by consolidating and restructuring its own activities. USIA now has RIF authority and is in fact closing overseas posts and bringing officers home, as well as cutting overseas and domestic positions and staff.

By bringing together all of the U.S. Government's international broadcasting activities, USIA will save more than $400 million by fiscal year 1997 and eliminate 1,250 staff positions. By creating a new Information Bureau, USIA has reduced its policy and program staff by 30 percent for an annual savings of $10 million. And by streamlining and downsizing its educational, cultural, and management functions, USIA has wrought savings of almost $15 million and eliminated 186 positions this year alone.

The fact is, Mr. President, significant, real cuts are being made by USIA right now without consolidation. We cannot extract more savings by merging USIA into the State Department without sacrificing the very programs that support our foreign policy worldwide in the new information age.

Will consolidation enhance the effectiveness of the U.S. Government's information, broadcasting, and cultural and exchange programs? I do not think so for at least two reasons.

First, the budget cuts raised by this bill for USIA—$118.6 million in fiscal year 1996 and an additional $81 million in fiscal year 1997—are general reductions. In fact, they have nothing to do with consolidation and cannot be achieved by merging USIA into the State Department. To meet these spending levels, the Agency will have

to make deep cuts in its overseas presence and its core programs.

Second, USIA was carved out of the State Department in 1953 to fulfill a function—that of public diplomacy—that the State Department is inherently unable to perform. USIA was expanded in 1978—when State's Bureau of Cultural Affairs was abolished and its functions given to the Agency—when the State Department could not give high priority to programs that promote unofficial contacts between U.S. public opinion leaders and their foreign counterparts overseas.

In other words, Mr. President, merging USIA back into the State Department flies in the face our historical experience. It is being proposed at precisely the time when the benefits of our cold war labors—democracy-building world wide—are just beginning to be realized in such far-flung places as Haiti, Angola, and Cambodia and require active, effective public diplomacy from USIA.

Finally, I note that—at a time when businesses across America are creating more flexible, less centralized organizational structures, and we are seeking to emulate this move in the Federal Government—it is hard to understand why any of my distinguished colleagues on the other side of the aisle would advocate creating a mega-bureaucracy in the State Department.

I urge my colleagues to oppose consolidating USIA.

Ms. SNOWE. Mr. President, I would now like to ask for the yeas and nays on amendment 2042, the amendment that is pending before the Senate.

The PRESIDING OFFICER. Is there a sufficient second?

There is not a sufficient second.

Ms. SNOWE. I yield the floor.

Mr. PELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. PELL. Mr. President, I intend at the appropriate time to offer amendment No. 1964 on behalf of Senators HATFIELD, GLENN, SIMON, and BIDEN, and myself that would amend S. 908 in order to retain the independence of ACDA from the Department of State.

The State Department authorization bill, S. 908, would, as reported, make meaningless serious and comprehensive efforts in recent years to strengthen and revitalize ACDA. Moreover, it would have this unfortunate effect without any significant savings with respect to ACDA. As a result, its true price would be high.

As an aside, commenting on the words of the Senator from Maine, I appreciated her kind words about the Foreign Service, being the only Foreign Service officer in the Senate. I think all of us recognize what the Foreign Service does, and I appreciate the comments of Senator SNOWE.

S. 908 as reported from the Committee on Foreign Relations, would abolish ACDA and place the retained functions and personnel in a single bureau of the Department of State. That bureau would be one of five under the control of an undersecretary also responsible for international narcotics, law enforcement, political-military affairs, humanitarian assistance, refugees, and migration affairs. We believe that what can only be described as a jumbled reorganization would be in error that could prove very costly to our Nation, and to our arms control efforts, for several reasons. First, this major downgrading of the arms control apparatus at a time in which major threats to our security are becoming both more diverse and more challenging is a dangerously shortsighted action. Second, it would muffle, if not silence, the arms control voice at several major levels. Third, it would deny the Secretary of State and the President the benefit of an independent perspective and judgment on arms control and nonproliferation issues. For these and other reasons, it would be inevitable that our ability to identify and implement effective arms control and nonproliferation activities would be diminished to the detriment of our national security interests.

The amendment would require a serious and comprehensive effort to eliminate duplication and overlap within and between the Arms Control and Disarmament Agency and the Department of State, while preserving the agency's independence and authorizing the appropriation of necessary operating funds.

In the course of committee markup of the legislation, I offered an alternative proposal—that the Arms Control and Disarmament Agency be retained and strengthened. At that time, my proposal was supported only by my Democratic colleagues. The amendment I intend to offer is more modest in that it does not shift important nonproliferation responsibilities to ACDA. Rather, it preserves the present relationship, leaving the issue of the further strengthening of ACDA to be resolved later. It also authorizes appropriations of $45 million in fiscal year 1996 and in fiscal year 1997, which allows for spending at current levels.

I hope that a number of Senators of both parties—not just one, but both parties—who understand arms control and nonproliferation issues and appreciate the value of ACDA as a specialized agency at the center of these issues will join in supporting the amendment.

Arms control activities were handled within the Department of State until 1961, when it was decided that a separate agency would be a better approach. As the final decisions were being considered, I remember going to the White House with the Senator from Minnesota, Mr. Humphrey, and the Senator from Pennsylvania, Mr. Clark, to make the case that arms control was a matter of such central importance to the United States that it should be the responsibility of an agency created by and operating under statute.

As I think we all can recall, when Senator Kennedy was running for President, he talked about it being a separate statutory agency. But when the time came and he was President, then the question came up whether he had the votes for it to be made a statutory agency or whether it should be set up by Executive order.

The decision made, on the recommendation of Arthur Schlesinger, at that time to the President was that he stick to his guns and that we have it as a separate statutory agency. This was a decision that President Kennedy made at that time. I believe that decision really came out of the conversations Senators Clark, Humphrey, and I had with him then.

McGeorge Bundy, who served both Presidents Kennedy and Johnson as National Security Adviser, recalled the decisions on ACDA earlier this year in testimony on this bill. He spoke of ''the requirements for first-class executive branch performance in the field of arms control. These requirements are well met in the present executive arrangements; they could be met only by most improbable good luck if the proposal before you (S. 908) should be adopted.''

Mr. President, no American has left a greater mark on arms control in the modern era than Ambassador Paul H. Nitze. In a long and illustrious career, he has served Democratic and Republican administrations alike. He understands fully the value of ACDA within any executive branch. He wrote me on July 6 to say: ''This reorganization I believe to be ill-advised; folding the U.S. Arms Control and Disarmament Agency (ACDA) into the State Department seems to me to be unnecessary and unwise.''

I think when a man of wisdom and experience and the depth of knowledge of arms control, as in the case of Paul Nitze, takes a view like this, we all should take his view seriously.

Ambassador Nitze continues,

> In my experience as an arms control negotiator, I always found ACDA's input into the negotiating process to be expert, insightful, and uniquely helpful. That input could well be lost if the Agency does not remain independent. As recent events in Iraq, Iran, and North Korea show, nonproliferation and arms control are more important than ever. Eliminating ACDA from the diplomatic effort to protect our security would be like eliminating the Marine Corps from the military effort. While it will never replace its larger brethren on the foreign policy team, ACDA plays an essential role as a lean and flexible vanguard, always ready to aggressively counter the threat weapons of mass destruction pose to our national security.

Paul Nitze concluded,

> The game has changed, but the stakes are at least as great; our national survival still hangs in the balance. We should be strenthening our nonproliferation team, not abolishing it. ACDA is a key part of the best team possible to face the real and growing threat of nuclear, chemical, and biological terrorism. In this new era of opaque and unpredictable threats to our security, the vigilance that saw us through the Cold War should not be relaxed.

(Ms. SNOWE assumed the chair.)

Mr. PELL. Madam President, I ask unanimous consent that the full text of Ambassador Nitze's letter be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. PELL. Madam President, the need for first-class arms control performance has not always been recognized. Accordingly, in the past 34 years, the agency has had its ups and downs, but it has been central to some successes, including the Non-Proliferation Treaty, SALT I Interim Agreement, Anti-Ballistic Missile [ABM] Treaty, Biological Weapons Convention, Senate agreement to the 1925 Geneva Protocol, Intermediate Range Nuclear Forces [INF] Treaty, Threshold Test Ban Treaty, Peaceful Nuclear Explosions Treaty, and the Chemical Weapons Convention now pending before the Senate. While ACDA was not in charge of START I or START II, it did the bulk of the backstopping work.

It is worthy of note that ACDA has fought alone in some key matters. The State Department opposed negotiation of the Non-Proliferation Treaty in order to please NATO allies. ACDA persevered and won. When the State Department wanted to eviscerate the ABM Treaty in the early 1980's, ACDA fought for the traditional interpretation. Recently ACDA and the Energy Department have been supportive of the current nuclear testing moratorium and of a comprehensive test ban. The State and Defense Departments have been the foot draggers. Recent press reports allege that the administration sided with the Secretary of Defense and the Joint Chiefs of Staff against ACDA and the Energy Secretary in its decision not to agree with the Russians to negotiate further strategic arms cuts beyond START II.

In 1991, the Bush administration did not seem to hold ACDA in particular regard, and there was a general sense on the Hill that ACDA was both insignificant and ineffectual. Senator SIMON proposed, and the committee and Senate agreed to, an amendment requiring that the State/ACDA inspector general, Sherman Funk, investigate ACDA and report back with recommendations in December 1992. Mr. Funk ordered a very thorough study and analysis by an outside panel headed by Ambassador James Goodby. That panel explored all the options, including merger into State and concluded that ACDA should be kept independent and strengthened.

The importance of the independence of ACDA can not be overemphasized. This was the same logic that President Kennedy used when he said it should be a statutory agency and it should be separate, and why he made the decision to have it set up by statute.

Subsequently, I introduced legislation to strengthen and revitalize ACDA. At the same time, the new administration was considering a plan to merge ACDA into State. That subsequently rejected plan is the progenitor of the current majority plan to merge ACDA into State.

After their review, the President, on the recommendation of Secretary Christopher, decided to retain ACDA and support the bill I had introduced as soon as some compromises were reached. That was done and the bill, with bipartisan support in both Houses was enacted last spring. These are the highlights of the revitalization legislation, which is now law.

The bill enhanced the role of the ACDA in the areas of arms control and nonproliferation policy and negotiations in several ways: First, ACDA was given primary responsibility for all arms control negotiations and implementation fora, including negotiation of a comprehensive nuclear test ban; second, positions for Presidential Special Representatives for Arms Control, Nonproliferation, and Disarmament were created and placed under the ACDA Director; and third, ACDA's role in nonproliferation was underscored by giving the Agency primary responsibility for managing U.S. participation in the 1995 review conference of the Nuclear Non-Proliferation Treaty and primary responsibility for other nonproliferation activities when so directed by the President.

The bill improved ACDA's role regarding arms transfers and nonproliferation. ACDA was given mandatory prior consultation and review rights with respect to export licenses and other matters under both the Arms Export Control Act and the Nuclear Non-Proliferation Act.

The bill strengthened the functioning of the Agency by eliminating a number of outdated or redundant reporting requirements and by disbanding the General Advisory Committee, thereby permitting the Agency to reassign personnel to other substantive areas.

The results of the strengthening and revitalization are beginning to be seen. Officials of ACDA are effectively involved in bringing an arms control perspective to executive branch decision-making at various levels. The Agency was in charge of the critically important and successful effort this spring to secure the indefinite extension of the Non-Proliferation Treaty. The Agency is currently running the efforts to achieve a comprehensive test ban in negotiations in Geneva. The Agency recently submitted a remarkably detailed and informative annual report to Congress that included a section dealing with the adherence of the United States to its arms control commitments and the compliance of other nations with their obligations under arms control agreements. Any Senator reading this compliance report, in either classified or unclassified form, would have to agree that ACDA is on top of various arms control problems and that it is willing to be open and forthright with the Congress regarding these matters and what can be done to deal with them.

I am convinced that ACDA is on the right track now. Having decided to strengthen ACDA, it makes no sense now to abolish the agency and give its unique and specialized responsibilities to the Department of State. Within very real budgetary constraints, we need to stay the course and continue to strengthen ACDA. Our amendment would do just that.

Mr. McGeorge Bundy also told the committee:

> Arms control—especially the limitation of nuclear danger—is not easy. It requires agreement among sovereign states who often fear and mistrust each other. It can require limits on weapons that a military service may initially prefer not to limit. It requires technical understanding, political sagacity, and coordination from the White House. What I would emphasize in particular, from my own service with two Presidents who were deeply and directly engaged in the effort to limit nuclear danger, is that there must be a close and continuous relation between the President and his staff and the main center of arms control analysis and effort. The government's senior people on arms control should have easy access, as a matter of right and expectation, to the White House.

The value of independent access to the President as cited by Mr. Bundy cannot be overestimated. Many arms control and nonproliferation matters should be considered at the interagency level and decided by the President. To put arms control at a lower level within the Department of State would mean that the arms control voice would be muffled and key questions could be dealt with inside the Department. Under the present and preferred arrangement, the Director is the principal adviser on arms control, disarmament, and nonproliferation matter to the President, the National Security Council, and the Secretary of State. Thus, the Agency can be actively engaged and effective at whatever level is appropriate.

Much is made of the notion that abolishing agencies such as ACDA will save large funds. The ACDA budget is currently about $55 million. ACDA's core spending would remain at about $45 million under my amendment. The Vice President has set about the task of making all feasible reductions throughout Government, and indications are now that significant cuts can be made. With regard to ACDA and the State Department overlap, it is clearly largely within the Department, and there can be reasonable savings in areas in which the Department duplicates ACDA pointlessly. Beyond that, it is hard to imagine cuts that would not simply mean the termination of important programs.

I conclude that there could be some relatively insignificant savings realized from the merger of ACDA into State, but the results would not be an improvement. It would amount to dollars saved very foolishly—at an unfortunately high price. Too much is at stake. We should not take steps that

could lead to risks to our national security. In a challenging and threatening international environment, reasonable amounts spent on ACDA can only be seen as a sound investment.

EXHIBIT 1

THE PAUL H. NITZE SCHOOL
OF ADVANCED INTERNATIONAL STUDIES,
Washington, DC, July 6, 1995.

Hon. CLAIBORNE PELL,
Senate Office Building, Washington, DC.

DEAR CLAIBORNE: As a long term observer of U.S. foreign and security policy, I write to you in opposition to the foreign affairs reorganization bill soon to be considered by the Senate. This reorganization I believe to be ill-advised; folding the U.S. Arms Control and Disarmament Agency (ACDA) into the State Department seems to me to be unnecessary and unwise.

In my experience as an arms control negotiator, I always found ACDA's input into the negotiating process to be expert, insightful, and uniquely helpful. That input could well be lost if the Agency does not remain independent. As recent events in Iraq, Iran, and North Korea show, nonproliferation and arms control are more important than ever. Eliminating ACDA from the diplomatic effort to protect our security would be like eliminating the Marine Corps from the military effort. While it will never replace its larger brethren on the foreign policy team, ACDA plays an essential role as a lean and flexible vanguard, always ready to aggressively counter the threat weapons of mass destruction pose to our national security.

The global security environment has changed radically in recent years. The proliferation of nuclear, chemical, and biological weapons and the increasing flow of materials and know-how from the former arsenals of communism are now the chief threats to our nation. ACDA has been the champion of nonproliferation within the U.S. Government for more than thirty years. Without the 1968 Treaty on the Non-Proliferation of Nuclear Weapons (NPT) the number of aspiring nuclear powers confronting us today would be an order of magnitude greater. The NPT would never have been achieved without an independent ACDA balancing the bilateral interests promoted by the State Department. Just two months ago, ACDA led the interagency effort which made the NPT unconditionally permanent. Organizing consensus for indefinite extension among the nearly 180 parties to the NPT was a great diplomatic victory for the United States. An independent ACDA proved it could succeed in a post-cold war leadership role that would have been impossible for it to play as part of the State Department.

The Soviet Union has collapsed under the weight of its own bankrupt ideology and the global threat of communist aggression has shattered. But the technology (and even the very weapons and materials) used by the communists to threaten our way of life continue to endanger our nation, only now the danger comes from many sources instead of one. The game has changed, but the stakes are at least as great; our national survival still hangs in the balance.

We should be strengthening our nonproliferation team, not abolishing it. ACDA is a key part of the best team possible to face the real and growing threat of nuclear, chemical, and biological terrorism. In this new era of opaque and unpredictable threats to our security, the vigilance that saw us through the Cold War should not be relaxed.

Sincerely,

PAUL H. NITZE.

Mr. MCCONNELL. Madam President, I strongly support Senator HELMS initiative to reorganize our foreign affairs agencies—the time has come to restructure the Department of State, USIA, and ACDA to better serve American interests abroad in the new post-cold-war world.

The combination of diminishing resources and increased international trade and economic competition require us to revise our priorities and approach and restructure our institutions.

During my tenure on the Foreign Relations Committee and now on the Foreign Operations Subcommittee, I reached the same conclusion that many of my colleagues did—foreign aid is almost as unpopular as it is misunderstood.

Time and time again I have addressed audiences that really believe that foreign aid represents at least 50 percent of our budget—if we just scaled it back to 5 percent we could balance the budget.

Well, as most of us know, foreign aid hovers around 1 percent of the Federal budget, and is shrinking by the day.

So why do so many people have the wrong impression?

I think the problem stems from the fact that no one really knows what we do abroad or why? Sure they understand emergency food and medical support to a country that is experiencing an earthquake or similar natural disaster.

But what does sustainable development mean and why is it important?

Why are we the largest contributor to global family planning programs?

Do we really need to fund the International Office of the Vine and Wine?

I share the view of many Americans that think our aid does not support clear cut U.S. interests. And, central to this problem is the disconnect between the agencies administering foreign aid and foreign affairs.

I commend Senator HELMS for his ambitious effort to reorganize our bureaucracy to better serve our interests. His proposal to integrate our aid and interests in one agency closely tracks legislation I introduced earlier this year. I also support his emphasis on our trade and economic interests—assuring each regional bureau actually has a deputy responsible for trade and development will enhance our global standing and performance.

The reforms outlined in S. 908 are essential to rebuilding American confidence in our foreign aid programs. The bill reduces waste and expensive duplication of agency efforts. And, in scaling back and focusing our resources and effort, we will strengthen the coherence and effectiveness of our programs and policies.

Mr. HELMS. Madam President, I ask for the yeas and nays on the pending amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. KERRY. Madam President, prior to the Senator proceeding, I ask unanimous consent to have printed a letter to the President of the United States from a series of groups with respect to this legislation.

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

PLANNED PARENTHOOD,
July 26, 1995.

President WILLIAM JEFFERSON CLINTON,
The White House, Washington, DC.

DEAR MR. PRESIDENT: We urge you to oppose all efforts to prevent the United States from sending an official delegation to the United Nations Fourth World Conference on Women, to be held in Beijing, China in September. The UN Conference on Women is predicted to be the largest UN conference ever held; 184 government delegations and over 6,000 NGO representatives are expected to attend the UN meeting. The Conference will adopt a Platform of Action which outlines critical actions governments must take to advance women's rights and access to resources in many areas including health, education, economics, human rights and the environment. Our organizations—representing millions of Americans—are deeply concerned about attempts to stifle US participation in this important global conference.

In response to recent reports of increases in the number of human rights abuses in China, there are efforts currently underway in the Senate and House of Representatives to block participation of a U.S. delegation the UN Conference on Women. We strongly believe that human rights abuses in China and in all nations must be confronted directly. Our organizations abhor infringements upon the basic human rights of all people. At the same time, we find the abuse, suffering and inequities faced by millions of women worldwide equally distressing. The purpose of the Fourth World Conference on Women is to assess progress made in improving women's status and seek real solutions to bringing women out of the cycle of poverty, inequality and discrimination that continues to entangle so many women and their families.

American women should not be denied the voice of their government at this high level international meeting. There are appropriate vehicles for dealing with this matter including multilateral and bilateral policy discussions with the Chinese—not in the context of a world conference about women's issues. The matters of women's health, human rights, education, employment and political status are much too important for the U.S.—or any nation—to ignore by sitting on the sidelines of this prominent forum. The U.S. would be doing an injustice not only to American women but to all the world's women, if its voice is silent in Beijing.

The decision to hold a women's conference in Beijing was made years ago by many nations and agreed to by former U.S. President George Bush and then Secretary of State James Baker. While many would prefer that this conference be held elsewhere, especially now that the Nongovernmental (NGO) Forum has been forced to a less than adequate site some distance outside of Beijing, we believe that U.S. attendance is critical. In fact, it would be a victory for China, which does not want to be criticized, for the U.S. to be absent from this international event. What better forum to highlight women's abuses in China and all other nations, than this global conference of government delegates, NGOs and media? The U.S. has been a leading advocate on human rights and democracy. Further, it has been one of the strongest voices at the UN for NGO access and accreditation. Restricting U.S. participation in the Conference would undermine

our ability to use this conference as an opportunity to pressure China on democracy and human rights issues.

We, the undersigned, represent a wide array of citizen-based groups working to improve the lives of all people. We focus on issues concerning human rights, economic and social development, health, environment and women's rights.

We urge you to oppose all efforts to prevent or restrict in any way the United States' full participation in this conference.

Sincerely,

American Friends Service Committee, American Association of University Women, The African-American Institute, Bay Area Friends of Tibet (San Francisco), Center for Women's Global Leadership, Rutgers University, Douglass College, Centre for Education, Development, Population, and Population Activities, Chesrown Metzger International Group, Childhope, Church Women United, Coalition for Women in Development.

Delegation of Original Women of Philadelphia (DOWOP), The Development Gap, Family Care International, Feminist Majority Foundation, Friends of the Earth, Heifer Project International, The Hunger Project, InterAction, Institute for Policy Studies, International Center for Research on Women (ICRW).

International Committee of Lawyers for Tibet (San Francisco), Laubach Literacy International, MAP International, Ms. Foundation for Women, National Audubon Society, The National Black Women's Health Project, Oxfam America, People for the American Way, Planned Parenthood Federation of America, Population Action International.

Population Communication, Save the Children, Tibetan Association of Boston, Tibetan Association of Northern California, Tibetan Rights Campaign (Seattle), Tibetan Women's Association/East Coast (New York), United Church of Christ, Board for World Ministries, United Church of Christ, Coordinating Center for Women, U.S.-Tibet Committee (New York), Utah Tibet Support Group (Salt Lake City), World Women in Development and Environment.

Mr. ASHCROFT. Madam President, I ask unanimous consent that such time be provided for me to speak in regard to this matter, Senate bill 908.

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

Mr. ASHCROFT. Madam President, the Foreign Relations Revitalization Act of 1995 represents an important step in establishing a coordinated and coherent foreign policy and a refocusing of our national priorities in this time of limited resources.

We need our foreign relations to be conducted at the highest level of integration and coordination, and the highest level of representation of the interests of this country and of the American people. And a top priority must be to ensure that our influence is used to benefit our interests and to ensure respect for American leadership.

Senate bill 908, the Foreign Relations Revitalization Act of 1995, is a bill which will do that.

I want to commend the Presiding Officer, and the chairman of the committee, Senator HELMS, for his guidance and direction in crafting this important legislation that eliminates program duplication and establishes a sense of clarity in the conduct of foreign relations. This bill also streamlines the delivery of services by eliminating three agencies and consolidating their remaining functions within the Department of State. I believe this will strengthen the role of the Secretary of State and will enhance his ability to organize a foreign policy structure that will best serve our Nation.

We will not be well served by a foreign policy that continues to flow from the mouths of many. This is a very important issue, and one that the full Foreign Relations Committee addressed on several occasions with witnesses appearing from the Agency for International Development [AID], U.S. Information Agency [USIA], and Arms Control Disarmament Agency [ACDA]. I found it interesting that some witnesses indicated that it was important that separate sub-interests of the United States be represented vocally and that there be a competition of sorts—a ''good-cop, bad-cop'' approach to foreign policy, whereby the folks who handed out the foreign aid for the United States would maintain good relations with a particular client nation, while the Department of State would essentially hold the line in protecting United States interests.

I find that to be somewhat troublesome. I think we need to speak with a single voice. I do not think someone should be handing out foreign aid to a country at a time when that very country is clearly acting against our interests.

If we continue with a foreign aid proposal, it should be with an understanding that the person asking for coordination and cooperation in one arena is the same person that will be delivering foreign aid and the kind of assistance that this country gives to other nations that are developing.

The network of competing fiefdoms can only undercut the authority of the Secretary of State in conducting foreign policy. This bill will change that. It would be difficult to believe that those individuals who have tried to represent our interests with a singular, clear voice, would not favor this reorganization. Thus, it is no accident that virtually every previous Secretary of State who has had experience in this arena supports this bill.

I believe that it is no accident that all the former Secretaries of State that came to speak with us supported this concept, and supported it very clearly, as did the current Secretary before his voice was muffled by the Vice President and others who suggested that perhaps he should not have that opinion.

Sadly, rather than grab the opportunity to play a constructive role in helping to shape this proposal, the administration sought instead to adopt a fighting posture, a fixed-bayonet, take-no-prisoner strategy.

I was particularly troubled by the secret minutes of an internal AID staff meeting that were provided to members of our committee. In that internal staff meeting, the staff was advised that ''Our strategy is delay, postpone, obfuscate, derail. If we derail [the bill], we can kill the merger.''

This has nothing to do with the merits of this particular proposal. It has to do with the preservation of the bureaucracy. The American people deserve better from public servants than to sit around the conference rooms of these agencies figuring out how to derail, obfuscate and delay the will of the American people.

The American people not only deserve a sound foreign policy, they deserve to have individuals operating in our agencies so as to comply with the will of the Congress and the people, as expressed through the Congress.

An entrenched group of Government bureaucrats has been diligent in their efforts to hold the line at any cost, by stonewalling and delaying the process. This represents precisely the attitude of Government that this last election was designed to change.

People have signaled very clearly a distaste for this. They not only want our Government to reflect their wishes, they want the Government, when it reflects the America interests abroad, to do so coherently, concisely, and clearly.

They think if we have a single voice in foreign policy representing the administration, be it Republican or Democrat, that single voice is most likely to get the job done, rather than if we have competing agencies, an agency handing out foreign aid resources, another agency asking for cooperation in some other area of the international arena.

There is another point that ought to be made here, and that is while there has been wild speculation that this consolidation plan and the corresponding reductions in some foreign assistance accounts is undertaken, somehow our national prestige will be threatened. I think it is important to understand that national prestige is reinforced and enhanced when we operate with a clear, coherent, concise, understandable foreign policy. Speaking out of both sides of our mouths may be a habit that is understood politically in the United States. It is really not appreciated by the American people. It is certainly not appreciated in the international community, when various organizations from this country misrepresent our stated policy.

On the related topic of our national prestige, it is my sense that our stock will rise on the exchange of the world's international community, when we let them know that we intend to seriously address our responsibilities.

This reorganization plan correctly recognizes the fact that there is a direct correlation between our international prestige and our ability to express ourselves with clarity. Second, it recognizes a direct correlation between our international prestige and the fiscal health of this country.

If we do not have the ability to put our financial house in order, we will not be respected by countries around the world. If we continue to race down the road to bankruptcy, our influence will not be substantial.

This is the first authorization measure to come before the U.S. Senate that makes good on the promise we extended to the American people when we passed the budget resolution; that is, to have a balanced budget, to put our financial house in order. I submit to you that living within those rules and setting our priorities, financially as well as refining and clarifying our message in the international community—all of these things have no promise whatever other than to raise the prestige of the United States and to set an example in the world community that we should be responsible.

Unfortunately, there are those in this country who think that there cannot be any cuts at all in the foreign relations area. And the lobbyists came around with their buttons saying ''Just 1 percent.'' They said that since our foreign aid budget represents only 1 percent of the total Federal budget, it cannot be touched. I just want to point out that the ''Just 1 percent'' is actually $14.3 billion. And I believe it can be touched.

Should it be abolished? I am not in favor of abolishing foreign assistance. But I am in favor of sending a signal around the globe that when American citizens are tightening their belts, and exercising fiscal responsibility, there will be some ripple effects in terms of our aid. Not that we are going to shut anything down, not that we are going to change our policy dramatically, but we need to send a clear signal that the shared sacrifice here at home should be matched by a certain degree of sacrifice around the world. If we did not have the courage to ask them to participate in that respect, they would lose some of their admiration for the way we do business and they would lose some of their respect for us, and we would lose some of our ability to influence events around the world.

This administration seems to be following the same path as the foreign aid lobbyists leveling charges that this commonsense reform bill represents a dangerous shift toward isolationism. It is not a shift toward isolationism but rather a shift toward the development of respectable foreign policy. We have dealt with foreign situations but we have not had foreign policy. Policy is something that is coherent, that sticks together, that you can forecast, that you can predict. It has a philosophy about it. We have too many lawyers in the process and too few philosophers. We solved this problem, and we solved that problem, and we solved this other problem. But we never do it in accordance with a philosophy. And the philosophy should be a philosophy which keeps us from having additional problems.

I remember when the leaders of the so-called foreign policy establishment of this administration came to talk to the committee about the North Korean situation and the problems which we had negotiating with the North Koreans over nuclear issues. I asked the leadership of this administration's foreign policy what it was about the way we solved that problem that would suggest to the rest of the world that we should not do the same things that the North Koreans had done. They said, ''Well, nothing. We think this is a unique situation, and it will not never happen anyplace else.'' So we could afford to make this a very sweet deal for the people who went against the U.S. interest because it could never happen again.

I submit to you that is not foreign policy. It may have temporarily solved that problem. But that is not policy. That is just pragmatism at the moment, and does not look down the road.

We need a foreign policy, and we need a Secretary of State with the capacity to articulate that foreign policy with clarity, with singularity, and coherently around the world.

The administration has pursued a ''Chicken Little'' approach to denouncing the reorganization plan by issuing a series of gloom and doom forecasts about how passage of this bill will result in damaged American prestige abroad and the possible emergence of more Rwanda-type situations.

Well, it is just not so. The sky will not fall if the Arms Control and Disarmament Agency is abolished. At the present time, the State Department, the Defense Intelligence Agency, and the CIA all have departments that are dedicated to pursuing arms-control-related functions. We have the ability to handle these issues in a coherent, rational, integrated, coordinated way if we make the changes that are in this important legislation which is before us.

It is time that we prioritize. Some said we cannot afford to reduce our foreign aid at all in 1993. AID helped fund a visit to the United States by a group of Romanian architects so they could study U.S. architecture. Was this a priority for a country whose economic infrastructure was devastated by 40 years of Communist rule? I doubt it.

Last week, the Washington Times reported that AID recently spent $175,000 to produce 3,000 of these gender analysis tool kits.

I think the American people might wonder if the purchase of gender analysis tool kits is the right kind of priority setting.

AID even floated a plan to help supply Moscow with street lamps. I know that crime has gotten to be a problem in Moscow. But it is a tough sell to say to the people of the United States of America, some of whom live in inner-city neighborhoods in the United States that make Moscow after dark look like a trip to Disney World, that we should spend millions of dollars putting street lights in Moscow, particularly at a time when Moscow was spending billions of dollars grinding up the people of Chechnya. I wonder.

Again, it is a question of establishing priorities.

In closing, and with great enthusiasm, I want to draw attention to the key features of this reform legislation. It says we do not have unlimited resources, we need to set priorities, and we need policy, and policy should not be articulated by contradictory messages issued by a variety of organizations. It says we must maximize our influence, and in order to maximize our influence, let us not speak with many voices in contradictory messages; let us speak with one voice so those who deliver the benefit can also be those who ask for the cooperation.

It says that we in the United States of America will not sacrifice without expecting others to sacrifice along with us, because ultimately when we have the kind of fiscal integrity that we ought to have, the entire world will benefit. When our house is in order, we will be the leader that provides the kind of message and the kind of opportunity around the world which will lift the performance of many nations with us.

We cannot spend as we have in the past in ways that are counterproductive. As the world desperately needs a leader—and there is only one—the United States must revamp its capacity to deliver that leadership with clarity and coherence, and the Foreign Relations Revitalization Act does that.

I urge my colleagues to vote for this measure, because it is a major step forward in our world leadership responsibilities.

Thank you, Madam President.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. Madam President, before the distinguished Senator from Missouri leaves for the policy luncheon, I want to say that he has made an extraordinarily brilliant speech. He has said it all, and he said it well. If I may reminisce just one moment, one of the first people I met in another State after I came to the Senate was a young man in Missouri named JOHN ASHCROFT. I went to Missouri to work with him on a little matter. I have admired him ever since. He has had a distinguished career, and he has already begun a distinguished career in the U.S. Senate. I thank the Senator.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate will now stand in recess until 2:15 p.m.

Thereupon, at 12:50 p.m., the Senate recessed until 2:14 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. COATS).

FOREIGN RELATIONS REVITALIZATION ACT OF 1995

The Senate continued with the consideration of the bill.

AMENDMENT NO. 2033

Mrs. HUTCHISON. Mr. President, yesterday I proposed an amendment to instruct the United States delegation as to the sense of the Congress regarding the representative American perspective the United States delegation should promote at the United Nations Fourth World Conference on Women which will be held in Beijing, China from September 4 to 15, 1995. I am pleased that the amendment was adopted today by voice vote.

My amendment instructs the U.S. delegates to recognize the importance of motherhood, to uphold the traditional family as the fundamental unit of society upon which healthy cultures are built, and to define or agree with definitions of gender only as the biological classification of male and female.

Most Americans would be surprised to learn that an amendment of this nature was even necessary. Most Americans would respond that of course a U.S. delegation to an international conference would be eager to uphold the family as the fundamental unit of society and of course, that there are only two genders, male and female.

However, the delegates to the Fourth World Conference on Women have made these simple concepts an issue, and therefore, we need to be clear that our U.S. delegation represents the views of most Americans.

At the last preconference meeting, held in New York City in March 1995, one nation suggested that the word ''mother'' be removed from the platform document and replaced with ''caretaker.''

What about the traditional family? We have heard a great deal of discussion lately about families and the important role they play in the well-being of children and society. Conservatives and liberals alike are lamenting the breakdown of the American family and the dire consequences—such as increased crime, high teen pregnancy rates, drug use and lower educational performance which result from a breakdown in the family and family values.

On all sides of the political spectrum there is a growing understanding that the family is the single most important factor in combating these problems.

Finally, on the issue of gender Mr. President, this issue on its face seems ridiculous. At the March 15, 1995 Preparatory Committee meeting for the Fourth World Conference on Women in Beijing, delegates prepared a draft platform. The word gender appears 184 times in that document. The use of gender had never been an issue as a majority of delegates assumed that the term did not need definition.

In response to the various questions about the definition of gender, the conference leadership floated the definition:

> Gender refers to the relationship between women and men based on socially defined roles that are assigned to one sex or the other.

Delegates pressed for bracketing the word gender until a definition could be agreed upon. Bella Abzug of the U.S. delegation in an angry speech contested the bracketing saying:

> We will not be forced back in the ''biology is destiny'' concept . . . the meaning of the word ''gender'' has evolved as differentiated from the word sex to express the reality that women's and men's roles and status are socially constructed and subject to change.

Many delegates became convinced that this move to refine gender was designed to forward an entirely different agenda, and not to further the interests of ordinary women, the primary purpose of the Conference.

When many of these delegations sought to define gender as ''male and female, the two sexes of human being'' that definition proved unacceptable to many Western nations and even the U.S. delegation did not want to be bound by a two-gender definition. The United Nations responded to these concerns by issuing a statement that said ''gender is a relative concept'' and its ''roles can vary with time and circumstance.''

It is for that reason that my amendment sought to ensure that the U.S. delegation agree with the definition of gender as the biological classification of male and female, which are the two sexes of the human being.

Mr. President, the purpose of my amendment was to ensure that those who represent the women of the United States at a world conference on women must indeed be representative of the majority of the women in America. The amendment which the Senate adopted today sends a strong message in support of motherhood and the family, and traditional values which have made America a great nation.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, the clerk will report the motion to invoke cloture.

The legislative clerk read as follows:

CLOTURE MOTION

> We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on S. 908, the State Department Reorganization bill:
>
> Bob Dole, Jesse Helms, John McCain, Fred Thompson, Olympia Snowe, Jim Inhofe, Lauch Faircloth, Spence Abraham, Trent Lott, Strom Thurmond, Larry E. Craig, Don Nickles, Mitch McConnell, Bob Smith, John Ashcroft, Nancy Landon Kassebaum.

CALL OF THE ROLL

The PRESIDING OFFICER. Under the previous order, the mandatory quorum call has been waived.

VOTE

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate on S. 908, the State Department reorganization bill, shall be brought to a close?

The yeas and nays are required.

The clerk will call the roll.

The legislative clerk called the roll.

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

The yeas and nays resulted—yeas 55, nays 45, as follows:

[Rollcall Vote No. 346 Leg.]

YEAS—55

Abraham	Gorton	Murkowski
Ashcroft	Gramm	Nickles
Bennett	Grams	Packwood
Bond	Grassley	Pell
Brown	Gregg	Pressler
Burns	Hatch	Roth
Campbell	Hatfield	Santorum
Chafee	Helms	Shelby
Coats	Hutchison	Simpson
Cochran	Inhofe	Smith
Cohen	Jeffords	Snowe
Coverdell	Kassebaum	Specter
Craig	Kempthorne	Stevens
D'Amato	Kyl	Thomas
DeWine	Lott	Thompson
Dole	Lugar	Thurmond
Domenici	Mack	Warner
Faircloth	McCain	
Frist	McConnell	

NAYS—45

Akaka	Feingold	Leahy
Baucus	Feinstein	Levin
Biden	Ford	Lieberman
Bingaman	Glenn	Mikulski
Boxer	Graham	Moseley-Braun
Bradley	Harkin	Moynihan
Breaux	Heflin	Murray
Bryan	Hollings	Nunn
Bumpers	Inouye	Pryor
Byrd	Johnston	Reid
Conrad	Kennedy	Robb
Daschle	Kerrey	Rockefeller
Dodd	Kerry	Sarbanes
Dorgan	Kohl	Simon
Exon	Lautenberg	Wellstone

The PRESIDING OFFICER. On this vote, the yeas are 55, and the nays are 45. Three-fifths of the Senators duly chosen and sworn, not having voted in the affirmative, the motion is rejected.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. Mr. President, I am going to give President Clinton an opportunity to micromanage the Senate Foreign Relations Committee. When he is in the mood to have some ambassadors confirmed or some treaties considered, and that sort of thing, all he has to do is send word that he no longer believes in that memorandum that was circulated by the Agency for International Development, the memorandum that said the way the administration is going to beat this bill is to ''delay, postpone, obfuscate, derail.'' Well, his minions have done that in denying an opportunity to have cloture on this bill.

Invariably, as the Senators know, and as one of the reporters said, the shoe is on the other foot—and that is correct. But this is an important bill, and the budget requirements of the Foreign Relations Committee cannot be met without this bill, or some bill very close to it.

The point is that there has been no cooperation extended. There has been a lot of rhetoric, and that is the end of it. Mrs. Helms raised a dumb son, maybe, but she did not raise a stupid one. I understand the name of the game. The administration and its supporters have wanted this bill to die a quiet death. It is not going to die. It is going back on the calendar, but it will return. Just as MacArthur said, I will return, the administration can count on this bill's return.

I will enjoy the Tuesdays and Thursdays when we normally have business sessions of the Foreign Relations Committee. The bill will not be killed with the administration's tactic. It is going to keep coming back and back and back until we get a vote. If the Senate votes down the bill, fine. That is fair enough. Or, if there is a move by Members of the Senate on the other side who want to present a concrete alternative, that will be fine. Or, if we can get now what we did not get before, a commitment from the Vice President of the United States—you know, the fellow who is in charge of reinvention of Government—that he and his associates will work with us, that will be fine. If the President of the United States indicates that he wants some ambassadors cleared and he wants his representatives in the Senate to cooperate in jointly producing a bill, that will be fine.

But I appreciate the Senators on the Republican side, and I appreciate my good friend, Senator PELL, for having voted for cloture in both instances today.

At a later time, I will have more to say, and I thank you, Mr. President.

I yield the floor.

MEASURE PLACED ON THE CALENDAR—S. 908

Mr. DOLE. Mr. President, I have indicated at our policy luncheon that this bill will probably be brought up at a later time. But I would now ask unanimous consent that the Department of State reorganization be placed back on the calendar.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. DOLE. Again, let me say to my colleague from North Carolina that we have indicated to him that this would be back up again. We discussed that with the distinguished Senator from Massachusetts, and the Senator from Rhode Island. It is an important bill. But I think in the spirit of trying to get some things done—we can get on hopefully with part of the recess—this is the best course to follow.

So I thank my colleague from North Carolina for his agreeing with that procedure.

There will be votes throughout the day.

Mr. KERRY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I would just like to say to the majority leader and to the distinguished chairman of the Foreign Relations Committee, I respect and appreciate the decision of the majority leader with respect to the bill that was just on the floor, but I want the distinguished chairman of the Foreign Relations Committee to know that the quote he read has already been disavowed. It is not the policy of the Democratic side, and that is not what we are trying to do with respect to this bill.

I would be happy to engage with the Senator further as we have previous to this to try to see if we can arrive at some kind of understanding. It is an important piece of legislation. We are not trying to avoid it altogether. But I think it was premature in its current state, and we would be happy to work with the Senator from North Carolina in an effort to see if we can come up with a reasonable bipartisan approach.

THE SENATE'S SCHEDULE

Mr. DOLE. Let me indicate to my colleagues now what we would like to do between now and the 12th of August—hopefully by the 12th, if not beyond the 12th; that is, to complete action on the energy and water appropriations, to complete action on the DOD authorization bill, to complete action on welfare reform, to complete action on the DOD appropriations bill, and I am advised by Senators STEVENS and INOUYE—we had a meeting in my office this morning—that could be done in one day. Marty was there, I might add, the Democratic leader's representative. It was not a party meeting. They said what we could do. And there is also a hope, because we have had some conversations that there may be renewed interest in getting some agreement, if possible, on reg reform, that we can either finish it before we leave for the recess, or finish it when we are back.

So I would just say in the spirit of everybody trying, I know there are going to be important amendments, and I know they want them to be debated. Everybody has that right.

According to the appropriators, the DOD appropriators, many of these amendments that are going to be taken care of in DOD authorization we will treat the same in the appropriations bill. It might speed up the process. So that would be very helpful.

I say to the Democratic leader, I do not think we have tried to pile up too much here if everything goes well and if we all cooperate on both sides. Most of these issues involved are not partisan issues. They are policy issues where you have Republicans and Democrats, particularly in DOD, maybe in this energy and water, you have Republicans and some Democrats on each side of the issues, so they are not partisan issues. There should not be any partisan roadblocks that I know of. I am not as familiar with the bills as obviously the managers are.

So we will now move to energy and water. And I will be very happy to yield to the distinguished Democratic leader if he wanted to make any comments.

Mr. DASCHLE. Mr. President, I would subscribe to what the majority leader indicated. None of the legislation contemplated for completion except perhaps welfare reform—we will have to see where we are on that, but I think by and large the legislation pending is all legislation that I am hopeful we can work through.

I am not as optimistic about the degree to which we can work through these very significant amendments on DOD unless we have some understanding as to what the timeframe may be and whether or not some of these amendments could be offered as amendments to defense appropriations, but there are very serious questions here that have to be addressed. And I think Members ought to expect long days and a Saturday session in order for us to accomplish all that the leader has set out for us to accomplish in the next week and a half.

Mr. DOLE. There will be a Saturday session. I appreciate the Democrat leader mentioning that.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS, 1996

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

The PRESIDING OFFICER. The Senate business is the energy and water appropriation bill, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 1905) making appropriations for energy and water development for the fiscal year ending September 30, 1996, and for other purposes.

The Senate resumed consideration of the bill.

Mr. DOLE. Mr. President, let me indicate that we are going to try to finish this energy and water appropriations bill today. I have been advised by the managers that they think that can be done. They have resolved one of the contentious issues.

Mr. GORTON. Mr. President, I should like to address one portion of that bill for just a few moments.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mr. GORTON. Mr. President, as we recommence the debate on the appropriations for energy and water, I should like to express my appreciation to the distinguished chairman of that appropriations subcommittee, the Senator from New Mexico, and his colleague, the Senator from Louisiana, for the thoughtful and generous treatment they have accorded to two projects in the State of Washington that are of great importance to that State. The subcommittee has approved and the Senate is now considering funding for the Yakima River Basin water enhancement project and the Columbia

Basin project. Each of them is beneficial both to irrigators and fish and wildlife and the Yakima Indian Nation in central Washington.

Last year, under the leadership of the Senator from Louisiana, Congress passed authorizing legislation creating the Yakima River Basin water enhancement project. This program will fund water conservation and storage measures which will secure irrigation water supplies for farmers, help salmon populations in the basin, and be of considerable benefit to the Yakima Indian Nation as well.

Specific programs within the project are the Cle Elum Reservoir, the Chandler pumping and powerplant, the Kachess Dam and Reservoir, irrigation and instream flow studies, enhancement of tributaries water supplies and environmental compliance activities.

Further down the river, the Columbia Basin funding will help complete that project's drainage system. It will assure a sustainable irrigation project that will be able to meet its Federal repayment obligations and generate the project's intended social, environmental, and economic benefits. Once a drainage inventory is finished, local irrigation districts and the local Bureau of Reclamation office will be able to expedite work and reduce overhead burdens to finally complete the drainage system, saving taxpayer dollars in the long run.

Mr. President, as we all know, weather is an uncertain thing. And if you are a farmer faced with a drought, your entire livelihood is in jeopardy. Washington State is no stranger to severe water shortages, and funding for these projects will make water supply more certain for farmers within their areas.

These projects also improve conditions for fish. Already, at the Yakima project, fish passage facilities have been installed at project dams and screens have been placed at irrigation diversions.

I am truly pleased that the Senate subcommittee and full committee have approved funding for the Yakima enhancement and Columbia Basin projects. Both are excellent measures for helping Washington State agriculture.

I encourage support for the overall bill and once again thank the two managers of the bill.

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

The PRESIDING OFFICER. The absence of a quorum has been suggested. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOMENICI. 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. DOMENICI. Mr. President, we are now on the energy and water appropriations bill?

The PRESIDING OFFICER. That is correct.

Mr. DOMENICI. Mr. President, I understand the Senator from Tennessee wants to wait a couple of minutes on the committee amendments, and we are going to obviously wait for that. But I might say to Senators that have expressed an interest in amendments, the leader has asked us to get this bill finished tonight, and there are two Senators who have told me they have amendments. I hope they could get here in the next few minutes and we can get a reasonable time agreement and vote on them.

Senator BUMPERS indicated he had a gas-cooled reactor amendment. Maybe we could just ask Senator BUMPERS' office if he could come down and offer that and do that rather quickly. Senator JEFFORDS on the Republican side has a renewable resource amendment.

If Senator JEFFORDS could come down and share that with us so we can move quickly with it. We are working up some amendments that we are going to make en bloc for various Members. But we cannot do anything on the committee amendments until we get word from the Senator from Tennessee who has a hold on those committee amendments.

Mr. JOHNSTON. Will the Senator yield?

Mr. DOMENICI. Indeed, I would be pleased to yield.

Mr. JOHNSTON. Mr. President, the difficult things on this bill—which are nuclear waste in Nevada—we hope the new spallation source will be worked out. We believe that the Princeton problem has been worked out. The difficult things, those that would have tied us up for a long time, I believe have been worked out. And it is my hope that dealing with two fairly short amendments, we will be ready to go to final passage.

I ask the Senator from New Mexico, does he not share my view that we ought to be able to go to final passage very shortly?

Mr. DOMENICI. Mr. President, unless there are Senators that have not conferred with me—and I have had plenty of notes given to me; we are working on most of them—I think most of them are solved. I think that conclusion is correct.

Mr. JOHNSTON. I would, from my standpoint, like to put Senators on notice that if they have something they want in the bill, something to go in the managers' amendment, please contact us so we can put it in, because we may be ready to wrap up, we hope, early this afternoon.

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

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

PRIVILEGE OF THE FLOOR

Mr. JOHNSTON. Mr. President, I ask unanimous consent that Dr. Robert Simon be allowed the privilege of the floor during consideration of H.R. 1905, the energy and water appropriations bill, and any votes thereon.

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

Mr. DOMENICI. Mr. President, I ask unanimous consent that the committee amendments be agreed to, en bloc, except as to the amendment found on page 23, line 7, and the amendment found on page 38, line 19, and that the bill as thus amended be regarded as original text for the purpose of further amendment, provided that no point of order shall have been waived by agreeing to this request.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

(The committee amendments are printed in the RECORD of July 31, 1995.)

EXCEPTED COMMITTEE AMENDMENT BEGINNING ON PAGE 23, LINE 7

Mr. DOMENICI. Now, Mr. President, as I understand it, the first committee amendment which I exempted from that unanimous-consent request is pending.

The PRESIDING OFFICER. The Senator is correct.

AMENDMENT NO. 2053 TO THE COMMITTEE AMENDMENT BEGINNING ON PAGE 23, LINE 7

(Purpose: To amend the provision relating to the expansion of a facility for the storage of uranium)

Mr. DOMENICI. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI] for Mr. REID, proposes an amendment numbered 2053 to the committee amendment on page 23, line 7.

Mr. DOMENICI. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 24, line 7, strike ''135(a)(2), 135(d), 135(e), 141(g), 145'' and insert ''135(d), 135(e),''.

Mr. DOMENICI. Mr. President, this has been agreed to by the two Senators from Nevada, myself, and the ranking member. I have no objection to its adoption.

The PRESIDING OFFICER. Is there further debate?

Mr. JOHNSTON. Mr. President, this has been worked out with the two Senators from Nevada. We support the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2053) was agreed to.

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

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

The motion to lay on the table was agreed to.

Mr. DOMENICI. Mr. President, I believe we are working with Senator JEFFORDS and his staff regarding an amendment that he has. I ask Senator BUMPERS and his cosponsor if they could be ready in a few minutes. We could take that amendment and get the debate, and maybe there is a vote needed on that.

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

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

PRIVILEGE OF THE FLOOR

Mr. DOMENICI. Mr. President, I ask unanimous consent that Mark Turner, who is a Javits Fellow detailed to the Energy and Water Development Subcommittee, be allowed floor privileges during the debate of the fiscal year 1996 appropriations bill.

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

Mr. DOMENICI. 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. DOMENICI. 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. DOMENICI. I believe, through oversight, after amending the first committee amendment, I did not proceed to have that amendment adopted, as amended.

The PRESIDING OFFICER. The question is on agreeing to the first committee amendment, as amended.

The committee amendment beginning on page 23, line 7, as amended, was agreed to.

Mr. DOMENICI. I move to reconsider the vote.

Mr. JOHNSTON. I move to table the motion.

The motion to lay on the table was agreed to.

Mr. DOMENICI. 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. DOMENICI. 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. DOMENICI. Mr. President, I understand the distinguished Senator from Vermont [Mr. JEFFORDS] has an amendment on behalf of himself and three other Senators. We are going to accept the amendment. He is going to modify it and then send it up. He agrees to speak up to 15 minutes on the amendment.

Mr. JEFFORDS. Mr. President, if I may respond.

Mr. DOMENICI. Of course.

Mr. JEFFORDS. Yes, that is perfectly all right with me.

Mr. DOMENICI. I ask unanimous consent there are 15 minutes on the amendment and then we proceed to a vote on the amendment, and we intend to accept it at the time.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered. The Senator from Vermont.

Mr. JEFFORDS. Mr. President, today I will be proposing an amendment very shortly which will help maintain the United States support for its solar and wind power. It would restore $25 million and offset this by reducing funding for the Department of Energy's operations budget.

Mr. President, the Energy Policy Act of 1992 began to outline an energy security strategy for our country. As I have argued many times before, energy security is vital to our economy and our national security. I believe that renewable energy resources are important components of our energy security strategy and must not be compromised.

The United States now imports in excess of 50 percent of the oil we use to power our homes, automobiles and workplaces. This is a national security concern, and our dependence on foreign sources of energy is an economic security risk.

Mr. President, every month the Commerce Department releases its statistics on the balance of our trade. The numbers are very grim. We are running huge trade deficits, and oil imports are a major reason why. Imports of oil constitute an enormous drag on our balance of payments and serve only to export U.S. jobs abroad.

In contrast, more than one-half of the manufacturing capacity of the U.S. solar industry is geared to exports. Northern Power Systems from my State of Vermont markets wind turbine technologies around the globe. If a city, town or power system in Saudi Arabia wants to build a wind turbine, they call Waitsfield, VT. Nevertheless, without adequate Federal support, the United States leads in developing renewable energy technologies will slip.

The U.S. Information Agency predicts that the worldwide market for renewables and efficiency technologies will equal $280 billion through the year 2010. However, they also point out that at the current rate of growth, the United States will capture less than 8 percent of this market. Why? Because Europe and Japan are funneling more and more money to their renewable companies in the form of capital financing and export promotion. And that export promotion is what does the most damage, especially deals they can give.

Mr. President, despite the proven successes of renewable energy programs and their overwhelming public support, the renewable accounts have been hit disproportionately hard in this bill. Funding for wind, solar, and biomass programs have been cut 27 percent from the fiscal year 1995 levels compared to a 15-percent cut in the Department of Energy's overall energy supply research and development accounts.

We have made commitments to many small companies through public and private partnerships to drive renewables research and development to the marketplace. We are just entering year 3 of a 5-year commitment to the solar and wind field. To pull the plug now would constitute a serious abrogation of our commitment and undermine much of the progress we have witnessed in the past few years.

In this time of fiscal constraint, hard choices must be made, and I agree with many of them. But solar and wind programs are working. These programs have enormous nationwide benefits for a very small investment. For example, the DOE wind program is working closely with Kotzbue Electric Association 30 miles inside the Arctic Circle in Alaska to supply reliable wind energy and reduce dependence on diesel generators. The Florida Solar Energy Center in Cape Canaveral works with more than 100 solar manufacturers, resulting in significant exports to Latin America. The AWT–26, one of the world's most advanced wind turbines, is being developed by former Boeing engineers outside of Seattle, WA.

Mr. President, we are pushing forward, working to lead this booming global market, and we will succeed if Congress maintains its commitment to wind and solar research and development. The money that is spent on renewable energy programs has a direct impact on this country's bottom line. Overall, we can expect more than $4 billion in annual fuel cost savings by the year 2000, more than $8 billion by the year 2010, and nearly $26 billion by the year 2020. Solar, biomass, wind and geothermal energy systems will also create many thousands of jobs by the year 2000.

This amendment simply asks the Department of Energy to speed up implementation of the strategic alignment and downsizing plan, thereby reducing administrative costs. Currently, the Department spends $377 million for general management and program support functions.

One of the largest pieces of this budget is the field operations offices. These offices are the paperwork side of our national labs. A less than 10 percent cut of $25 million will help do what needs to be done to keep us on track.

My amendment would shift this amount from administrative functions to support for solar, wind, and biomass programs. This money would not be used for overhead and paperwork but to finance important programs that assist small companies in the development of advanced renewable technology.

The goal we seek to accomplish today with this amendment has been recommended by the Galvin task force,

which reviewed our national labs, and the Daniel Yergin task force, which advised DOE on how to best downsize.

Mr. President, we may hear arguments today that downsizing the operations office in this matter is not wise. However, this Friday Secretary Hazel O'Leary will announce additional components of her strategic realignment plan. I expect a major component of her plan is to downsize the operations office, saving millions and millions of dollars in overhead costs.

Mr. President, what we are doing is moving money from paperwork and bureaucracy to technology and the development of science from top-down, command-and-control administration to technology transfer and international competitiveness and from duplicative management to small business. Clean economic growth is not a contradiction in terms. New generations of environmental technologies are making it possible to have both. To be truly strong, the U.S. economy must be efficient, clean, and fueled by stable supplies of energy. By voting for this amendment, the Senate will help ensure that we attain these goals.

I urge my colleagues to support this amendment.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DOMENICI. I ask unanimous consent that the quorum call be dispensed with.

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

Mr. DOMENICI. May I ask my friend, what was the purpose of the quorum call?

Mr. JEFFORDS. I was getting the amendment.

Mr. DOMENICI. Thank you.

I yield the floor.

AMENDMENT NO. 2054

(Purpose: To provide that certain funds appropriated for the Department of Energy operations be available instead for energy supply, research and development activities relating to certain renewable energy sources)

Mr. JEFFORDS. Mr. President, at this time I offer my amendment and ask unanimous consent that the pending amendment be set aside for the purposes of consideration of this amendment.

The PRESIDING OFFICER. Without objection, so ordered.

The clerk will report the amendment of the Senator from Vermont.

The assistant legislative clerk read as follows:

The Senator from Vermont [Mr. JEFFORDS], for himself, Mr. ROTH, Mr. GRAMS, Mr. WELLSTONE, Mr. HARKIN, and Mr. LEAHY, proposes an amendment numbered 2054.

Mr. JEFFORDS. I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 20, line 23 insert the following:

"SEC. . FUNDING FOR ENERGY SUPPLY, RESEARCH AND DEVELOPMENT ACTIVITIES RELATING TO RENEWABLE ENERGY SOURCES.

''(a) REDUCTION IN APPROPRIATION FOR DEPARTMENTAL ADMINISTRATION.—Notwithstanding any other provision of this Act, the amount appropriated in title III of this Act under the heading DEPARTMENTAL ADMINISTRATION is hereby reduced by $37,000,000.

''(b) INCREASE IN APPROPRIATION FOR ENERGY SUPPLY, RESEARCH AND DEVELOPMENT ACTIVITIES.—Notwithstanding any other provision of this Act, the amount appropriated in title III of this Act under the heading ENERGY SUPPLY, RESEARCH AND DEVELOPMENT ACTIVITES is hereby increased by $37,000,000.

''(c) AVAILABILITY OF FUNDS.—Of the funds appropriated in title III of this Act under the heading ENERGY SUPPLY, RESEARCH AND DEVELOPMENT ACTIVITES—

''(1) not less than $4,500,000 shall be available for solar building technology research;

''(2) not less than $78,929,000 shall be available for photovoltaic energy systems;

''(3) not less than $28,443,000 shall be available for solar thermal energy systems;

''(4) not less than $55,300,000 shall be available for biofuels of which no less than half shall go toward the BIOMASS ELECTRIC PROGRAM;

''(5) not less than $42,000,000 shall be available for wind energy systems;

''(6) not less than $8,000,000 shall be available for international solar energy programs;

''(7) not less than $9,000,000 shall be available for hydrogen research;''.

Mr. ROTH. Mr. President, today, I am sponsoring an amendment that would restore $37 million into solar and renewable energy programs. The overall DOE energy supply account was cut 15.6 percent, while the overall renewable accounts were cut by 27 percent. My amendment would bring into line the budget reduction of the solar and renewables program to the percentage reduction level of the other DOE energy supply accounts.

This amendment would restore funding for solar and renewable energy programs at the expenses of overhead. It would transfer 37 million from DOE's departmental administration to solar and renewable energy programs. This represents a 10-percent cut in DOE's overhead. Recent studies show that we need to reduce bureaucracy, cut overhead burdens and costs to have more effective and efficient R&D programs.

The Galvin Task Force Report, recently commissioned by the Department of Energy, recommended that bold action be taken regarding the reduction of administrative oversight. The report further states, DOE should be able to accomplish a substantial reduction in oversight without reducing the dollars spent directly on R&D scientists and engineers. In addition, the Yergin Task Force also recently recommended that DOE reduce total energy R&D costs by cutting directly at administrative compliance and overhead costs. This amendment would restore funding for solar and renewable energy programs by cutting administrative costs identified in these reports.

I believe that funding renewable energy programs is an important issue to our Nation. Renewable energy programs promise to supply economically competitive and commercially viable energy, while also assisting our Nation in reducing greenhouse gases and oil imports. The Nation should be looking toward alternative forms and sources of energy, not taking a step backward by cutting funding for these programs.

My own State of Delaware has a long tradition in solar energy. In 1972, the University of Delaware established one of the first photovoltaic laboratories in the Nation. The university has been instrumental in developing solar photovoltaic energy, the same type of energy that powers solar watches and calculators.

Delaware has a major solar energy manufacturer, Astro Power, which is now the fastest growing manufacturer of photovoltaic cells in the world. In collaboration with the University of Delaware and Astro Power, Delaware's major utility—Delmarva Power & Light—has installed an innovative solar energy system that has successfully demonstrated the use of solar power to satisfy peak electrical demand. Through this collaboration, my State has demonstrated that solar energy technology can be an economically competitive and commercially viable energy alternative for the utility industry.

It is vital that we continue to manufacture these solar cell products with the high performance, high quality, and low costs required to successfully compete worldwide. Investment in Department of Energy solar and renewable energy programs has put us on the threshold of explosive growth. Continuation of the present renewable energy programs is required to achieve the goal of a healthy photovoltaic industry in the United States. While the solar energy industries might have evolved in some form on the their own, the Federal investment has accelerated the transition from the laboratory bench to commercial markets in a way that has already accrued valuable economic benefits to the Nation.

The solar energy industries—like Astro Power—have already created thousands of jobs and helped to reduce our trade deficit through exports of solar energy systems overseas, mostly to developing nations, where two billion people are still without access to electricity.

International markets for solar energy systems are virtually exploding, due to several key market trends. Most notably, solar energy is already one of the lowest cost options available to developing countries that cannot afford to build large, expensive centralized power generation facilities with elaborate distribution systems.

The governments of Japan, Germany, and Australia are investing heavily in aggressive technology and market development in partnership with their

own solar energy industries. Until recently, Japan and Germany held the lead in world market share for photovoltaics; the United States has only recently recaptured international market dominance. Cutting funding for commercializing these technologies would have a chilling effect on the U.S. industry's ability to compete on an international scale in these billion-dollar markets of today and tomorrow. The employment potential of renewables represents a minimum of 15,000 new jobs this decade with nearly 120,000 the next decade.

It is imperative that this Senate support solar and renewable energy technologies and be a partner to an energy future that addresses our economic needs in an environmentally acceptable manner. My State has done and will continue to do its part. I hope my colleagues in the Senate will look to the future and do their part in securing a safe and reliable energy future by supporting this amendment.

AMENDMENT NO. 2054

Mr. GRAMS. Mr. President, I rise in strong support of the Jeffords amendment and am pleased to be an original cosponsor. Over the past 2½ years, I have had the opportunity to help formulate our renewable energy policies, both as a member of the House Energy R&D Subcommittee, and now as a member of the Senate Energy Committee. This amendment represents an important step forward in our efforts.

In my home State of Minnesota, we have a strong commitment to renewable and alternative energy resources. Solar, wind, and biofuels play a key role in Minnesota's overall energy blueprint, and these priorities are shared across this Nation. Our amendment demonstrates this understanding while reducing redtape and bureaucracy at the same time.

Too many taxpayers' dollars are being wasted on bureaucracy and redtape in Washington and not on programs that help meet the energy needs of the people of Minnesota. If we are going to spend the taxpayers' money, we had better make sure it is for their benefit, and not for a bloated bureaucracy.

By slashing bureaucracy and eliminating $25 million from departmental administration, we are able to increase the levels of funding for solar and renewables. Even DOE Secretary Hazel O'Leary endorses this type of approach—her proposal for strategic realignment estimates potential savings of nearly $2 billion through consolidating and realignment of the current DOE structure.

Limiting the scope of Government—while expanding funding for renewable energy resources—are goals which can be achieved together, as this amendment so clearly demonstrates.

The Jeffords amendment reflects a balanced prioritization of our limited energy dollars. It is my strong hope that by maintaining a Federal commitment to solar and renewable programs, we will be able to achieve a strong and vibrant industry that is capable of thriving in the free market.

Therefore, I urge my colleagues to join me in supporting the Jeffords renewable amendment. It allows us to pursue renewable energy resources at the same time we protect the taxpayers, and I am proud to be a cosponsor of such a proposal. Thank you and I yield back the balance of my time.

Mr. LEAHY. Mr. President, I am happy to join Senator JEFFORDS as a cosponsor of his amendment to restore funding to the solar and renewable budget of the Department of Energy fiscal year 1996 spending bill.

Our amendment restores $25 million to this vital account, boosting funding for solar, wind, and biomass energy research. Renewable energy has the potential to reduce pollution, decrease our dependence on imported fuels, and produce good paying jobs here in the United States.

The United States has the opportunity to lead the world in clean, renewable energy technology. Vermont in particular has taken the lead with the development of wind and biomass energy technology. This ''green technology'' has the potential to generate more than virtually pollution free energy, it generates good paying manufacturing jobs in Vermont and throughout the country.

The energy and water appropriations bill passed by the House mortgages the future of our energy program by dramatically reduced funding for the solar and renewable energy budget, cutting it by 22 percent. I think that is a shortsighted approach.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to the amendment.

So, the amendment (No. 2054) was agreed to.

Mr. DOMENICI. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. DOMENICI. Mr. President, I thank the Senator for accommodating us on the floor. We are pleased to have accommodated him. But I thank him for accommodating us on time so we can move ahead with the bill and, hopefully, finish it in the next couple hours. I thank the Senator very much.

Mr. JEFFORDS. Mr. President, I want to thank the Senator from New Mexico for accommodating us. This will be an important amendment to help. And I am very pleased to accommodate the committee with our promptness.

Mr. DOMENICI. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. DOMENICI. Let me ask that that be withheld for a moment.

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

Mr. DOMENICI. Mr. President, I say to Senators that have amendments that they think are going to have to take time and perhaps be voted on, that they accommodate the leadership of the Senate, the leadership on the Democrat side and the Republican side.

Some colloquies earlier in the day indicated we wanted to get our schedule completed, especially on these issues that do not appear to be partisan in nature. So we have made a commitment to stay here tonight and finish this bill. I do not see any reason why we have to keep Senators here tonight. If Senators have amendments, please come down and offer them. I think that is only fair. So once again, I am not going to name Senators, but, please, if Senators have some amendments that they want us to consider and that clearly need debate, would they please come on down or call us and tell us?

Mr. JOHNSTON. Will the Senator yield?

Mr. DOMENICI. I would be pleased to yield.

Mr. JOHNSTON. Very seriously, this bill should not go into tonight. The difficult things are worked out. If Senators will come down and offer these amendments, we can be gone this afternoon. And so I urge Senators not to wait until tonight. Frankly, we ought to go to third reading if Senators are not going to be here to offer their amendments.

Mr. DOMENICI. I said we pledged to get finished tonight, but it looks to me like we should be finished here early enough to get home and have dinner with our families for a change. On this bill, there were three major issues, and we have solved them, at least to the satisfaction of the Senators that contested the issues. With Senator LAUTENBERG from New Jersey, we have agreed to an amendment he has with reference to fusion energy. We solved the Nebraska Senator's issue, at least in this body, with reference to interim nuclear waste. We have satisfied the issue between the Senators from Tennessee and the committee. We are waiting for a colloquy on that. And, indeed, I believe we are real close to solving it with the Senate Committee on Armed Services for a colloquy with reference to our nuclear stockpile.

If we are able to work that out, whatever is left would be the Bumpers amendment, who—the Senator has at least told us about it. And we understand perhaps Senator BROWN has an amendment with reference to two of the commissions that we funded, or one of them. And Senator BROWN, and maybe Senator BROWN's staff could advise Senators, we would be ready for him shortly if he could come down. And I think maybe we have heard that there might be one on the Appalachian Regional Commission. We do not know that.

All right. That is all that we are aware of that will require debate. We have a number of amendments we will offer as chairman and ranking member

as we wrap this up. Some we will not be able to accept. And the Senators will have to understand that.

I yield the floor.

I suggest the absence of a quorum first.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the quorum call be dispensed with.

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

Mr. DOMENICI. Mr. President, I am prepared to enter into a colloquy with the distinguished Senators from Tennessee. We can either enter it in the RECORD or we can state it here on the floor, whichever they prefer. What is Senator THOMPSON's preference?

Mr. THOMPSON. The Senator will state it briefly.

I would like to state what I understand to be language that is agreed to by the managers of this bill. It is language which clarifies the intent of the committee and replaces references in the committee report on pages 96 and 97 with regard to the siting of the new spallation source project. Part of the agreed-upon language is as follows:

The conferees make no recommendation with regard to the siting of the new spallation source project. The Department of Energy shall make that determination in a fair and unbiased manner.

Am I correct in stating that this is part of the language that is agreed to for the purpose of legislative history?

Mr. DOMENICI. That is correct.

Mr. FRIST. Mr. President, it is my understanding that the following language is also agreed to by the managers:

The conferees direct the Department to evaluate opportunities to upgrade existing reactors and spallation sources as a cost-effective means of providing neutrons in the near term for the scientific community while the next generation source is developed. This evaluation shall be available prior to the Appropriations Committee's hearings on the Department's fiscal year 1997 budget submission.

Am I correct in stating that this language is also agreed to?

Mr. DOMENICI. Mr. President, I just read it carefully, and I ask that one word be deleted, and then I will say we agree.

Where it says, on the second line of what the Senator read ''spallation sources as a cost-effective means,'' I wonder if we can strike the word ''a'' and just say ''sources as cost-effective means'' instead of ''a cost-effective means.''

Mr. FRIST. That will be agreeable.

Mr. DOMENICI. If we strike that ''a,'' then my answer to the Senator's question is that is absolutely correct.

Mr. THOMPSON. Mr. President, I believe it is our further understanding that our conferees will seek to place the agreed-upon language in the conference report; am I correct?

Mr. DOMENICI. The Senator is correct. Let me say to both Senators from Tennessee, it has been a pleasure working with them on this. They have been tenacious. We had a genuine discussion at length and we came up with something at least this Senator believes is workable and good for spallation and neutron acceleration in the future. I think that is a very important part of the necessary science for the United States.

I think the second part of it means that we will not fall behind while we proceed with the new major construction, and the first indicates that the Department will decide on a fair and equitable basis the site for the big machine, which will cost in excess of a billion dollars.

Mr. THOMPSON. This will help us move forward in those ways, and we appreciate the accommodation of the Senator from New Mexico and his willingness to work with us on this.

Mr. FRIST. We do appreciate it, Mr. President. It does reflect, I think, the critical importance placed on the Department of Energy's recommendations in making this site in the best way that they see fit in terms of overall systems development for the entire country.

Mr. DOMENICI. I thank my colleagues. Mr. President, I wonder if any of the other Senators who arrived have amendments?

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. I say to my colleague from New Mexico, we are right now attempting to see if we can work this out, if we could have a little more time.

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

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

AMENDMENT NO. 2054, AS MODIFIED

Mr. DOMENICI. Mr. President, it has come to my attention, and I believe Senator JEFFORDS from Vermont agrees, that there is a typographical error in the amendment that the Senator offered, which has been agreed to by the Senate. So I ask unanimous consent that the amendment be modified, as per the amendment which I now send to the desk. This change is agreed upon by the Senator from Vermont, the Senator from Louisiana, Senator JOHNSTON, and myself.

The PRESIDING OFFICER. Is there objection to modification of the amendment previously adopted? Without objection, it is so ordered.

The amendment, as modified, is as follows:

On page 20, after line 23 insert the following:

SEC. . FUNDING FOR ENERGY SUPPLY, RESEARCH AND DEVELOPMENT ACTIVITIES RELATING TO RENEWABLE ENERGY SOURCES.

''(a) REDUCTION IN APPROPRIATION FOR DEPARTMENTAL ADMINISTRATION.—Notwithstanding any other provision of this Act, the amount appropriated in title III of this Act under the heading Departmental Administration is hereby reduced by $25,000,000.

''(b) INCREASE IN APPROPRIATION FOR ENERGY SUPPLY, RESEARCH AND DEVELOPMENT ACTIVITIES.—Notwithstanding any other provision of this Act, the amount appropriated in title III of this act under the heading Energy Supply, Research and Development Activities is hereby increased by $37,000,000.

''(c) AVAILABILITY OF FUNDS.—Of the funds appropriated in title III of this Act under the heading Energy Supply, Research and Development Activities—

''(1) not less than $4,500,000 shall be available for solar building technology research;

''(2) not less than 78,929,000 shall be available for photovoltaic energy systems;

''(3) not less than 28,443,000 shall be available for solar thermal energy systems;

''(4) not less than 55,300,000 shall be available for biofuels of which no less than half shall go toward the Biomass Electric Program;

''(5) not less than 42,000,000 shall be available for wind energy systems;

''(6) not less than 8,000,000 shall be available for international solar energy programs;

''(7) not less than 9,000,000 shall be available for hydrogen research;''.

Mr. DOMENICI. Is it necessary to reconsider and table that?

The PRESIDING OFFICER. It is not.

Mr. DOMENICI. I thank the Chair. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. THOMPSON). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DOMENICI. 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. DOMENICI. Mr. President, I understand that Senator BUMPERS is going to offer an amendment with reference to the water-cooled reactor. I understand he is willing to enter into a time agreement of 1 hour equally divided. I ask unanimous consent that the time be equally allocated to Senator BUMPERS and Senator JOHNSTON.

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

Mr. DOMENICI. We will check with Senator STEVENS and make sure that he can come down and be part of this argument.

Mr. JOHNSTON. And no second-degree amendments.

Mr. DOMENICI. I ask unanimous consent that no second-degree amendments be in order, Mr. President.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Arkansas.

AMENDMENT NO. 2055

(Purpose: To terminate the Gas Turbine-Modular Helium Reactor Program)

Mr. BUMPERS. Mr. President, I send an amendment to the desk on behalf of myself, Senator INHOFE, and Senator KERRY of Massachusetts.

The PRESIDING OFFICER. Without objection, the pending committee amendment will be set aside.

The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Arkansas [Mr. BUMPERS], for himself, Mr. INHOFE, and Mr. KERRY proposes an amendment numbered 2055.

Mr. BUMPERS. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

Strike lines 22–23 on page 20 and insert in lieu thereof the following: ''$2,793,324,000 to remain available until expended. *Provided* That, no more than $7,500,000 of such funds shall be used for the termination of the Gas Turbine-Modular Helium Reactor program.''

Mr. BUMPERS. Mr. President, this is a complicated subject dealing with $12.5 million, not a lot of money around here. But considering the budget constraints we are operating under, we need to be very careful what we spend. It is, to use the technical term, $12.5 million to continue the ''gas turbine-modular helium reactor.''

This is a project that has been around for a very long time. A lot of money has already been spent on the program. Make no mistake about it, we have put $900 million into it, and industry has put almost as much. But it has been sagging simply because it is not viable. It is not viable technically within the time frame within which we ought to complete it and the National Academy of Sciences says you cannot leave plutonium lying around stored for the periods of time that you are likely to have to store it before this reactor is completed and has the ability to burn it.

In addition to that, the National Academy of Sciences says leaving plutonium stored is a dangerous proposition, and the longer you leave it stored, the more dangerous it becomes because of the threat of diversion of the plutonium to weapons.

The Academy does not like the program. I do not like it. A lot of people do not like it, and they do not want to spend any more money on it. The first reactor that was used for demonstration of this technology was in Pennsylvania back in 1967 to 1974. Then a larger commercial plant was built in Colorado. And after operating for 16 years, it was finally shut down because it could only operate 14 percent of the time.

Now, Mr. President, just like the super collider and a host of other technologies we have undertaken, including the liquid metal breeder reactor, there always comes a time to shut these things down. In 1993—and I hope all Senators will listen to this—the U.S. Senate, this body, voted 58–41 to terminate this program. But we got over to conference, which is so often the case, and we receded to the House and the project continued.

This year, the Appropriations Committee in the House provided $20 million to continue this thing, and Congressman Klug offered an amendment to kill it, and the vote to kill this project in the House this year was 306–121.

Now, what we have had here is a little shell game. We did not put any money in, and the House did. They did not put in any money, and we did. Now we are back to we did not have any money in it until it was offered in the Appropriations Committee a few days ago, after the House just got through killing this thing by 306 votes to 121. This is pork at its worst. There was $12.5 million in the bill here on the floor right now. But do you know why? The Senator from Alaska—which was certainly his right—put it back in in committee. He won it there by 15–8. But Senator DOMENICI, in the chairman's mark, had torpedoed this thing. He left $7.5 million in the budget to terminate. That is the termination cost.

Incidentally, my amendment only cuts $5 million. The Senator from Alaska got $12.5 million put back in. I am only cutting 5 of that because I agree with Senator DOMENICI. We ought to use that $7.5 million to torpedo this project once and for all. The senior Senator from Texas, with whom I agree about 1 percent of the time, made what I thought was a good statement the other day in committee. He said, ''When the Department of Energy, or anybody else, wants to get rid of something, why do we not, at least occasionally, if the bureaucrats want to get rid of it, honor their requests?'' It is very seldom they want to.

When I think of all the unmet needs of this country, and when I think of all the pressures on the domestic discretionary spending side of this budget, and here the House has killed this thing almost 3-to-1, and you are talking about a project that would cost $5.3 billion to complete—we are not talking about a bean bag here, Mr. President. The Federal share would be $2.6 billion.

Mr. JOHNSTON. Will the Senator yield at this point?

Mr. BUMPERS. Yes.

Mr. JOHNSTON. Is not the $5.3 billion figure the Senator refers to the amount for the new production reactor, which was a different design, and that was wholly financed by the United States?

Mr. BUMPERS. Repeat your question.

Mr. JOHNSTON. The $5.3 billion figure the Senator refers to was for the new production reactor, which was designed several years ago, different from this design, and wholly supported by the United States and nothing by either foreign countries or by the domestic industry, is that not correct?

Mr. BUMPERS. Senator, DOE said that they would expect this to cost billions to complete.

Mr. JOHNSTON. Of whose dollars?

Mr. BUMPERS. Half Government and half private. That is the way the project has been operated so far.

Mr. JOHNSTON. But the $5.3 billion was the cost of the new production reactor which was the tritium reactor for the manufacture of tritium, was it not?

Mr. BUMPERS. Senator, you could be right about that, I am not sure.

Mr. JOHNSTON. And there has been no cost put on this.

Mr. BUMPERS. Well, $5.3 billion is $5.3 billion.

Mr. JOHNSTON. This is a different design from the new production reactor on which the $5.3 billion estimate was made.

Mr. BUMPERS. You are talking about something different from the gas turbine modular helium reactor?

Mr. JOHNSTON. This design is different. The initial design of the new production reactor had a steam cycle. This has no steam cycle and has a 50 percent higher efficiency.

Mr. BUMPERS. Let me just say that it is a different design reactor, but the figures I am using are sort of a horseback guess by the Department of Energy of what it would cost for the new design, not the old design.

Well, to get on with the story, we can always find some rationale to keep a project going—new design, old design, anything to keep the money flowing. But you ought to bear in mind, there has not been one single nuclear plant built in the last 20 years, and right now there is not one single utility in America that has any plans to build one.

So you are talking about 20 years we have not built one, and certainly if somebody started trying to license one now, it would take another 20 years, and nobody is going to license one under current technology ever again.

I started off confessing that I am not a physicist. I did not even have high school chemistry. These subjects are difficult to me. They are not difficult for the National Academy of Sciences.

Do you know what the National Academy said? The best argument that the Senator from Alaska can make, or anybody else can make, for going forward with this project is that this advanced reactor will burn plutonium. That is a highly desirable goal.

Everybody in the U.S. Senate wishes we could wave a wand and some new technology would appear to burn plutonium, get rid of it. One of the arguments that has consistently been made for this reactor is that is what it will do. I am not going to argue whether ultimately, after we spend $5 billion, we might have something that would burn plutonium.

I want to make a couple of points. One I have already made, that burning plutonium in a new reactor is even more dangerous than our present situation, because it will be years and years and years before this reactor is ready. Meanwhile, we will have all this plutonium stored, and then even after we finish it, it will take years and years and years to burn it up, during which time it is always subject to a diversion—to Qadhafi, North Korea, or whoever.

A more compelling argument is the one the National Academy of Sciences made when they said, in 1992, ''The committee believes that no funds should be allocated for development of high-temperature gas-cooled reactor technology within the commercial nuclear power development budget of DOE.''

In addition to that, they have said there are two much more preferable ways to get rid of plutonium. One is to fabricate it with other fuel and burn it up; the other, which is essentially my favorite, is vitrification, a process which we have also spent a lot of money on and which so far as we know will pay rich dividends.

Now, Mr. President, further quoting the National Academy of Sciences, in their 1994 report said, ''These advance reactor types themselves, however, are not economically competitive with other sources of power.'' Listen to that: ''These advance reactor types themselves are not economically competitive with other sources of power,'' and the availability of plutonium as fuel does not make them economical. The storage of large stocks of weapons—plutonium—until such reactors become competitive, is not attractive for security reasons.

Now, Mr. President, none of the research for this goes on in my State. I do not know where it goes on. I do not have a dog in the fight. All I know is I have been waking up screaming for the last 6 months—not about a budget cut, not about trying to balance the budget, but about our priorities.

I spoke at the Governors School in my State last Saturday. There are 400 of the presumably brightest students in my State. They go to a 6-month school at a little liberal arts college called Hendrix College, where my sons went to school. When I walked out, a woman who accosted me said, ''My son who is here will not be able to get a college education.''

We did not elaborate on that. But we are cutting student loans, we are cutting income investments, earned income tax credits. We are going to wind up cutting welfare for the poorest of the poor. I have no objection to reforming welfare. We will wind up cutting food stamps. We are going to cut everything that affects about 30 to 40 percent of the people in this country, and we are going to increase defense spending $7 billion above what the Defense Department says they want— $7 billion above the President's request—but still, twice as much as virtually the rest of the world combined. Here is an opportunity to save a paltry $5 million, and in the future, lord knows how many millions.

The National Taxpayers Union, the Citizens Against Government Waste, all those people are strongly in favor of this amendment, and torpedoing this technology, not once and for all, but at least for the foreseeable future, until the National Academy of Sciences says it has a lot more promise than it has now.

I yield the floor. I reserve the balance of my time.

Mr. JOHNSTON. I yield to the Senator from Alaska 10 minutes.

Mr. STEVENS. Mr. President, I have authored the provision in the report that Senator BUMPERS' amendment seeks to delete because of my belief that this new technology, which has not been analyzed by the National Academy, may be critical to our energy future.

What I am trying to accomplish by the change that was made in the report is to create the availability of $5 million to complete the study by the National Research Council of the technical feasibility and economic potential of GT-MHR for power generation.

I got into this because of my role in arms control. One of the problems we have run into is the destruction of plutonium. I have been told that this process will destroy plutonium as it is used to produce electric power.

As a matter of fact, I think the claim can truly be made that this new concept—and it is a new concept—has the potential to destroy weapons-grade plutonium and eliminate its proliferation potential.

If the Senator will look at the report on page 91, what we have done is increase the funding of $5 million over the cost of the close-out of the program with the understanding that no more than the $5 million is available until the National Research Council has completed its study and the results have been reported.

That means that the $5 million is available to do just what the Senator from Arkansas says has not been done. It is available for making the study and to report to respective committees of Congress. If it finds that this process has as much potential as we believe it has, the program will not be closed down. It will be continued.

Now, this is an entirely new procedure. It is a concept of a gas-cooled reactor with a very high rate of efficiency. It is something that should be reviewed by the National Academy before the project is closed up.

Let me say that the Senator from Arkansas is right in one respect. The Government and industry have put $1.5 billion into trying to find a technology to accomplish the results that the program originally sought of nuclear power generation meeting the safety requirements of our country.

One of the added benefits of this new concept is that it is possible for this gas turbine modular helium reactor to use plutonium for the purpose of generating power and at the same time accomplish the world's sought-after result of destroying plutonium.

I believe that this is something which the Senate should realize what we are trying to do, which is to get a review of the technology. The technology is much different from that which has been the subject of this vast investment in the past. This is a technology which uses ceramic-coated fuel and uses inert helium as the heat transfer medium. It allows higher operating temperatures than can be found in the water-cooled reactors. The water-cooled reactors have been the ones used by the world's nuclear power plants.

This GT–MHR process uses higher temperature helium coolants directly to drive the turbine that drives the generator. As a result, the efficiency is much higher than the water-cooled reactors. But, what is more, it then has the side benefit that was brought to my attention, and that is that it will destroy weapons-grade plutonium so it can no longer be used for nuclear weapons. The GT–MHR not only destroys it and degrades it while generating electricity, it is really not even a problem as far as waste disposal. This has been one of the great difficulties with nuclear-powered generation in the past.

I believe that what we are trying to do is let the scientific community now analyze this new concept that is available, and only expend Federal money in the future, if GT–MHR is found to have the feasibility and economic potential as it has been represented by those who have developed it and presented it to the Department of Energy.

The Senator says this is pork. There are no nuclear reactors in my State. There is no helium in my State. There is nothing connected with this process in my State. I am the one that offered this amendment for one purpose only, to get the National Research Council to determine whether this process has the potential to accomplish two national benefits: First, to provide a process by which we can start developing an industry that can provide environmentally safe nuclear-generated energy; and, second, that the process that has been presented will in fact destroy plutonium at the 90-percent level in so accomplishing the first benefit. I think the second benefit is the one that is most important to the world.

There are enormous stakes here. There is no question about that. If this process proves valid, as people believe it will, this $5 million may be the most important $5 million we have ever invested. We are not investing it in the process. We are investing in investigating the process to determine if it has the potential as presented. If it does, then the research will continue with the $7.5 million that was intended to be used to close out the program. And Congress will be directly involved in how much, if anything, the Federal Government will put into the further advancement of this concept.

But for now, what we are doing is saying $5 million will be used during the period of the evaluation. That is the maximum that can be used to evaluate this process. After having spent $1.5 billion in getting this from the very beginning of nuclear technology development to the present, and not having successfully found a process

that will meet our needs, it seems to me to be very little to ask that we put up $5 million to check this latest technology.

This technology is important because it hinges on two different types of technology in order to be successful—the new gas turbine and the generator that has been used in the past. If the technology is proven to have the potential that we feel it does, then, I think we will have a program that will meet more than our national needs. It will meet the world's needs.

There are assertions that the Senator from Arkansas has made that I believe should be answered. I can answer them for the record. But I think the most important thing to note is that this has not been reviewed before at this level.

I will reserve what time I have.

The PRESIDING OFFICER. Who yields time?

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

The PRESIDING OFFICER. Thirteen minutes and ten seconds.

Mr. BUMPERS. Is 10 minutes sufficient for the Senator?

Mr. INHOFE. Five minutes is fine.

Mr. BUMPERS. I yield 5 minutes to the Senator from Oklahoma.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I thank the Senator from Arkansas for yielding the time.

Mr. President, I rise in support of the Bumpers amendment to terminate the gas-turbine modular-helium-reactor program. For the past 30 years, the Department of Energy's program has only served as another Federal monetary waste. To date, the taxpayers have already spent $900 million to advance gas-coolant reactor technology. One would imagine that after costing the American public nearly $1 billion, we would see some type of tangible technological benefits. But this is not the case.

In 1992, the National Academy of Sciences study concluded that the gas-cooled reactor has low market potential. Last month the DOE stated in a report by the Secretary of Energy Advisory Board that it did not see any further need to continue to develop the program.

The report said—this is a quote we have not heard yet, I do not believe anyway, at least I have not:

> This technology requires a very expensive, long-term development program that cannot be supported in the near future. Given industry's low interest in this technology, DOE has requested termination of the Gas Turbine Modular Helium Reactor Program.

But I have to say, Mr. President, that my concern is not a technical concern. Yes, I am concerned about the energy industry. I believe, had a lot of this money been spent to develop enhanced recovery programs and to do something to stop the demise of the domestic oil industry, I would be in strong support of it. That is where our money should have gone.

The GAO report estimates that the total cost to design and construct a gas-cooled reactor should be approximately $5.3 billion, of which taxpayers are expected to absorb approximately 50 percent. Mathematics would tell us that we would save more than $2 billion of hard-earned taxpayer dollars simply by going with the President, Congress, DOE, and the National Taxpayers Union, Citizens Against Government Waste, and the list goes on and on.

Congress has been trying to terminate funding for this program for the last several years. Finally, this year, the House adopted an amendment to eliminate the program altogether. Rightfully, the Senate Appropriations Committee authorized $7.5 million to cover the Department of Energy's termination of this program. The administration, the Bush administration, the Reagan administration, Congress, scientists and many of the fiscal unions, such as the National Taxpayers Union, the National Tax Limitations Committee, the Citizens Against Government Waste, are united in their campaign to terminate the project. The Department of Energy, like the rest of us, must make massive budget cuts if we are to ever keep our commitment to the budget resolution that we made that would eliminate the deficit by the year 2002.

We can no longer afford such luxuries as the gas-cooled reactor that do not earn their Federal keep. With the possibility of the dismantling of DOE, the administration has made a wise decision to end the program that only serves as a liability.

America is watching both the House and the Senate as we bring Federal spending back under control. By supporting this amendment, we are legislating exactly the way we said we would last November by appropriating wisely and cutting out programs that continue to waste Federal dollars intended for future generations.

So, Mr. President, I am not as impressed as I should be, I guess, with the National Academy of Sciences, but I am impressed with the National Taxpayers Union and many of the groups that are looking at this from a fiscal perspective.

I would only say this is a good example of what Ronald Reagan said in one of the greater speeches I have ever heard, entitled ''Rendezvous with Destiny,'' way back in 1965 when he said there is nothing closer to immortality on the face of this Earth than a Government program. I think this is such a program.

I yield back the time.

Mr. JOHNSTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. JOHNSTON. Mr. President, I yield myself 5 minutes.

There is a lot of technology involved here, but the question is really quite simple. What the Stevens amendment does—and it is a very sound amendment—it simply says that before we take this program, which has a promise of burning 85 to 95 percent of the plutonium which is put through the cycle—and that compares with 20 percent of plutonium which would be burned in a light-water reactor, but before we stop this technology which has that capacity, that hope of burning 85 to 95 percent of the plutonium, we get a report from the National Research Council, which is part of the National Academy of Sciences. No more than $5 million may be spent until that evaluation takes place. That is all the amendment does.

We have done in this country research on these high-temperature gas reactors over a period of many years. This is a new design which has never been evaluated by the National Academy of Sciences. It is 50 percent more efficient than the previous design. It is the first design that has used the high-temperature helium gas directly against the turbine, which is a radical new design.

Moreover, the main reason we want to do this is because of plutonium burnout, but it also has the added advantage in that this reactor cannot melt down. Its fuel density and maximum temperature is less than the melt rate of the fuel. So if you lost all coolant, there would be no possibility of a meltdown of this reactor, which is one of the reasons that Mr. Mikhailov, who is the Russian Energy Minister, wants to build this reactor in a consortium with America. They have a proposal whereby they would put up half of the costs, and the net cost to the United States, if this were done, would be about $350 million, not $5.3 billion.

Mr. President, the fact is we do not know the answers to these questions about exactly what it would cost because, frankly, we need an evaluation by the National Research Council of the National Academy of Sciences. Really, as a matter of prudence, we ought to have the National Academy of Sciences look at this brand new technology, this brand new design before we scrap this program in which so much has been invested, which has such hope not only for plutonium burnup but it has tremendous hope for being meltdown proof. It is what we call a passively safe reactor.

I might add, it also has the capacity and capability to make tritium in a reconfiguration, which is the reason it was picked as the top candidate for the new production reactor. In any event, this is a very prudent thing to do, to have the National Academy of Sciences look at this matter before we scrap the reactor. And that is all the Stevens amendment does. It represents real progress. We are not committing this country by this amendment to build the reactor or to spend additional money but simply to have the National Academy of Sciences look at this design. That is all it does.

Mr. President, did the Senator from Alaska desire additional time at this point?

Mr. STEVENS. Mr. President, if the Senator will yield me just a couple more minutes, I do not want to use it all because I want to respond in the end. But, I would like to reference the committee report, and I encourage my colleagues to read it.

The Committee understood that the GT–MHR has the capability of destroying 90 percent of weapons grade plutonium 239 when used alone and over 99 percent of the plutonium 239 when used in combination with an accelerator-driven reactor without the need of reprocessing or recycling of the material. The evaluation shall also include, therefore, a review of the technical capability of the reactor to accomplish the near total destruction of weapons grade plutonium alone or in combination with an accelerator without reprocessing and recycling. The study shall be supported by funds within this account and shall be completed no later than 90 days following the signing of this bill into law. If the results reported are positive, the balance of the funding shall be released to continue the development of the GT–MHR and, if negative, the balance of the funding shall be applied to the program closeout.

In other words, all we are doing is saying give the National Research Council an opportunity to review this before it is closed out. If they find that the Senator from Arkansas is correct, it will be closed out. If they find that those who have presented the process are correct, they will continue to analyze and find out how to apply this new technology to these two very vital world goals.

Mr. BUMPERS addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BUMPERS. I yield 5 minutes to the junior Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I rise in support of the amendment of the Senator from Arkansas, and I must say to my friends I do so on a personal level with some reticence because I worked so closely with both the proponents of this. Nevertheless, I feel very strongly that this is one of the moments where Congress really needs to just make the cut. The House has voted by 306 to 121 to cut the funding for this. We have been toying around with this technology since 1970. We have spent now some $900 million to date for the technology. But no commercial buyer is prepared to step up for this technology. Gas-cooled reactors employ what is known as a passive cooling system, and these do not allow for the use of conventional containment structures to prevent the release of radiation in case of accidents. That lack of containment could be a serious problem and would represent a major safety tradeoff.

Mr. JOHNSTON. Will the Senator yield on that?

Mr. KERRY. Not on my time.

Mr. JOHNSTON. On my time. If the Senator will yield.

Mr. KERRY. I yield but not on my time. If I can use the time of the Senator.

Mr. JOHNSTON. Yes. Just on my time on that point. The Senator said that they do not allow for the use of containment. You cannot put containment over a gas-cooled reactor. It is simply that it is not necessary because the fuel density and the temperature is such that it cannot melt down. You cannot have that kind of accident where hydrogen gas accumulates and you have an explosion and you need containment.

Mr. KERRY. Let me say to my friend——

Mr. JOHNSTON. Is that not correct?

Mr. KERRY. I am not suggesting you have a meltdown structure, but you could nevertheless have a release of radiation, and the Nuclear Regulatory Commission's advisory committee has suggested that they are not willing to accept these approaches. Moreover, in order for this technology to be competitive, you would have to complete the R&D phase, which would cost another $700 million, and then in order to make the technology commercial, you are going to have to build a full-scale demonstration plant. You are going to have to operate that successfully for another $1 billion.

Now, various reports of the National Academy of Sciences, the most recent of which was released this month, have unfailingly rejected this reactor technology for either mission, for the mission of providing energy or for the mission of getting rid of nuclear plutonium. So, Mr. President, if you look at what the Electric Power Research Institute, which is a research arm of the electric utility industry, said, they reported in 1991 that the HTGR was just not cost competitive. Now, if the private sector refuses to finance the R&D on a gas-cooled reactor, why should the taxpayers? It just does not make sense. I mean, this is one of those projects which we have got to have the courage to say it does not make sense economically, the science is not good. There are other alternative means of dealing with what is being proposed. This is the same argument as the ALMR. It took us 2 years to cut the ALMR. We cut it. But it was being proposed as a way of getting rid of nuclear unspent fuel.

I think that truly, Mr. President, this particular expenditure of $900 million since 1970, chasing some kind of legitimate mission using taxpayers' money on an ongoing process, in a year when we are cutting education, we are cutting Medicare, we are cutting all of the other programs that are of such importance, and here we are once again trying to protect one of the great chases. Truly this is the kind of program that makes the wool and mohair subsidy look like support for the 101st Airborne or for cancer research. It simply does not stand up to scrutiny under the National Academy Of Sciences itself, under the private sector's own judgments. And therefore, the U.S. Senate ought to step up to bat and terminate it.

I yield back the balance of my time.

Mr. STEVENS. Would the Senator yield me 1 minute for a question of my friend from Massachusetts?

Mr. DOMENICI. Yes.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Does the Senator understand that the $5 million is for the study by the National Research Council? I do not understand how I can be accused of promoting pork when I am giving $5 million to the council that you and I support. Why should we not give the money to the one council that ought to tell us if this process has the potential to destroy over 90 percent of the weapons grade plutonium in this country?

Mr. KERRY. My answer is the judgment has already significantly been made by the private sector and by the National Academy of Sciences that it is not worth pursuing.

Mr. STEVENS. Mr. President, that is absolutely not true. This process has not been examined. The National Academy wrote to Senator BRADLEY on December 10, 1993, stating that they did not examine this GT–MHR process. That is precisely why we are giving the $5 million so they will examine this process before we consider closing out the program.

Mr. KERRY. I do not use any more time.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. How much time remains?

The PRESIDING OFFICER. The Senator has 12 minutes, 7 seconds.

Mr. DOMENICI. Senator JOHNSTON?

The PRESIDING OFFICER. The Senator from Arkansas has 4 minutes, thirty seconds.

Mr. JOHNSTON. Does the Senator want to yield back the balance?

Mr. BUMPERS. I am sorry. I missed that.

How much time do I have remaining?

The PRESIDING OFFICER. Four minutes, thirty seconds.

Mr. BUMPERS. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BUMPERS. Mr. President, I just want to say to my colleagues there are three powerful arguments for finally terminating this program which has been around for 30 years. One is the National Academy of Sciences that said there are two eminently better methods of using up plutonium: Fabricated fuel, and vitrification.

Second, this is a much more dangerous project because you have to store plutonium for much longer periods of time, and that subjects it to diversion for weapons use.

And third, we are headed for a $5.3 billion project, 50 percent of which Uncle Sugar will have to put up.

Now, Mr. President, what do you have to do around here? The Department of Energy does not want it. The

National Academy of Sciences says it is a terrible idea. And the costs are staggering. What do you have to do to convince people to terminate something around here? The Senator from Alaska read from the committee report. I assume he wrote it. That is committee report language that he wrote. It has no technical value. And the Senator from Alaska says he wants to put $5 million into this study. After 30 years, $1,800,000,000, we are going to study it. And, Mr. President, here is what the Department of Energy said:

The Department does not support continued funding of the Gas Turbine Modular Helium Reactor. There are significant questions about the viability of this reactor type, including whether the fuel will retain fission products to the extent necessary for safety. There is little utility interest in this technology, and we believe that development of this reactor concept would require Federal expenditures in excess of $1 billion [just] over the next decade.

The PRESIDING OFFICER. The Senator has used his 2 minutes.

Mr. BUMPERS. I yield the floor.

Mr. STEVENS addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I do not get into these things lightly, particularly coming from an oil producing State—the most significant oil producing State in the Union.

Now, I am arguing for this review by the National Research Council because of the report that came to us that this process will destroy plutonium. The Senator from Arkansas has repeatedly said that the National Academy has examined this process. That is not true. Again I point out that on December 10, 1993, in a letter to Senator BRADLEY, the chairman of the NAS committee stated that ''The National Academy Committee did not examine and therefore could not evaluate the gas turbine reactor.'' GT–MHR is a new process. And as the report says—and it is true that I did have something to do with writing that report—that the information we have is, that when combined with an accelerator, this GT–MHR process can destroy 99 percent of plutonium 239 while producing economically and environmentally sound electirc power for the future of the country.

Now, I think the Senate should concentrate on what we have done. We have not said go ahead with this process. We have not said fund any more of this process. We have given $5 million to the National Research Council and said, examine this process and report back to us in 90 days. If you find this process cannot live up to the claims, then go ahead and shut down the program with the $7.5 million. If you find that it can, then report that back to the four committees and we will go further.

Now, I cannot think of anything more simple than the process of looking at what we have done. We have provided $5 million for the evaluation of this unique, new process that the National Academy Committee did not examine, and could not evaluate because of the fact that it was not submitted to them. We are now submitting to them the gas turbine reactor program known as GT–MHR with a 90-day deadline and a maximum amount that they can spend for the evaluation of $5 million. I think that is the fairest thing we can do for the taxpayers, particularly for those of us who are worried about what to do with plutonium.

What are we going to do with plutonium, Mr. President? Are we just going to let it sit out there and worry about how to destroy it? We cannot destroy it today. This system burns it. It is possible to burn 99 percent of it without cost to the taxpayers, and provide cheap electric energy in the process. We are going the spend billions of dollars to try to destroy this plutonium. This process could destroy it while producing normal utility electric power for our consumption. Now I think it is a very fine process. I hope it is evaluated and I urge the Senate to vote against this amendment.

Mr. BUMPERS. Is the Senator from Louisiana prepared to yield back time?

Mr. JOHNSTON. Yes. Mr. President, I yield back the balance of the time.

Mr. BUMPERS. I yield back the balance of my time, and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I ask unanimous consent that I may proceed for 1 minute.

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

Mr. DOMENICI. Mr. President, I want to say to Senators who are coming down now, to vote, could you search your offices and your minds and see whether you have any other amendments? We would like very much to get a list right after this. We know of four amendments. If there are any others, we would like to know about them. We are not seeking time agreements yet, just to see how many there are because we would like to tell our leaders what this looks like for the remainder of the evening.

So if Senators have any amendments that they want to offer, can they get us information? Maybe we will accept some of them. It will very much help us in our endeavor to get through at an early hour. I yield the floor.

The PRESIDING OFFICER (Mr. ABRAHAM). The question is on agreeing to amendment No. 2055. The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The result was announced—yeas 62, nays 38, as follows:

[Rollcall Vote No. 347 Leg.]

YEAS—62

Abraham	Exon	McCain
Akaka	Feingold	Moynihan
Baucus	Feinstein	Murray
Biden	Glenn	Nickles
Bingaman	Graham	Nunn
Boxer	Gramm	Pell
Bradley	Grassley	Pryor
Brown	Gregg	Reid
Bryan	Hatfield	Robb
Bumpers	Inhofe	Rockefeller
Campbell	Jeffords	Roth
Chafee	Kassebaum	Sarbanes
Coats	Kennedy	Simon
Cohen	Kerrey	Simpson
Conrad	Kerry	Smith
Coverdell	Kohl	Snowe
D'Amato	Lautenberg	Specter
Daschle	Leahy	Thomas
Dodd	Levin	Warner
Domenici	Lieberman	Wellstone
Dorgan	Mack	

NAYS—38

Ashcroft	Gorton	Lugar
Bennett	Grams	McConnell
Bond	Harkin	Mikulski
Breaux	Hatch	Moseley-Braun
Burns	Heflin	Murkowski
Byrd	Helms	Packwood
Cochran	Hollings	Pressler
Craig	Hutchison	Santorum
DeWine	Inouye	Shelby
Dole	Johnston	Stevens
Faircloth	Kempthorne	Thompson
Ford	Kyl	Thurmond
Frist	Lott	

So the amendment (No. 2055) was agreed to.

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

Mr. INOUYE. Mr. President, I move to table the motion.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER (Mr. MCCAIN). The Senator from New Mexico.

Mr. DOMENICI. Mr. President, fellow Senators, let me ask again, if any Members have amendments that we will vote on, I would like to know about it. I assume the same holds true for Senator JOHNSTON.

Mr. JOHNSTON. That is correct.

We know we have a Dorgan amendment that is ready to go.

Mr. DOMENICI. Let me tell Members what I know, and Senators on our side, if you have something to add to this, I would appreciate it.

Senator GRAMS has an amendment with reference to the Appalachia Regional Commission. I assume Senator GRAMS would be ready at some point on that.

Senator WELLSTONE has a water level amendment. We would have to oppose that. I would like very much for him to be ready soon.

Senator BROWN's amendment has been solved. Senator DORGAN has a sense-of-the-Senate on line-item veto, is that correct?

Mr. JOHNSTON. Mr. President, I am advised Senator DORGAN says his side could take 10 minutes; I suppose our side could take even less than that. I suggest 20 minutes equally divided.

Mr. DOMENICI. Mr. President, we have to check that out. We will see where we are.

Are there any other amendments that Senators have that might be offered?

Mr. BUMPERS. Does the Senator from New Mexico have my amendment?

Mr. DOMENICI. No.

Mr. BUMPERS. It is regarding the $65 million for a cancer institute.

Mr. JOHNSTON. Mr. President, how much time would the Senator from Arkansas want on that amendment?

Mr. BUMPERS. Mr. President, I want to accommodate the expedient disposition of this bill. I suggest an hour, and we will try to cut it to 30 or 40 minutes. One hour equally divided.

Mr. JOHNSTON. Why do we not cut it to 30 or 40 minutes going into debate?

Mr. BUMPERS. It is not always easy to get the unanimous consent to extend the time.

Mr. DOMENICI. Let me suggest that your amendment will be very controversial, and I think the Senator understands that.

Without setting time agreements, I would like to see what the amendments are. If you have one that has to do with the superconducting super collider closedown—

Mr. BUMPERS. That is the only one we have.

Mr. DOMENICI. Could I ask unanimous consent that the following amendments be in order, and there be second-degree amendments permissible on any of them: Senator GRAMS on Appalachia, Senator WELLSTONE on water level, Senator DORGAN on a sense-of-the-Senate on line-item veto, and Senator BUMPERS on superconducting super collider, and that there be no other amendments in order.

Mr. JOHNSTON. If the Senator would yield, we have a package of agreed amendments. If you could make an exception to that, accept those which are cleared by managers on both sides.

Second-degree amendments were permitted or not permitted?

Mr. DOMENICI. I cannot follow because I cannot hear.

Now, Mr. President, could I propose a unanimous-consent request?

Mr. FEINGOLD. If the Senator would yield for a moment, I did have an amendment that we are trying to work out. At this point, I reserve a spot, in case we do not work it out.

Mr. DOMENICI. We will try it again.

I was going to clear Senator Abraham's amendment.

Senator HUTCHISON would like to inquire, a little more specifically, of Senator BUMPERS and see if we cannot get an agreement. Could the Senator tell the Senator from Texas precisely what his amendment would do?

Mr. BUMPERS. Mr. President, briefly, when we terminated the superconducting super collider, we entered into an agreement with the State of Texas, which was obligated at that time to spend close to $1 billion. They had already spent quite a bit of it.

I guess you would say there were two parts of the termination agreement. One dealt with the employees severance package; the other was with the State of Texas. There was $65 million that the Federal Government was going to put up to assist Texas in building a cancer institute on the site where the super collider was being built.

Texas has now decided that they will not build the cancer institute there and wants us to give them the $65 million. My amendment would rescind the $65 million.

Mrs. HUTCHISON. Will the Senator yield?

Mr. BUMPERS. I am happy to yield.

The PRESIDING OFFICER. Does the Senator from Texas seek recognition?

Mrs. HUTCHISON. I understand what the amendment of the Senator from Arkansas does. I will oppose the amendment because it was part of the package deal that the Federal Government agreed with the State of Texas to do. Although there was a change, we will discuss that during the amendment.

My question is, when is this amendment going to be brought up and what is the proposed time agreement for the unanimous consent?

Mr. BUMPERS. I will defer to the distinguished floor manager on that.

Mr. DOMENICI. Mr. President, might I say to the Senator from Texas and other Senators, I was not looking for a time agreement. I was merely looking to establish a list of primary amendments and see if we could agree on those, and then we will work out time agreements and maybe even work out some of the amendments.

It will be sometime this evening. I understand that is not necessarily in the best interests of the Senator from Texas, but we have been asked to complete this bill today.

Mr. BUMPERS. Mr. President, just one other point. This would put this bill on all fours with the House bill which has already done what my amendment would do.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the only amendments that be in order on this bill are the Grams amendment on Appalachia; Wellstone; Dorgan on line-item veto—these amendments are subject to second-degree amendments—Senator FEINGOLD on TVA; Senator HARKIN on hydrogen research; and Senator PRESSLER; I understand we are exempting any amendments that could be agreed upon by the two managers; and Senator ABRAHAM has an amendment he will offer right quick that we are going to accept, so that would be subject to both managers' agreement.

Mr. JOHNSTON. Mr. President, if the Senator will yield?

Mr. DOMENICI. Yes.

Mr. JOHNSTON. We would need a Byrd second-degree amendment to the Grams amendment, and a Byrd first-degree relevant amendment.

Mr. DOMENICI. What is the Byrd second-degree amendment beyond Grams? What was the second one?

Mr. JOHNSTON. Second degree to the Grams amendment.

Mr. DOMENICI. And that is all? You did not have another one on Byrd?

Mr. JOHNSTON. And a Byrd first-degree relevant amendment.

Mr. DOMENICI. OK.

Let us add to the unanimous-consent request the following: A Byrd second-degree amendment to the Grams amendment, a Byrd relevant amendment, and a Burns relevant amendment.

Mr. JOHNSTON. Mr. President, if the Senator will withhold the request, I am advised we need to hotline it and we will try to do so very quickly.

Mr. DOMENICI. OK. I withhold.

Let us proceed.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. BUMPERS. Will the Senator from Michigan yield for 30 seconds?

Mr. ABRAHAM. I will.

Mr. BUMPERS. Mr. President, I misspoke myself a while ago and in fairness to the Senator from Texas I want to correct it. The amendment is what the Congressman from the district where the super collider is located tried to do in the House, but because of the House rule, was not permitted to offer the amendment.

Mrs. HUTCHISON. If the Senator will yield for a minute, I know that was what was meant and I appreciate his correcting it because I think the Congressman does not understand the agreement. We will debate this fully but it is not the House bill and, of course, I am going to try to keep it from being in the Senate bill as well.

Mr. DOMENICI. Senator ABRAHAM, I had agreed to accept the Senator's amendment and then Senator MACK wanted some time so I will yield to him after the Senator's amendment.

AMENDMENT NO. 2056

(Purpose: To repeal section 7 of the Magnetic Fusion Energy Engineering Act)

Mr. ABRAHAM. Mr. President, I send to the desk an amendment I think will be agreed to.

The PRESIDING OFFICER. The Chair will inform the Senator, under the present parliamentary situation it will require the pending amendment be set aside.

Mr. ABRAHAM. Mr. President, I ask unanimous consent the pending amendment be set aside. This is an amendment on behalf of myself as well as Senators GRAMS and KYL.

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

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Michigan [Mr. ABRAHAM] for himself, Mr. GRAMS and Mr. KYL, proposes an amendment numbered 2056.

Mr. ABRAHAM. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 41, between lines 12 and 13, insert the following:

SEC. 510. MAGNETIC FUSION ENERGY ENGINEERING.

Section 7 of the Magnetic Fusion Energy Engineering Act (42 U.S,C. 9396) is repealed.

SEC. 511. REPEAL OF REPORT ON VERIFICATION TECHNIQUES FOR PRODUCTION OF PLUTONIUM AND HIGHLY ENRICHED URANIUM.

Section 3131 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 104 Stat. 1839) is amended by striking out subsection (c).

Mr. ABRAHAM. Mr. President, I will speak briefly to the amendment.

Earlier this summer, the Congress adopted a historic budget resolution.

The PRESIDING OFFICER. If the Senator will suspend for a moment, the Chair notes the Senate is still not in order. Please extend courtesy to the Senator from Michigan. The Senate is still not in order.

The Senator from Michigan is recognized.

Mr. ABRAHAM. Mr. President, in putting together the budget I think Members on all sides worked hard to try to identify various departments, agencies, commissions, boards, and councils whose functions were either unnecessary or duplicative of other activities going on in Government.

Working in conjunction with a number of my fellow freshman Members of this body, we have tried using the assumptions made in that budget, using suggestions that have been previously made by the GAO, by the CBO, in some cases by the President in the budget submission he made, to try to identify numerous agencies of Government which no longer fill their purpose and which consequently ought to be terminated. The purpose of this amendment, and it is the first of several we will be bringing during the course of the appropriations debates, is to bring to an end to these various no longer necessary Government agencies.

The amendment I am offering today will repeal the authorization of two technical panels who have outlived their usefulness, the Technical Committee on Verification of Fissile Material and Nuclear Warhead Controls and the Technical Panel on Magnetic Fusion. Neither of these panels currently receives funding. Nor do they have the support of either Congress or the executive branch. In other words, they are deadwood that should be cleared away as part of the process of balancing the budget.

Mr. President, Congress has the opportunity to produce something a vast majority of Americans want very deeply, a balanced budget. But to do so means trimming the fat from Government and cutting spending. This amendment represents a step in that direction. It terminates the activities of two Federal panels whose job is either finished or never began.

More important, it sets the tone I believe we should adopt with all of our spending bills. And so, as I said, from time to time during the appropriations process, a number of us are going to be working together bringing other similar amendments to the floor in the hope we can produce the tangible reduction of numerous activities, agencies, and programs in Government that have outlived their usefulness.

Mr. President, I ask unanimous consent to add Senator ASHCROFT as a cosponsor.

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

Mr. ABRAHAM. I yield the floor.

Mr. MACK addressed the Chair.

The PRESIDING OFFICER. The Senator from Florida.

Mr. DOMENICI. Mr. President, did we adopt the amendment?

THE PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendment.

The amendment (No. 2056) was agreed to.

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

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

The motion to lay on the table was agreed to.

Mr. DOMENICI. Mr. President, before Senator MACK speaks I wonder if I could ask Senator GRAMS if he would let us follow a routine, now. Senator DORGAN has also been waiting on a line-item veto sense-of-the-Senate. He would agree to 15 minutes per side. Could we have him go next and then the Senator would follow immediately after that?

Mr. GRAMS. That will be fine.

Mr. DOMENICI. I yield the floor.

The PRESIDING OFFICER (Mr. ABRAHAM). The Senator from North Dakota.

AMENDMENT NO. 2057

(Purpose: To express the sense of the Senate on the conference on S. 4, the Line Item Veto Act)

Mr. DORGAN. Mr. President, I have an amendment No. 2057 at the desk which I would like to call up. Is there an amendment pending before the Senate?

The PRESIDING OFFICER. The pending amendment is set aside.

Mr. DORGAN. I call up my amendment.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from North Dakota [Mr. DORGAN], for himself, Mr. KOHL, Mr. FORD, Mr. ROBB, Mr. BREAUX, Mr. HARKIN, Mr. BRADLEY, and Mr. WELLSTONE proposes an amendment numbered 2057.

Mr. DORGAN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place in the bill, insert the following:

SEC. . SENSE OF THE SENATE ON THE CONFERENCE ON S. 4, THE LINE ITEM VETO ACT.

(a) FINDINGS.—The Senate finds that—

(1) the line item veto was a major plank in the House majority's ''Contract with America'' and has received strong bipartisan support in the 104th Congress;

(2) the House of Representatives on February 6, 1995, passed H.R. 2, the Line Item Veto Act, on a vote of 294–134;

(3) the Senate on March 23, 1995, passed S. 4, the Separate Enrollment and Line Item Veto Act of 1995, on a vote of 69–29;

(4) the House passed S. 4, with the text of H.R. 2 inserted, by voice vote on May 17, 1995, 50 days after passage by the Senate;

(5) notwithstanding the failure of the House to request a conference, the Senate disagreed with the House amendment, requested a conference and appointed conferees on S. 4 on June 20, 1995;

(6) the papers for S. 4 have been held at the desk of the Speaker of the House for 42 days and the Speaker of the House has not yet moved to appoint conferees;

(7) with the passage of time it increasingly appears that the Congress may pass and send to the President not only the appropriations bills for fiscal year 1996 but also the reconciliation bill required by H. Con. Res. 67 (the concurrent resolution setting forth the congressional budget for fiscal years 1996, 1997, 1998, 1999, 2000, 2001, and 2002) without first passing and sending to the President a line item veto bill; and

(8) the House majority leadership has publicly cast doubt on the prospects for a conference on S. 4 this year.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the Speaker of the House should move to appoint conferees on S. 4 immediately, so that the House and Senate may resolve their differences on this important legislation;

Mr. DORGAN. Mr. President, are we operating under a time agreement by unanimous consent?

The PRESIDING OFFICER. It has not been formally entered into.

Mr. DOMENICI. Mr. President, I ask unanimous consent that on this amendment there be 15 minutes on a side.

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

Mr. DOMENICI. I wonder if Senator DORGAN will do me a favor. I forgot, I left Senator MACK standing. He had been recognized and I asked him if he would wait for us and I did not go back to him. He wants to speak for 2 minutes and then it will be Mr. DORGAN's turn on the amendment.

Mr. DORGAN. Of course, I will be happy to do that. It is my understanding there will not be a second-degree on my amendment, and I will have an up-or-down vote on my amendment.

Mr. DOMENICI. That is my understanding.

Mr. DORGAN. I yield to the Senator from Florida.

PRESIDENT CLINTON'S STATEMENT ON LEGISLATIVE APPROPRIATIONS

Mr. MACK. Mr. President, earlier today, in a statement made by President Clinton, he said he was planning to veto the legislative appropriations bill, and I find that, frankly, very disappointing. There have been many press reports suggesting the Clinton White House is in a constant campaign mode. His decision to veto the bill is clearly the decision of candidate Clinton, not President Clinton. Candidate

Clinton is playing games. He is misleading the American people.

This year the Congress, in a bipartisan fashion, cut its own spending by nearly 9 percent. A cut of this magnitude has not occurred in 40 years, I might say, the last time the Republicans controlled the Congress.

The legislative branch bill has not been vetoed since 1920. Let me outline a couple of the specifics about what we have done: An overall reduction of $206 million; reduction of Senate committee budgets by 15 percent; elimination of the Office of Technology Assessment; a 2-year, 25-percent reduction in the budget of the General Accounting Office.

This is part of what the President had to say today:

> [The Congress] is way behind schedule on virtually every budget bill . . . but one bill, wouldn't you know, is right on schedule—the bill that funds the Congress, its staff, and its operations. I don't think Congress should take care of its own business before it takes care of the people's business.

If you listen to that statement, there is an implication there that they have increased spending in the legislative branch. This is one of the most misleading statements that I have heard.

The President likes to talk about common ground and solving the fiscal crisis responsibly, but when it comes to spending cuts he is totally absent. We are leading by example. Candidate Clinton is leading by rhetoric. It is disappointing and bodes poorly for finding the common ground he claims to embrace.

We hear a lot of talk about a train wreck coming in October. President Clinton likes to talk about avoiding it. But when it comes time for demonstrating good faith, President Clinton takes a walk and candidate Clinton comes into play. It may make good politics, but President Clinton is not being served well by candidate Clinton, and neither are the American people.

The American people elected us to cut spending. We are doing it, and Bill Clinton is standing in the way.

I yield the floor.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS

The Senate continued with the consideration of the bill.

AMENDMENT NO. 2057

Mr. DORGAN. Mr. President, am I correct that amendment 2057 is now pending?

The PRESIDING OFFICER. That is correct.

Mr. DORGAN. Mr. President, I offer this amendment for myself, and Senators KOHL, BREAUX, FORD, ROBB, BRADLEY, WELLSTONE, and HARKIN.

Mr. President, if you will notify me when I have used 3 minutes, I would appreciate that.

This is a very simple amendment. Many of us feel that the President—any President—ought to have a line-item veto. I voted for the line-item veto when President Bush was in office and when President Reagan was in office, and I have voted for the line-item veto now that President Clinton is in the office of the Presidency.

On February 6, the U.S. House passed a line-item veto bill. The next month, on March 23, the U.S. Senate passed a line-item veto bill. A great amount of time has intervened, and there has not even been a conference. The House has not even appointed conferees.

Many of us feel that a line-item veto is a good policy, that it will help in reducing the deficit, that it will certainly help in trying to take out, from some of the legislation that moves through the Congress, special projects that have not previously been authorized or heard or substantially discussed. Many of us believe that we ought to see a line-item veto conference report passed by the House and the Senate and given to this President before the appropriations bills hit his desk and before the reconciliation bill comes to this President.

If a line-item veto is good policy—and, indeed, in my judgment it is—then it seems to me that the Speaker of the other body ought to appoint conferees. Let us have a conference, let us pass the conference report, and let us give this President the line-item veto to be able to use it to reduce the Federal deficit.

I do not understand why this is not a matter of high priority for a House that on February 6 passed a line-item veto bill but now in August has not even been able to find time to appoint conferees. This amendment is very simple. It explains what I have just said, and it says it is the sense of the Senate that the Speaker of the House should move to appoint conferees on S. 4 immediately—that is, the line-item veto bill—so that the House and the Senate may resolve their differences on this important legislation. I at least believe that the line-item veto in the hands of this President—any President—makes sense in terms of public policy, and I hope he has the line-item veto before the appropriations bills and the reconciliation bill come to his desk.

That is the purpose of this amendment.

Mr. President, let me yield 3 minutes to the Senator from Wisconsin, Senator KOHL, who is a cosponsor.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

Mr. KOHL. Thank you very much.

Mr. President, I am an original cosponsor of this bill, and I believe very strongly that it can be a very useful, in fact, perhaps decisive tool in order to avoid the budget impasse and a breakdown of the whole process, in order for us to avoid having the kind of a ''train wreck'' that will not allow us to pass a budget come this fall.

It was in the Contact With America. Not only Democrats but also Republicans are very supportive of the line-item veto. And there is a suspicion that the only reason we are not going to pass it right now is because we have a Democrat in the White House instead of a Republican. That is not the way to conduct budget policy in this country. That is the way to conduct politics. I think it is the kind of Government that the American people are sick and tired of. They do not want to see a continuation of it. They are supportive in overwhelming numbers of the line-item veto. It is something that we can do. It is something that will contribute to an effective budget come this fall.

I think we are all winners. There are no losers if we pass the line-item veto.

So I support this amendment by the Senator from North Dakota. I think that we, as a body, should encourage the House to appoint their conferees so that we can resolve the minor differences between the House and the Senate on the line-item veto and get on with the important work in behalf of the American people.

Mr. President, as I said, I am an original sponsor of the pending sense-of-the-Senate amendment, and it states simply that the House of Representatives should move to appoint conferees on S. 4, the line-item veto bill, and that we should not send appropriations bills to the President until we pass line-item veto legislation.

It may seem odd to see two Democratic Senators calling for action on the line-item veto, one of the most popular plans in the Contract With America. But as long time supporters of the line-item veto, we are unhappy that such an important tool for budget discipline has apparently been lost in the bog of balanced budget politics.

We ought to move the line-item veto legislation because it is a tool that can trim the fat of Government and highlight the spending choices that must be made if we are going to balance the budget. We ought to move the line-item veto legislation now because it is a tool that could save us from the budget impasse that we may be facing.

Many now speculate about the coming budget train wreck. The President has already threatened to veto six of the appropriations bills passed by the House. Veto override vote counts are taking place on a tax bill that hasn't even been drafted. And White House Chief of Staff Panetta is drawing up plans for the anticipated shut down of the Government at the beginning of the fiscal year.

It does not have to happen this way, and it should not happen this way.

The 104th Congress could be remembered as the Congress where balanced budget changed from a slogan to the status quo. The House passed a balanced budget constitutional amendment; the Senate is one vote away from doing so.

The Republican majority passed a Budget Resolution that balances the budget. The Democrats proposed an alternative that does the same, and a vast majority of our party voted for it. The President has his own balanced

budget plan on the table. No longer is the debate over whether we should balance the budget—we are now talking about how we will balance the budget.

This remarkable change in business-as-usual could all be lost if the debate shifts away from budget priorities and toward budget politics. Passing the line-item veto is one way to stop that from happening.

If the President has the line-item veto, he does not have to shut down whole agencies because he disagrees with one or two riders in the bills that fund those agencies. He can line-item veto out the pork or the politics and send just those items back to Congress for further debate. No unnecessary show down—just a straightforward debate on spending priorities.

Similarly, if the President has the line-item veto, he doesn't have to veto an entire tax bill because he objects to specific items. He can line-item veto his objections, send them back to Congress for another vote, and again force a clear national debate on spending priorities.

Balancing the budget means hard choices about where taxpayer dollars should go and should not go. It is debate about what we are as a nation and what we will become. It is a serious debate—not one that ought to disintegrate into a chaotic Government shut down. Giving the President line-item veto will focus the debate on priorities and away from political points.

So I urge my colleagues to support this amendment and send a strong message to the House: Pass the line-item veto that was in the Contract With America. Pass the line-item veto that passed the House and the Senate. Don't let budget politics keep us from doing what most of us believe is good budget policy. Give the President the line-item veto.

I thank the Chair. I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. COATS addressed the Chair.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, I yield 5 minutes to the Senator from Arizona.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. MCCAIN. Mr. President, I want to thank the Senator from North Dakota for bringing this amendment to the floor.

There is no doubt that many people are surprised that, after describing the line-item veto along with a balanced budget amendment as the crown jewels of the Contract With America, we still have not had a single conference on the bill, the line-item veto.

The House passed it, I believe, in January and the Senate in February. Recently, there have been indications that the House would appoint conferees after their recess begins, which, of course, would preclude any mention of a full conference until after the August recess. And there has been no meeting of the conferees that have been appointed on the line-item veto.

I think maybe for a change we ought to talk about reality here, Mr. President; that is, there are significant forces afoot who do not want the line-item veto sent to the President's desk until after the 13 appropriations bills are dispensed with. I do not agree with that.

For 8 years that I have come to the floor of this body in support of the line-item veto, I said that I would support the line-item veto whether it was a Democrat or a Republican in the White House. I think it is wrong of us to delay. But I am afraid it is going to be delayed, and I believe that it is wrong of us to do so.

Senator COATS and I were often accused—and we brought this bill up time after time—of saying, well, you would support this bill only if there was a Republican in the White House. We steadfastly maintained that was not the case. I still maintain that is not the case. I urge my colleagues to make every effort they can to see that conferees are appointed.

Mr. President, I want to point out one other aspect of this issue; that is, that it has been said that there are significant differences between the Senate-passed and the House-passed bill. Yes, that is true, but it is mainly in the vehicle. The fundamental aspect of the line-item veto that takes a two-thirds vote to override a Presidential veto is there.

I do not think there is any doubt that Senator COATS and I would be more than willing to accommodate the House in practically whatever desires they may have, especially since the House version more closely resembles our original proposal than that which finally emerged from the U.S. Senate.

Mr. President, speaking as a Member of this body from this side of the aisle who for 12 years has been involved in this issue, I think we are doing a great disservice to the American people in the things we promised them last November—we Republicans promised them last November—by delaying final passage of this very, very significant change in the way that the Government in Washington does business. It is supported by 73 percent of the American people.

Therefore, I am grateful that the Senator from North Dakota has brought this bill up. I want to assure him that I and the Senator from Indiana and others will continue to do everything in our power to see that this bill is moved along. Very frankly, if someone accuses us of dragging our feet on this issue, there is some legitimacy to that accusation, and I regret very much to have to admit that on the floor of the Senate.

Mr. President, I yield the remainder of my time.

Mr. DORGAN. Mr. President, I yield 3 minutes to the Senator from Louisiana.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. BREAUX. Mr. President, I thank the Senator. I congratulate the Senator for bringing this to our attention, not only to the Members of this body but hopefully to the Members of the other body, as well as to the attention of the American public.

Do any of us remember the big public display and the big publicity gathering they had on the steps of the Capitol when the Contract With America was announced? There was a huge public display, and it made all the evening news.

One of the key plans in that Contract With America was action to be taken on the line-item veto. What happened to it? Where is it? Where are the conferees from the other body who were willing to sit down and finish this incredibly important part of the contract?

Nineteen Democrats over here voted for it, and Republican colleagues here supported it. The Senate appointed the conferees. We found 18 willing souls to sit down with the other body and work out the differences. Cannot the House find 18 Members who are willing to sit with the Senate, Republican and Democrats, and work out the differences between the House- and Senate-passed bills?

Sometimes what people do in this business, they give a great political speech and then they sort of forget and hope everybody else forgets what they said because this is, in effect, what is happening. They make this great political announcement and pronouncement on the steps of the Capitol that the line-item veto was absolutely essential to Western civilization, and then the House passes it and the Senate passes it and the House will not appoint the conferees.

We can send them 18 names and say, ''Here, pick one of these or pick anybody you want to pick. Just pick somebody to sit down and meet with the Senate.''

If this was so important and it justified being put in their Contract With America, is it not still important in August to find 18 House Members who can sit down with the Senate and talk with us? Is it that difficult to do? Or is maybe there is another reason? Maybe the reason is that all these appropriations bills are now working their way through the House and the Senate.

I have heard some of them say, ''Well, we may do this after we finish with the appropriations bills and they have already been signed.''

That is after the fact. The whole purpose of a line-item veto is to say that some items in an appropriations bill should not become the law of the land. And they are saying, ''Well, we want to do the appropriations bills first and then maybe sometime next year we will appoint the conferees.''

The time is now. The American people do remember what politicians say on the steps of the Capitol, and I suggest that our House conferees should be appointed. We can send them a list and they can pick. We can send them 435 names and just pick 18. It is not that

difficult. Start with A and just go right down the list. When we get 18, stop, send us the names, we have a meeting, and we can work this out. If it is important enough to put in the contract, it is important enough to at least finish the job.

The PRESIDING OFFICER (Mr. INHOFE). Who yields time?

Mr. COATS addressed the Chair.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. I yield myself 5 minutes.

Mr. President, I wish to join in the commendation of the Senator from North Dakota and support that he has received in bringing forth this resolution. I wish to thank him as well as the Senator from Wisconsin for their support when the issue was before the Senate.

This obviously is an effort which involves the Members from both sides of the aisle because it deals with a very fundamental, important principle, and it is a principle underlying the way in which decisions are made that affect the way in which taxpayers' dollars are spent.

We had what many would consider a historic debate on this issue. This effort to provide the President with line-item veto power had been tried numerous times dating well into the last century, always failing to gain a majority of support in necessary votes in both Houses of the Congress to send to the President for his signature.

We accomplished that goal this year, and it was a historic vote. We fundamentally altered the balance of power between the legislative branch and the executive branch in terms of how dollars are spent. The Congress had forfeited the power that it held, gave it to the executive branch. In doing so, it made the statement and the commitment to the American people that business as usual, that is, attaching unrelated, unnecessary spending items to otherwise necessary appropriations bills, was going to end, or at least we would provide a vehicle to end that practice. We would shed light on that practice. And Members would have to come to the floor and defend the particular item, so-called pork barrel item, that was attached to a particular appropriations bill.

Therefore, what I think the voters have asked of us, that is, that our yea be yea and our nay be nay on the specific item in question be cast as a vote in this Chamber, so that we no longer would hide spending from the direct public scrutiny and from the accountability that ought to fall to each of us in terms of where we stood on a particular spending item involving their tax dollars.

So we passed that historic legislation but in two very different forms. The form that the Senate used was a very different form than what the House used. In fact, the House used a form that Senator MCCAIN and I originally had used on a number of occasions. We have led this effort over the last several years, coming ever closer to a majority and finally had the breakthrough this year, for which we were grateful. But in doing so, we adopted what many would say is a somewhat convoluted vehicle to deliver the substance of line-item veto.

Reconciling the two differences between the House and the Senate, while it appears on its face to be a very complicated matter, really is not that complicated, because the underlying substance of the legislation is the same. It is simply the vehicle which delivers that substance that is different. Senator MCCAIN and I have said repeatedly that we are willing to negotiate that substance and sit down with our colleagues from the House of Representatives and work out an acceptable vehicle to accomplish that very end.

Now, the House has not yet appointed conferees. The Senate has. Senator MCCAIN and I have urged the leadership in both the Senate and in the House to accomplish this fact. Discussions have been held with the leadership, and I know that the majority leader is committed to moving forward. I know that has been communicated to the House.

Obviously, this is an extraordinary year. Our plates are full as they never have been before. We are dealing with an extraordinary level and degree of complex legislative changes. We are redefining the role of Government. We are redefining how we spend the taxpayers' dollars, and so there is a great deal before us. That has, unfortunately, delayed the process of getting some of these conferences together to resolve some of this legislation that has passed both Houses of the Congress. But we do, I believe, have a commitment from both Houses now to move forward with this legislation, to appoint conferees, to meet as soon as is possible and bring back to both bodies the line-item veto in a form that is acceptable and that can be given to the President for his signature, which I believe he has indicated he would sign.

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

Mr. COATS. Let me say, Mr. President, if I could ask unanimous consent for 30 seconds, there is no objection to acceptance of the sense-of-the-Senate resolution that has been offered by the Senator from North Dakota. If he is willing to accept that, we do not feel it is necessary to have a vote. Obviously, that is the decision the Senator has to make, but it is perfectly acceptable to our side. It is a good resolution, and I am proud to support it.

Mr. DORGAN. Mr. President, I yield 3 minutes to the Senator from Kentucky.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. FORD. I thank my friend from North Dakota. Let me compliment him, Senator KOHL, Senator COATS, Senator BREAUX, and Senator MCCAIN for the effort that is being put forth this evening.

I wish to associate myself with the comments that have been made by my colleagues on both sides of the aisle. As I voted for line-item veto when it passed the Senate, I believe in March, I said I did not like the procedure, and I think my friend from Indiana agreed with that.

The underlying legislation is there. We just need to refine the procedure. And I think it will get there. This is good policy. I used it as Governor of Kentucky, as other Governors have used it. It works. You just line the item, send it to the legislature with a message, and they either approve it or disapprove it. It is good policy. It ought to come sooner than later.

So it is ironic to me that after we have been pounded, if I can use that word, by those on the other side for years now to pass line-item veto, now that we have an opportunity and we have joined together in a bipartisan fashion, we cannot get it done. We cannot arrive at the conference for purely political reasons. They do not want to give this President an opportunity to have the line-item veto as appropriations bills come, as the reconciliation bill comes. Now that we are on the verge of passing this into law, the Speaker says I do not have time to do it. But as we have heard, he can write two books. He can go out on the trail and sell his books. But he does not have time to sit down and pick a handful of friends to get on a conference committee and let us work it out. I think the Speaker should listen to his colleagues on the Senate side of the same party that are sending the same message.

We need to get this done. But, Mr. President, as we try this bipartisan effort, when we talk about everything being bipartisan, we run into a bump. Mr. President, I believe we have finally found who runs the political agenda on Capitol Hill. And that is the Speaker of the House. I yield the floor.

Mr. DORGAN. How much time is remaining?

The PRESIDING OFFICER. Five minutes remaining.

Mr. DORGAN. Let me yield 2 minutes to the Senator from Virginia, Senator ROBB.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. ROBB. Thank you, Mr. President.

I thank my colleague from North Dakota for offering this amendment. I join with others that have already spoken on this particular amendment in support. I particularly want to commend our Republican colleagues, because this is a situation where it might be in their interest to take a little different course of action.

During the time when we had a Republican President and a Democratic majority in the Congress, I took the same position that I do now. I sometimes kidded colleagues on this side of the aisle suggesting that if we were to give this particular request to the then-Republican President of the United States, it might not be a gift that was enjoyed to the extent that remarks might have suggested it would be.

In this particular case, it puts the burden directly on the President to make some of the very difficult decisions that Members of the legislature frequently want to find a way not to have to make. So I strongly encourage colleagues to vote in support of this. And I encourage those in the other body to encourage the Speaker to make those appointments so we can get on with the business. It does not make sense to suggest that it is an amendment that only makes sense if you have a certain majority and a certain party in the Presidency. And I hope that very shortly the Speaker will find time to make these appointments.

Mr. President, I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. What is the status of the time on this amendment?

The PRESIDING OFFICER. The Senator from North Dakota has 3 minutes 19 seconds. And the other side has 5 minutes.

Mr. DORGAN. Mr. President, I intend to use only another minute or so. If the Senator from New Mexico wishes to comment, I would be happy to have him comment. I will ask for 1 minute and then a recorded vote.

Mr. DOMENICI. I yield back our time.

Mr. DORGAN. Let me then use 1 minute and then yield back our time and ask for a recorded vote at the end.

I would like to say that I offer this amendment because I think there are some who have said very strongly that they favor a line-item veto, but they have become lost in the wilderness somehow on this issue. There is an old saying, ''There's no prevailing wind that favors a ship that does not know where it is going.'' So we would like to help those who we think are lost in the wilderness get found today. We would like to provide a prevailing wind to help them move toward a line-item veto conference, bring the line-item veto back to the House and the Senate, and then send the President the line-item veto—this President, and every President, Republican or Democrat.

I say to my friends, Senator COATS and Senator MCCAIN, no one, in my judgment, will, with good cause, ever suggest that they have stalled on this issue. They have been consistent for years on this issue, as have I and others, who for years have voted for the line-item veto, no matter who is in the White House, because we think it will measurably help deal with some of the problems that exist in appropriations bills and authorization bills and fiscal policy. And we just think it is the right thing to do.

So I very much appreciate the comments that have been made today by Senator MCCAIN and Senator COATS, and especially by Senators KOHL, BREAUX, ROBB, and FORD on our side of the aisle. And with that, I hope the Senate will register a strong expression today that we would like to see those who are stalling to stop stalling, stop dragging their feet, help us get a line-item veto passed; appoint conferees, have a conference and give this President the line-item veto. In my judgment, it is good for the country.

Mr. President, with that I yield back the remainder of my time.

Mr. President, I ask for a recorded vote.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. I reclaim 30 seconds of my time.

Mr. President, I did not participate in the debate. It was a good and interesting discussion. But I think that there might be other reasons that the House has for not having appointed conferees. I understand they have some rules that are difficult in terms of how long they can be in conference before certain other rules take effect. And, frankly, I have no understanding that they are peculiarly delaying this because they did not want the line-item veto.

Nonetheless, this ought to serve as a useful tool in reminding everyone to get on with the bill that is highly touted and was debated here in the Senate in a very adequate and thorough manner.

I yield back any of my 30 seconds.

I join in asking for the yeas and nays.

The PRESIDING OFFICER. The motion has been properly seconded.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. I ask that I be permitted, at the request of the majority leader, to seek the following unanimous consent, which I understand is satisfactory with the other side. And then we will proceed to vote.

Could I do that, Mr. President?

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

Mr. DOMENICI. Mr. President, I ask unanimous consent that the following amendments be the only first-degree amendments in order to H.R. 1905; that they be limited to relevant second-degree amendments and the excepted committee amendment be agreed to and considered as original text for the purpose of further amendments. I will state the amendments: Senator Byrd, relevant; Harkin, hydroresearch; Grams, Appalachia Regional Commission; Feingold, TVA; Wellstone, water level and reservoir; Pressler, water authorization; Brown, salary cuts—I believe that is resolved. We will strike salary cuts. Bumpers, SCSC close down; Dorgan—we just did that. And the managers' amendment, which we will do jointly. In addition, Senator Burns, Flat Head Indians irrigation; Hatfield, relevant; Specter, an amendment regarding a medical center.

That is the extent of it.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, there is one penciled in I did not see. Senator BOXER from California, Corps of Engineers offices.

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

Mr. DOMENICI. I thank the Chair.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from North Dakota, amendment No. 2057.

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

The legislative clerk called the roll.

Mrs. BOXER (when her name was called). Present.

Mr. LOTT. I announce that the Senator from Texas [Mr. GRAMM] is necessarily absent.

Mr. FORD. I announce that the Senator from Nebraska [Mr. EXON] is necessarily absent.

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

The result was announced—yeas 83, nays 14, as follows:

[Rollcall Vote No. 348 Leg.]

YEAS—83

Abraham	Ford	McCain
Akaka	Frist	McConnell
Ashcroft	Glenn	Mikulski
Baucus	Graham	Moynihan
Bennett	Grams	Murkowski
Biden	Grassley	Murray
Bingaman	Gregg	Nickles
Bond	Harkin	Packwood
Bradley	Hatch	Pressler
Breaux	Heflin	Pryor
Brown	Helms	Reid
Bryan	Hollings	Robb
Bumpers	Hutchison	Rockefeller
Burns	Inhofe	Roth
Campbell	Inouye	Santorum
Chafee	Kassebaum	Shelby
Coats	Kempthorne	Simon
Cohen	Kennedy	Simpson
Conrad	Kerrey	Smith
Craig	Kerry	Snowe
D'Amato	Kohl	Specter
Daschle	Kyl	Stevens
DeWine	Lautenberg	Thomas
Domenici	Leahy	Thompson
Dorgan	Levin	Thurmond
Faircloth	Lieberman	Warner
Feingold	Lott	Wellstone
Feinstein	Lugar	

NAYS—14

Byrd	Gorton	Moseley-Braun
Cochran	Hatfield	Nunn
Coverdell	Jeffords	Pell
Dodd	Johnston	Sarbanes
Dole	Mack	

ANSWERED ''PRESENT''—1

Boxer

NOT VOTING—2

Exon	Gramm

So, the amendment (No. 2057) was agreed to.

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

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

The motion to lay on the table was agreed to.

(Later the following occurred:)

AMENDMENT NO. 2057

Mr. BYRD. Mr. President, I voted against the amendment today by Mr.

DORGAN and other Senators which expresses the sense of the Senate as being that the Speaker of the House should move to appoint conferees on S. 4 immediately so that the House and Senate may resolve their differences on this important legislation.

Mr. President, I voted against this amendment for a number of reasons, one of which is, I think we ought to do everything we can to improve the comity between the two Houses rather than taking actions that will undermine that comity. I say this without casting any reflection on any of the Senators who cosponsored or voted for the sense-of-the-Senate amendment today dealing with the conference on the line-item veto.

Mr. President, I have been in the Senate now going on 37 years and I was in the House 6 years prior to that. In these nearly 43 years, I have seldom seen one body taking action to tell the other body how it should conduct its business. I do not think this is good. I feel that most Senators would certainly not like to see the House pass amendments or resolutions that called upon the Senate to take certain actions.

Both Houses in which I have served have been very careful over the years to observe the responsibilities, the duties, the prerogatives, each of the other. Each House has been conscious of that.

I have been disturbed in recent times that Senators, on this floor, have called the names of House Members from time to time and in some cases were critical of what House Members had done or how they had voted.

Mr. President, I do know that in the last Congress the Speaker of the House, at least the leadership, called to the attention of a Member or Members of that body the rules against referring to Members of the Senate by name.

And so for a number of reasons I voted against the amendment. I did not speak against it, but I told the chief sponsor that I would vote against it and told him why.

I feel I should state for the RECORD, now that the vote has occurred, my opposition to the amendment. As I say, I do not believe that the Senate should involve itself in the internal matters relating to the other body. It is my opinion that the House is perfectly capable of determining what it wishes to do and when it wishes to do it in relation to the appointment of conferees on the line-item veto bill or any other bill. Even had I supported the amendment, I would have had reservations about addressing the business of the other body. I think we should restrain ourselves from doing such things.

Another reason why I opposed the amendment was because I did not agree with paragraph (b)(2) which, as I understood it, read that the Congress should pass the conference report.

Now, that paragraph may have been stricken from the amendment.

I understand that paragraph was stricken from the amendment.

The reconciliation bill will be the vehicle used by the Republican majority to include massive tax cuts. There were those who said we ought to give the President this line-item veto; there were others who said that the reasons they did not want to give the President a line-item veto now, was because we have President Clinton—a Democrat—in the White House, and they did not want him to veto line items in the reconciliation bill.

I have said all along it does not make any difference as to what party has a person holding the office of President of the United States, he should not be given a line-item veto. We ought to be on guard, always protecting the constitutional responsibilities and functions and prerogatives of this, the legislative branch.

Apparently some of our friends on the other side of the aisle have now seen fit to delay acting on the conference report because they are concerned that President Clinton might utilize the veto power to line item certain matters out of the appropriations bills.

On our side of the aisle, there are those who say we should send it to him now, not hold back, because he is a Democratic President at a time when the Republicans are in control of the House and Senate.

Mr. President, I might have a little sympathy for that approach if it were not for the fact that the President on May 8 of this year wrote a letter to the Honorable NEWT GINGRICH, Speaker of the House, in which the President wrote as follows:

DEAR MR. SPEAKER: I am writing to urge that Congress quickly complete work on line-item veto legislation so I can use it—this year—to curb wasteful tax and spending provisions.

We must not let another year go by without the President having authority to eliminate special interest provisions, such as the tax benefits that were targeted to individual businesses earlier this year in H.R. 831.

I am disappointed that six weeks after the Senate passed its version of line-item veto legislation, neither body has appointed conferees. As you may recall, I commended the House and the Senate last month for passing line-item veto legislation. However, the job is not complete until a bill is sent to my desk that provides strong line-item veto authority that can be used this year.

I have consistently urged the Congress to pass the strongest possible line-item veto. While both the House and Senate versions would provide authority to eliminate wasteful spending and tax provisions, the House-passed bill is much stronger—and more workable.

I appreciate your making passage of line-item veto legislation a priority. I look forward to working with the Congress to enact the line-item veto quickly.

Sincerely,

BILL CLINTON.

Just a few days later, on June 7, 1995, the President wrote another letter to the Honorable ROBERT DOLE, majority leader of the Senate, in which the President stated:

DEAR MR. LEADER: I am deeply alarmed by today's press report that some Republicans in the House and Senate want to continue to hold back the line-item veto so that I don't have it during this year's budget process. The line-item veto is a vital tool to cut pork from the budget. If this Congress is serious about deficit reduction, it must pass the strongest possible line-item veto immediately, and send it to my desk so I can sign it right away.

This is not a partisan issue. Presidents Reagan and Bush asked Congress for it time and again, and so have I. It was part of the Republican Contract with America. It has strong support from members of Congress in both parties and both houses. No matter what party the President belongs to or what party has a majority in Congress, the line-item veto would be good for America.

If Congress will send me the line-item veto immediately, I am willing to pledge that this year, I will use it only to cut spending, not on tax expenditures in this year's budget. I have already put you on notice that I will veto any budget that is loaded with excessive tax breaks for the wealthy. But I need the line-item veto now to hold the line against pork in every bill the Congress sends me.

The American people have waited long enough. Congress should give them and the Presidency the line-item veto without further delay.

Sincerely,

BILL CLINTON.

So what we have is a letter from the President to the Speaker of the House on May 8 saying, in essence, ''Give me the line-item veto.''

Now, again I quote from that letter:

We must not let another year go by without the President having authority to eliminate special interest provisions, such as the tax benefits that were targeted to individual businesses earlier this year in H.R. 831.

And then lo and behold, 1 month later, lacking 1 day, the same President pledges—pledges—to the majority leader of the Senate that if Congress will send the President that line-item veto legislation, the President will not—will not—use it on tax expenditures; he will only use it ''to cut spending.''

Mr. President, I have difficulty following that line of reasoning. It is obvious that the President intended to use the line-item veto authority to eliminate tax expenditures in the first letter. I was dismayed by the sudden reversal by the President in his June 7 letter. That was a 180-degree turn by the White House on matters which are of the utmost importance to the American people in terms of fairness relating to how the deficit will be reduced. And it should leave all thinking Members of Congress and the American people wondering why this administration would make such an outrageous pledge.

Why should we Democrats butt our heads against the wall urging that the Speaker appoint conferees on a measure so that the President would have the line-item veto authority, which the President has pledged not to use against tax expenditures? Since the President pledged to avoid lining out any new tax expenditures, that meant that any new goodies in the form of tax writeoffs would be in place from now on, further exacerbating our deficit problem for years to come.

So, this unwise pledge by the President is just one reason why this Senator is not in any hurry to see a line-item veto enacted this year. The President says he will use the authority only on appropriations bills, not on tax expenditures. In other words, he will continue to cut domestic discretionary programs—not defense. He is, to the contrary, recommending that military spending go up. Apparently, he is going to cut nondefense discretionary programs, which are already being severely cut.

I note also that, in a statement made this morning in the briefing room at the White House, the President says:

> One of the most interesting things that has achieved not too much notice in the last few days is that while Congress has been taking care of the special interests, it's also taking care of itself. It is way behind schedule on virtually every budget bill, in the hope, apparently, of enforcing a choice at the end of this fiscal year between shutting the government down and adopting extreme budget cuts which will be bad for our country, bad for our economy, and bad for our future.

This may, indeed, confuse a lot of people. First the President says, ''Give me a line-item veto with which I can cut.'' Then he says today that Congress is making cuts that are bad for our country:

> Apparently, they don't even plan on letting the American people see their planned Medicare cuts until the last possible minute. But one bill, wouldn't you know it, is right on schedule—the bill that funds the Congress, its staff, and its operations.
>
> I don't think Congress should take care of its own business before it takes care of the people's business. If the congressional leadership follows through on its plan to send me its own funding bill before it finishes work on the rest of the budget, I will be compelled to veto it.

Mr. President, if I were in the leadership today I would say, ''Let us send it to him. Let him veto it. He can veto it; he can let it become law without his signature; or he can sign it.''

The reference is made to Congress ''taking care of its own business.'' Mr. President, the Constitution, in article I, creates the legislative branch. And in the very first sentence of article I it provides for the making of laws and vests all power to make laws in the Congress. In article I, section 9, it vests the appropriations power in the Congress. The Constitution created the legislative branch. We have to pass laws to appropriate moneys for the legislative branch. I do not see that as ''taking care of its own business.'' The legislative branch has to operate.

So I hope that the President will sign the legislative appropriation bill if it goes to him first. There is no design here on the part of the Members or on the part of the leadership to send to the President the legislative appropriations bill first. There was no design. That is not by calculation or by intention. We have been marking other appropriations bills up in the Appropriations Committee. Another appropriations bill has been before the Senate today, the energy-water appropriations bill, and we hope to pass it today. So there are other appropriations bills that are being acted upon. But now we hear the threat that if the legislative appropriations bill is the first to be sent down to the White House, the President will be inclined to veto it, because those people up there take care of themselves first.

Mr. DOMENICI. Will the Senator yield for an observation?

Mr. BYRD. Yes.

Mr. DOMENICI. I note there is another thing the President said in that letter that does not seem to me to be consistent with the way business is done and has been done for a long time and done properly.

He says the appropriations bills are way behind schedule; all budget bills are behind schedule. It is my understanding we do not have to get the appropriations bills passed until October 1. We started in August, did we not? That is 2 months. I have been around here a while, not as long as the Senator from West Virginia has, but the House has done a pretty good job. They are through with all but two, and we have not yet reached August. They finished all but two before August arrived. I have been here many years, and we do not get all the appropriations done until 16, 17, 18 September. That is not unusual.

So I think the President is making a false argument even there about us being far behind.

Mr. BYRD. Well, in many instances in past years, appropriations bills have not been passed until or after the beginning of the next fiscal year.

Mr. DOMENICI. That is correct.

Mr. BYRD. I think the Congress is doing very well. The beginning of the next fiscal year is October 1, as the Senator has pointed out. We are well ahead of that. We have plenty of time before the beginning of the fiscal year. I hope we will pass all appropriations bills and have them on the President's desk by or before the beginning of the fiscal year. But I also hope that if the President is going to veto appropriations bills, he will do so on the basis of the merits, not on the basis of some grand strategy to veto appropriations bills for political purposes.

As one member of the Appropriations Committee, I take a bit of umbrage at this statement that the legislative appropriations bill is being passed first because Congress is ''taking care of itself.''

Mr. DOMENICI. He did not mention, did he, that we also significantly reduced the cost of the legislative branch of Government in that bill?

Mr. BYRD. It has been significantly reduced, I believe.

Mr. DOMENICI. Ten percent.

Mr. BYRD. Mr. President, I will not belabor the point any longer. I think it is unwise to adopt amendments such as the Senate adopted today instructing or urging the Speaker of the House to appoint his conferees, and so on. As I said, it does not make for good will, good feeling, or good comity between the two bodies.

I would not have voted for the amendment if for no other reason than that reason. I hope that we will slow down a little bit and not adopt such resolutions, or else we will meet such resolutions coming back from the other body, and they will not be entirely to our liking.

I yield the floor.

(Conclusion of later proceedings.)

Mrs. BOXER. Mr. President, on the Dorgan amendment stating the sense-of-the-Senate that the House should appoint conferees on the line-item veto bill and a conference should occur, I voted ''present.''

Although I have always opposed the line-item veto, because I believe it is an unwarranted transfer of power from the legislative branch to the executive branch, I do agree with Senator DORGAN that the Republican Congress should not refuse to conference the bill simply to embarrass the current President, who happens to be a Democrat.

Mr. GRAMS. Mr. President, on behalf of myself and my good friend from Arizona, Senator MCCAIN, and my friend from Wisconsin, Senator FEINGOLD, we intend to offer a bipartisan amendment to the energy and water appropriations bill, which would reduce funding for the Appalachian Regional Commission, ARC, by $40 million.

First, I will explain some of our reasons for offering this amendment.

In his inaugural address 35 years ago, President Kennedy challenged the American people to ''ask not what your country can do for you, ask what you can do for your country.'' Just five years later, however, those words seemed to have been forgotten with the establishment in Congress of the ARC, the ultimate expression of ''what can I get out of my government?''

The goal of Congress in creating the ARC was to bolster economic development in a 195,000 square-mile region which presently encompasses 13 States. Over the course of the past 30 years, we have spent more than $7 billion in the Appalachian region, much of it for pork-barrel projects, trying to stimulate economic growth there.

Today, many of the ARC's programs duplicate activities funded by other Federal agencies. In fact, Appalachian corridor construction, under which the Senate energy and water appropriations bill justifies the $40 million increase in funding from the House, also falls under the jurisdiction of the Transportation Department's Federal highway program.

Representative SCOTT KLUG of Wisconsin put it this way:

> What the Appalachian Regional Commission does is essentially allow 13 states in this country to double dip into infrastructure money, money to do economic development, and money also to do highway and water construction and projects like that.

Now, clearly, Mr. President, the Appalachian Regional Commission has become a vehicle to justify continued

pork-barrel spending which duplicates the efforts of many other Federal programs. That is hardly what President Kennedy had in mind 35 years ago.

While the ARC allocates funds for the poor, rural communities of Appalachia, these areas are no worse off than rural communities in Minnesota, Arizona, or the 35 other States that do not benefit from the ARC. In fact, in my home State of Minnesota, 12.8 percent of my constituents live below the poverty level.

That is a troubling statistic for a state which considers itself not a poor State, but a proud State. It is higher than many states which benefit from ARC funding—such as Virginia at 9.4 percent, Maryland at 11.6 percent, Pennsylvania at 11.7 percent, and Ohio at 12.6 percent.

Do Minnesotans have a Federal program designed just for them? Of course not. To pay for something like the ARC on a nationwide basis would require billions of dollars, either from cutting more from other programs, borrowing money from our children, increasing the deficit, or raising taxes. The first option is unlikely—the remaining three are completely unacceptable.

Already, for every dollar the taxpayers of my State contribute to the Federal Treasury, they receive only 82 centsworth of government services. That is 82 cents on the dollar. The States which receive ARC funding receive, on average, $1.21 for every tax dollar they contribute.

Now, Minnesota has been a good neighbor and has contributed more than its fair share.

But when Minnesotans see $750,000 of ARC funds spent on a summer practice stadium for the National Football League's Carolina Panthers, this is a slap in the face. Clearly, the ARC's priorities do not reflect the priorities of the taxpayers.

While there have been some improvements in the Appalachian region, these have generally followed the health of the economy in general. In the 1980's, there was strong growth in the area which mirrored the economic growth of the country at large.

During this time, ARC funding was reduced by 40 percent, roughly the level appropriated by the House bill this year. Did the region suffer? On the contrary. Taxes were cut and unemployment rates in the region fell by 38 percent.

That is how President Kennedy created jobs in the 1960's. That is how President Reagan created jobs in the 1980's. That is how we need to create jobs as we approach the year 2000.

The ARC is a classic example of how pork barrel projects are dished out in Washington. If ARC programs only benefitted two or three States, the Commission probably would not have lasted as long as it has. But when you cobble together several hundred counties, in 13 different States, with 26 Senators representing them, you have a built-in political constituency that will make sure funding is perpetuated forever and ever.

Mr. President, the ARC is a relic, a thing of the past. We need to look toward the future, toward a balanced budget, tax cuts, and job creation. These benefits would far outweigh the additional $40 million in taxpayers' money the Senate wants to appropriate.

Earlier this year, Congress agreed to phase out the ARC in the balanced budget resolution which passed both chambers. Our amendment does not zero out funding for the ARC this year—it simply reduces the level of funding to that approved by the House, $142 million. That means $40 million that goes back to the taxpayers, either in the form of deficit reduction or tax cuts.

I urge my colleagues to vote for the Grams-McCain amendment and support us in this effort to cut government waste. Show the taxpayers that we will keep our word and make the tough choices necessary to balance the Federal budget and bring economic growth and prosperity to every region across this Nation.

President Kennedy was right—Ask not what your country can do for you. Ask what you can do for your country.

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

Mr. GRAMS. I yield.

Mr. McCAIN. Is the Senator aware that two of the poorest counties in the nation are located on Indian reservations in South Dakota—Rosebud Sioux and the Pine Ridge Sioux?

Mr. GRAMS. No, I did not know that.

Mr. McCAIN. Is the Senator aware that South Dakota is not part of Appalachia or countless other areas of poverty on Indian reservations in urban areas and rural communities?

I wonder if my colleague is aware that as part of the Appalachian Regional Commission, $750,000 was spent for the Carolina Panthers football facility, money was spent for the Alabama Music Hall of Fame, money was spent for a program to attract German travelers to West Virginia, money for an access road to a Pennsylvania ski resort, money for a limestone cave display in Georgia, $1.2 million for the National Track and Field Hall of Fame, money for the NASCAR Hall of Fame, funding for a study on the migration of the elderly, funding for a grant to train workers for a BMW plant in South Carolina.

I wonder if the Senator from Minnesota is aware of all of those uses that the Appalachian Regional Commission has spent money on, and how far the Appalachian Regional Commission—which, by the way, was a temporary commission when it was set up in 1965—has gone. And is the Senator aware that the Federal Government has countless programs that provide economic development assistance for everyone in America: community development block grant programs, housing development block grants, social service block grants, community service block grants, Economic Development Agency grants, farmers home loans, small business development loans and grants, rural electrification loans, highway aid, and the list goes on and on.

In addition, as we know, the individual States have many similar programs. The rest of the Nation that is outside of the Appalachia region has to rely on those programs in order to achieve funding to help people who are poor and deprived.

I am very proud of the economic advancement that my State has made. I am very proud our standard of living is very high and that our economy continues to grow. I am also deeply distressed, as I know many of my fellow citizens are, that there are still extremely poor places in my State, places where Native Americans live in holes in the ground, places where there is no running water or sanitation. I believe, frankly, these people, along with the people, the Rosebud Sioux and the Pinewood Sioux, need help as much as anyone else.

For us to somehow perpetuate a commission that has spent, now—$5 billion?

Mr. GRAMS. It is $7 billion.

Mr. McCAIN. Mr. President, $7 billion—that was originally set up as a temporary commission, I think, is an argument, frankly, that it has outlived its original purpose.

Finally, I wonder if my colleague will respond to the following statement. In 1994, the American people said they want us to reduce spending. In 1994, the American people said that they want us to do business in a different way, that the tax dollars that they send to Washington, DC, they want wisely and efficiently spent.

If we cannot cut $40 million out of a commission that was recommended to be abolished by President Reagan and that the original House budget proposal was to do away with, if we cannot cut $40 million and cut it down to only $142 million, I ask my colleague where he thinks we might really be in the commitment that we made to the American people to balance the budget and reduce this $5 trillion debt that we have laid on future generations of Americans?

I suggest the answer is we are not going to go very far in that direction if we cannot make this very modest reduction that my colleague and friend from Minnesota is making.

So I ask my colleague if he believes that this amendment might be a strong indicator of what is to come in our battles to reduce unnecessary spending on the part of the Federal Government.

Mr. GRAMS. I would just like to say, I know this might sound like just a small step, only $40 million in a city where we talk in billions and trillions, but I think about how many taxpayers in Minnesota would I have to put in a line to put $40 million into the Treasury. There are a lot of people in Minnesota to whom I would have to say,

''Your money is going to fund a music hall of fame in Alabama, a practice stadium for a professional football team in North Carolina, a NASCAR Hall of Fame.

I have to say, I am one of the biggest fans of NASCAR racing in the country, but I do not know if Minnesota taxpayers want to be asked to spend some of their tax money for that, when I know in Minnesota there are needs for $850,000 to keep flooding out of a town in Marshall, $3 million request for a highway, 610. But these are going by the wayside because there is not enough money to fund projects like this. But yet we continue to ask for money that is being spent for such as the Appalachian Regional Commission.

I just wanted to mention one other thing. It is always great to say we are going to help somebody. But we are always using somebody else's money to do it. We are asking the taxpayers of this country to pony up for the money we want to spend on pet projects.

I want to recount a story of a lady back in Minnesota, Natalie Wolstad, Coon Rapids. I have used this story before, but I would like to recount it again.

She wrote me a letter saying she had gone to the bank with a realtor trying to buy their first home, a young couple. After they went through all the process, the bank said, ''I am sorry but you do not qualify for a loan.''

She said she and her husband went home that night and went through their checkbook and all their bills because they wanted to see what were they doing wrong with their money that they could not afford to buy a home. After they figured up all the bills, they found out they were not doing something wrong, but as they went through it they noticed, really for the first time, how much money was coming out of their paycheck to go for taxes. So it was the tax bite that was keeping them from qualifying for a loan.

Like I say, we always want to do something good for somebody else, but we want to use somebody else's money. Those dollars come from taxpayers. Those taxpayers have faces and names, like Natalie Wolstad. So before we take more money out of their pockets to spend as we think would be needed—and as my good friend from Arizona said, there are many, many poor counties in this country that could use this type of funding but they are not supplied with dollars from commissions like the ARC. There is no MRC, there is no Minnesota Regional Commission that will provide these types of dollars that would help Natalie Wolstad and her family. So I think we should think twice about asking the taxpayers whether they want to spend money for projects like this.

AMENDMENT NO. 2058

(Purpose: To reduce the level of funding for the Appalachian Regional Commission to that enacted by the House of Representatives)

Mr. GRAMS. Mr. President, I now call up amendment 2058 at the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Minnesota [Mr. GRAMS] for himself, Mr. MCCAIN, and Mr. FEINGOLD proposes an amendment numbered 2058.

On page 32, line 13, strike ''$182,000,000'' and insert ''$142,000,000.''

Mr. WARNER. Mr. President, I rise today in opposition to the Grams amendment to reduce funding for the Appalachian Regional Commission.

During debate on the budget resolution, I supported the McConnell amendment to ensure that the essential services provided by the Appalachian Regional Commission are continued for some of this Nation's most destitute areas. The McConnell amendment was agreed to on the Senate floor by a vote of 51–49, and was included in the approved conference between the House and Senate.

Under the budget resolution, the Appalachian Regional Commission would adjust spending levels to assume funding of $1.154 billion for the Appalachian Regional Commission over fiscal years 1996–2002. The Energy and Water bill that we have before us follows the budget resolution allocating $182 million for fiscal year 1996.

At a time when we are correctly terminating or scaling back outdated Federal programs, I believe the Appalachian Regional Commission is the type of Federal initiative we should be encouraging. It is important to recognize that the ARC uses its limited Federal dollars to leverage additional State and local funds. This successful partnership enables communities in Virginia to have tailored programs which help them respond to a variety of grassroots needs.

In the Commonwealth of Virginia, 21 counties rely heavily on the assistance they receive from the Appalachian Regional Commission. Income levels for this region of Virginia further indicate that on average my constituents who reside in this region have incomes which are $6,000 below the average per capita income for the rest of the Nation.

In 1960, when the ARC was created, the poverty rate in Virginia's Appalachian region was 24.4. In 1990, the poverty rate statistics of 17.6 show improvement which can be attributed to the effectiveness of the ARC. However, we are still a long way from achieving the United States average poverty level of 13.1 and also the regional poverty level of other ARC-member States of 15.2.

With these statistics in mind, I would like to offer some specific points one should keep in mind regarding the effectiveness of ARC programs, its relationship with the Commonwealth of Virginia, and the direct impact that this relationship has on the private sector.

In recent years, a significant portion of ARC funds have been dedicated to local economic development efforts. Were it not for this assistance, the LENOWISCO Planning District and Wise County would not have been able to complete construction of the water and sewage lines to provide utility services to the Wise County Industrial Park at Blackwood. These lines were financed by a $500,000 grant from the ARC and a $600,000 grant from the U.S. Economic Development Administration. The construction of these utilities to serve a new industrial park has attracted a major wood products manufacturing facility which has created 175 new jobs for the community.

The Fifth Planning District serving the Alleghany Highlands of Virginia is a prominent example of leveraging other State and local funds and stimulating economic development with partial funding from the ARC. For fiscal year 1995 with $350,000 from the ARC, the Alleghany Regional Commerce Center in Clifton Forge, VA was established. This new industrial center already has a commitment from two industries bringing new employment opportunities for over 220 persons.

The ARC funds for this project has generated an additional $500,000 in State funds, $450,000 from the Virginia Department of Transportation, $145,000 from Alleghany County and $168,173 from the Alleghany Highlands Economic Development Authority. As a result of a limited Federal commitment, there is almost a 4-to-1 ratio of non-Federal dollars compared to Federal funds.

In many cases these funds have been the sole source of funding for local planning efforts for appropriate community development. For example, such funds have been used to prepare and update comprehensive plans which are required by Virginia State law to be updated every 5 years in revise zoning, subdivision and other land use ordinances. In addition funds are used to prepare labor force studies or marketing plans in guide industrial development sites.

Mr. President, the mission of the Appalachian Regional Commission is as relevant today as it was when the program was created. This rural region of our Nation remains beset with many geographic obstacles that have kept it isolated from industrial expansion. It is a region that has been attempting to diversify its economy from its dependency on one industry—coal mining—to other stable employment opportunities. It is a program that provides essential services and stimulates the contributions of State and local funds.

I urge the Senate to follow the budget resolution and oppose the Grams amendment.

Mr. ROCKEFELLER. Mr. President, I rise in strong opposition to this hostile

amendment that tries to weaken and retreat from the important work of the Appalachian Regional Commission. It is with great pride that I join the senior Senator of West Virginia in explaining to my colleagues why this amendment should be rejected.

Senators listening to this debate may think this is an amendment that deserves the votes of every Senator representing a State other than the 13 States which comprise the Appalachian region. I hope our case will be heard so that this will not be the conclusion of our colleagues.

The people of every State have a stake in the economic strength of the rest of the country. When floods ravage the Midwest or the gulf States; when a major defense installation or space center is located in a State like Texas or Alabama; when payments are made to farmers in Minnesota or Wisconsin for dairy support, for crop losses, and for basic support; when billions are spent to shore up S&L institutions in certain States; when special aid is given to cities or to California after its riots or earthquakes; when research labs get special funds in New Mexico or Massachusetts—when any of this support and assistance is extended, it is the country's way of investing in each region and in the futures of Americans everywhere.

The Appalachian Regional Commission is the Nation's effort to help a part of this country overcome tremendous barriers. In many parts of the region, major progress has been achieved. But the ARC's job is not finished, and the agency should not be abolished until it is.

Whenever the Senate considers appropriations bills or other budget measures, the question is whether the spending proposed is a sound investment in the Nation or another form of waste. In this case, the answer is that the funding in this bill is a vital investment. The bill's architects already made the required cut so that the Appalachian States are doing our share of deficit reduction. Digging deeper is mean-spirited, and it's a foolish way to abandon the progress made by ARC over recent years that should be continued. If we can't finish the basic links to economic development and growth, like water and road systems, my State and the region cannot make the contributions we want to or build the life our people deserve.

The ARC's partnership with West Virginia and the Appalachian region should not be severed. We need to finish the economic development being built on top of the foundation being laid by the ARC—and that's essential in our States for more growth, more jobs, and more hope for our people.

As a former Governor, an now as a U.S. Senator from West Virginia, I know—vividly—the value of the ARC and how it improves the lives of many hard-working citizens. Whether the funding is used for new water and sewer systems, physician recruitment, adult literacy programs, or the Appalachian Corridor highways, it has made the difference in West Virginia, Kentucky, Virginia, and the other Appalachian States.

The highways are the most visible and best known investments made by the ARC for the people of Appalachia. As of today, over two-thirds of the ARC highway system have been completed. But if this amendment to cut ARC so severely prevails, the job will not be completed. What a waste of taxpayers' money to pull out before a road system is finished.

At this very moment, some of these highways are called highways halfway to nowhere, because they are just that—half built, and only halfway to their destination. The job has to be completed, so these highways become highways the whole way to somewhere. And that somewhere is called jobs and prosperity that will benefit the rest of the country, too. Appalachia simply wants to be connected to our national grid of highways. Parts of the region weren't lucky enough to come out as flat land, so the job takes longer and costs more. But it is essential is giving the people and families in this part of the United States of America a shot—a chance to be rewarded for a work ethic and commitment with real economic opportunity and a decent quality of life.

I won't speak for my colleagues from other Appalachian States, but West Virginia was not exactly the winner in the original Interstate Highway System. And Senators here represent many States that were. As a result, areas of my State have suffered, economically and in human terms. Without roads, people are shut off from jobs. That's obvious. But without roads, people also can't get decent health care. Dropping out of school is easier sometimes than taking a 2-hour bus ride because the roads aren't there.

The structure of the ARC makes it more efficient and effective than many other agencies. The ARC is a working, true partnership between Federal, State, and local governments. This structure expects responsibility from citizens and local leaders, Federal funding is designed to leverage State and local money for any activity. According to the ARC, throughout its lifetime, it has contributed less than half of the total amount of project funds. Administrative costs have accounted for less than 4 percent of total costs over ARC's lifetime.

Long before it was fashionable, ARC used a from-the-bottom-up approach to addressing local needs rather than a top-down, one-size-fits-all mandate of the type that has become all too familiar to citizens dealing with Federal agencies. It works, too.

I urge everyone in this body to keep a promise made to a region that has been short-shrifted. Each region is unique. Solutions have to differ, depending on our circumstances. When it comes to Appalachia, a small agency called the Appalachian Regional Commission should finish its work. Slashing the support for such a targeted, effective commitment to a region that was excluded from economic progress for so long will only create more problems and more costs that should be avoided. I urge my colleagues to vote against an amendment that asks the Senate to give up on an investment that will benefit all Americans.

CUTS TO ARC APPROPRIATIONS

Mr. MCCONNELL. Mr. President, I rise in strong opposition to the amendment offered by my colleague. This amendment targets the Appalachian Regional Commission [ARC] for an unfair and disproportionate burden of budget cuts. I have worked with the officials of ARC to pare back the budget and duties of the ARC. The approach we have crafted is balanced, fair, and meets the new budget parameters while continuing to provide essential assistance to the people of Appalachia.

I want to assure my colleagues that the ARC budget proposal does not preserve the status quo. The funding level for the fiscal year 1996 budget of $182 million is $100 million less than what was appropriated in 1995. This represents a 35-percent cut in overall funding.

It has been a mere 2 months since the Senate approved my amendment to reform the ARC. My amendment outlined a blueprint to reform the ARC and set it on a glide path of reduced spending that falls within the guidelines of a balanced budget by the year 2002. I would like to remind my colleagues that this amendment, which passed the Senate, established the fiscal year 1996 funding levels contained in this bill.

Mr. President, I ask that a copy of that vote be included in the RECORD at the end of my statement.

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

(See exhibit 1.)

Mr. MCCONNELL. Mr. President, I understand why the Senator from Minnesota has offered this amendment. To him, the ARC is a program that benefits only Appalachian States. I might share his views if I didn't see first-hand the impact this program has had on an area that is burdened by high levels of unemployment and economic dislocation.

The ARC is very important not only to Kentucky, but also to a great number of other States. This program has proven to be effective in providing targeted assistance to those who need it most without wasting millions of dollars on administrative expenses.

Although the ARC has made a significant impact in improving the economic opportunities and quality of life for people living in Appalachia, there continues to be a real need for assistance in this region. Poverty, outmigration, and high levels of unemployment are especially prevalent in central Appalachia, which includes some of the poorest counties in the Nation.

The ARC serves parts of 13 States, totaling 399 counties from New York to

Mississippi. This is a region that lags behind the Nation in most, if not all, major economic measures. Chronically higher unemployment levels, substantially lower income levels, and perniciously high poverty rates plague most of Appalachia. In eastern Kentucky, for example, the poverty rate stood at 29 percent in 1990—16 percent higher than the national average.

Of the 399 counties served by ARC, 115 of the counties are considered distressed. This means that these counties suffer from unemployment levels and poverty rates that are 150 percent of the national average and have per capita incomes that are only two-thirds the national average.

The ARC was designed to specifically address the unique problems of this region—which has been afflicted by over a century of exploitation, neglect, geographic barriers, and economic distress. These are not problems born of cyclical economic fluctuation, but are the result of years of unremitting underdevelopment, isolation, and outmigration.

The good news is that the ARC has worked hand-in-hand with each of the 13 States in its jurisdiction to develop flexible and effective programs, tailored to the specific needs of each community or region.

And there's more good news. The ARC is unusually lean, as Federal agencies go, with respect to administrative and personnel expenses. Total overhead accounts for less than 4 percent of all expenditures. This is largely achieved through close cooperation with the individual States.

State Governors contribute 50 percent of the administrative costs as well as the full cost of their own regional ARC offices. In fact, I would urge my colleagues to look to the ARC as a model of efficiency, cost sharing, and State cooperation for other Federal programs.

The ARC is not a traditional poverty program, but an economic development program, with a lot of work still ahead of it. The fact is, that Appalachia receives 14 percent less per capita spending from the Federal Government than the rest of the country—and that includes funding received through ARC. While this may not seem like a lot, this amounts to $12 billion less for the Appalachian region annually.

Like many of my colleagues, we are all taking a close look at each and every program to find areas where we can eliminate wasteful spending. I worked with the ARC to ensure that this program was reduced to its most essential function—economic development.

The best way we can achieve this is quite simple. First, we start with a 35-percent reduction from the current funding level for ARC. There's no question that this is a considerable cut, and it will have an impact on the ARC's ability to fully serve its target areas. But I think it underscores how serious we are about preserving the vital purposes of this agency.

The 35-percent cut in the first year is just a start. If the reforms I have proposed are implemented, funding levels will continue to decline through 2002. Overall, if we use, as a baseline, a hard freeze at 1995 funding levels, my proposal would achieve a 47-percent reduction in spending. This amounts to $925 million in savings over 7 years.

With regard to my colleague's concerns regarding the difference between the House and Senate spending levels for ARC, I suggest that the Senate has already spoken on this matter and endorsed this funding level on two occasions. Once as an amendment that passed the Senate on May 24, and the second when this body approved the budget resolution. I would also point out that this spending level was also included in the chairman's mark of the budget resolution for fiscal year 1996.

I might also point out to my colleague, that the reconciliation of these spending differences should be worked out in conference.

Mr. President, I have worked hard to develop a reform plan that is responsible both to the people of eastern Kentucky, and the taxpayers of this Nation. If my colleagues believe that eliminating the ARC will save money, they are sadly mistaken. The poverty and economic distress of central Appalachia will only deepen, imposing higher cost on other Federal programs. On the other hand, if we keep ARC alive, we can help this region to help itself, and save a lot more money in the long run.

I urge my colleagues to reject this amendment and maintain this level of funding for the Appalachian Regional Commission.

EXHIBIT 1

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. MCCONNELL. Mr. President, I ask for a rollcall vote.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 51, nays 49, as follows:

[Rollcall Vote No. 188 Leg.]

YEAS—51

Abraham	Ford	McConnell
Akaka	Frist	Mikulski
Biden	Glenn	Moseley-Braun
Breaux	Harkin	Nunn
Bryan	Hatch	Pell
Burns	Heflin	Pryor
Byrd	Helms	Reid
Coats	Hollings	Robb
Cochran	Hutchison	Rockefeller
Coverdell	Inouye	Santorum
Craig	Johnston	Sarbanes
Daschle	Kerrey	Shelby
DeWine	Leahy	Snowe
Dodd	Levin	Specter
Dole	Lieberman	Stevens
Exon	Lott	Thurmond
Feinstein	Lugar	Warner

NAYS—49

Ashcroft	Bond	Bumpers
Baucus	Boxer	Campbell
Bennett	Bradley	Chafee
Bingaman	Brown	Cohen
Conrad	Inhofe	Murray
D'Amato	Jeffords	Nickles
Domenici	Kassebaum	Packwood
Dorgan	Kempthorne	Pressler
Faircloth	Kennedy	Roth
Feingold	Kerry	Simon
Gorton	Kohl	Simpson
Graham	Kyl	Smith
Gramm	Lautenberg	Thomas
Grams	Mack	Thompson
Grassley	McCain	Wellstone
Gregg	Moynihan	
Hatfield	Murkowski	

So the amendment (No. 1148) was agreed to.

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

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

The motion to lay on the table was agreed to.

Mr. BYRD. Mr. President, I rise in opposition to the amendment which proposes to alter the Committee's recommendation regarding funding for the Appalachian Regional Commission. The Committee recommendation is a responsible one and should be supported. The ARC is funded just below the President's request, and is well below last year's level. The amendment by the Senator from Minnesota would reduce the Committee's recommendation to the House level.

Mr. President, the ARC has already contributed to the deficit reduction occurring in this appropriations bill. The ARC is recommended at a level of $182,000,000, which is $100,000,000, or 35 percent, below the fiscal year 1995 enacted level. Let me repeat—ARC is already funded 35 percent below last year's level. We do not need to drain it any further. Given that the non-defense portion of the 602(b) allocation assigned to this appropriation bill is down just 13 percent below a freeze, I contend that the ARC is already bearing more than its fair share of the reductions in this bill. Cutting below the Committee recommendation will impede upon the ability of ARC to address its core mission—maintaining an effective regional development program that will create economic opportunity in distressed areas so that communities are better positioned to contribute to the national economy.

As I indicated, Mr. President, ARC has already been subjected to a significant reduction—35 percent—below the FY 1995 level. Can the same be said for other accounts in this bill? Bureau of Reclamation funding is down 7.3 percent; energy supply, research and development is down 15.6 percent, which is less than half of the reduction imposed on ARC. Atomic energy defense activities are up $1.3 billion, or 13 percent; the regional power marketing administrations are increased by nearly 15 percent. So if the concern is about funding, I suggest that Senators look closely at which programs are already bearing more than their fair share of the reductions in this bill.

Mr. President, the funding recommendation for ARC contained in this appropriations bill is absolutely consistent with the budget resolution

approved earlier this summer by the House and Senate. The budget resolution assumed that ARC would be reduced below the FY 1995 level, and this budget does exactly that. The recommendation in this appropriation bill is consistent with the position taken by 51 senators when they voted to fund the ARC during consideration of the budget resolution in the Senate initially. The budget resolution conference agreement adopted the Senate position on ARC. In its consideration of this appropriations bill, the House sought to eliminate all funding for the ARC and voted overwhelmingly, by a 3:1 margin (319–108), to support continued funding for the Appalachian Regional Commission. So the Congress has been clear—the programs of ARC are important, and they should be continued.

For those who contend that the Senate should not fund ARC at a level different than the House, the 602(b) allocation for non-defense activities in the energy and water development bill is above the House allocation. I will attempt to speak on behalf of the Chairman of the Appropriations Committee, but I believe this allocation is consistent with the long-standing commitment to the infrastructure development funded in this bill. ARC is but a part of that infrastructure—just as the investments in the Corps of Engineers and Bureau of Reclamation programs benefit economic activity, so too do the programs of the ARC. Mr. President, this bill is in compliance with its allocation and is already doing its part for deficit reduction.

The presumption behind this amendment is that the benefits of the ARC are limited to a particular geographic region. Mr. President, that can be true of many programs throughout the government, which don't happen to have the name of their geographical region in the program name. For example, in the Interior appropriations bill, we fund a program called ''Payments in Lieu of Taxes''. There is nothing geographical in that name. However, it benefits primarily those western states where the Federal government happens to own land. In that program, we will spend $100 million in FY 1996, of which 67 percent benefits just 8 states. But we don't propose to terminate that program in the Interior bill because it benefits a select few.

Mr. President, the tradition of this Congress is to come to the aid of regions of this country that are in need. We have responded to the earthquakes in California, the floods in the Midwest, hurricane recovery in South Carolina and Florida, volcano eruptions in Washington, and winter storm damages in the Northeast. Some might say ''well, those are in response to natural occurrences—events that were totally unpredictable.'' To that, Mr. President, I would respond that the geography that defines Appalachia was beyond the control of man, and that the programs of the ARC are designed to respond to those challenges. The natural topography has created isolation in many parts of Appalachia—it is through programs such as ARC that communication and transportation links are enhanced so that access to markets, diversity and opportunity can grow. And by investing in the human component of Appalachia, through better education and health, the region is able to provide the workforce necessary to meet these challenges.

The programs of the ARC have contributed to improvements in the ability of the region to address the disparity in poverty and income levels between Appalachia and other parts of the country. Despite the progress in recent years, the income level in Appalachia is 17 percent below the national average. The poverty rate in Appalachia is 16 percent above the national average. When it comes to U.S. expenditures on a per capita basis, in fiscal year 1994, Appalachia had 8.2 percent of the U.S. population, but received just 7.5 percent of U.S. expenditures. So even with the investments from ARC's programs, the funding provided to this area is not out of proportion to the needs or economic circumstances.

Mr. President, at a time when many people are demanding a leaner, more efficient government that is closer to the people it serves, the ARC should be held up as a model. ARC operates with a small staff—about 50 people—and spends only about 4 percent of its budget on overhead. The decisions on the expenditure of its funds are made after consulting with the governors of the region. This Congress has repeatedly urged that more attention be paid to the input of the governors as we seek to make programs more responsive. This is exactly what ARC is all about.

Mr. President, the governors of the 13 states are represented on the Commission. This is not a Federally-run, top-down type of operation. It is very much driven by the local requirements, as represented by the governors. All 13 governors—8 Republicans and 5 Democrats—have supported the continuation of the Appalachian Regional Commission.

So, Mr. President, I urge Senators to table this amendment. This agency is already funded 35 percent below the FY 1995 level. Cuts are already being imposed on the ARC. Eliminating this agency will not solve the problems of the Federal budget. The Senate has already voted earlier this year to sustain the ARC. The Senate should stand by its earlier vote and stand by the budget resolution.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. JOHNSTON. Mr. President, the business of cutting budgets is a matter of shared sacrifice. We want to be fair in the way we cut our budgets. The Appalachian Regional Commission has suffered from last year a $100 million cut, from $282 million to $182 million, a 35 percent cut, which is more than most programs in this country.

With any program you can point out little incidents that are less than the best. And over a period of, what, 30 years or so, they have pointed out very few with the Appalachian Regional Commission.

The fact of the matter is that in the 13 States that comprise the Appalachian Regional Commission, they do very excellent work and needed work, most of it in highways, which is ongoing, and to cut 35 percent from that budget I believe is enough. To cut $100 million off of what last year was $282 million I believe is fair enough and more than, indeed, enough, more than a fair share for the Appalachian Regional Commission. This is not an important program in most States, certainly not in mine. But in those States that comprise the heart of Appalachia, it is very important.

And suffice it to say, we should be prepared to stay here for a long time if we do not table this amendment. I hope we do because I believe that they have done enough, that we have done enough to cut the Appalachian Regional Commission.

So, Mr. President, I move to table 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. DOMENICI. Mr. President, might I state to the Senate, at the request of the Republican leader, even though some other issues may be concluded and votes may be asked for, we are going to try to stack votes now until 8:30. So everybody should know that. We will try to do that after this vote, I say to my friend.

The PRESIDING OFFICER. The question is on the tabling motion of the Senator from Louisiana.

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Texas [Mr. GRAMM] is necessarily absent.

Mr. FORD. I announce that the Senator from Nebraska [Mr. EXON] is necessarily absent.

The result was announced—yeas 60, nays 38, as follows:

[Rollcall Vote No. 349 Leg.]

YEAS—60

Akaka	Feinstein	Moseley-Braun
Baucus	Ford	Moynihan
Bennett	Frist	Murkowski
Biden	Glenn	Murray
Bingaman	Gorton	Nunn
Boxer	Graham	Pell
Bradley	Harkin	Pryor
Breaux	Hatfield	Reid
Bryan	Heflin	Robb
Bumpers	Hollings	Rockefeller
Burns	Inouye	Santorum
Byrd	Johnston	Sarbanes
Cochran	Kennedy	Shelby
Conrad	Kerry	Simon
Coverdell	Leahy	Simpson
Daschle	Levin	Specter
DeWine	Lieberman	Stevens
Dodd	Lott	Thurmond
Domenici	McConnell	Warner
Dorgan	Mikulski	Wellstone

NAYS—38

Abraham	Grams	Lautenberg
Ashcroft	Grassley	Lugar
Bond	Gregg	Mack
Brown	Hatch	McCain
Campbell	Helms	Nickles
Chafee	Hutchison	Packwood
Coats	Inhofe	Pressler
Cohen	Jeffords	Roth
Craig	Kassebaum	Smith
D'Amato	Kempthorne	Snowe
Dole	Kerrey	Thomas
Faircloth	Kohl	Thompson
Feingold	Kyl	

NOT VOTING—2

Exon Gramm

So the motion to lay on the table the amendment (No. 2058) was agreed to.

(Ms. SNOWE assumed the chair.)

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

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

The motion to lay on the table was agreed to.

Mr. DOMENICI. Madam 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. DOMENICI. I ask that the quorum call be rescinded.

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

Mr. DOMENICI. I understand Senator HARKIN wants to speak a moment, and then we will have a colloquy with reference to a program he is very interested in.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Madam President, I thank the chairman for agreeing to a little colloquy. Before we do that, I would like to spend a few moments talking about an issue dealing with energy that I care very deeply about and which in one form has passed the other body with an overwhelming vote, and that is the issue of hydrogen energy.

Madam President, I would like you to imagine a future energy scenario based on a totally sustainable energy system. Imagine a car that runs so clean that you could drink the effluent from the tailpipe because the only output from this car would be pure, clean water. Imagine a small electrical power plant sitting next to all major buildings, factories, shopping centers, apartment houses quietly, very quietly, producing electrical power and heat or air-conditioning, with over twice the efficiency of current power plants, but with absolutely no pollution.

I know it sounds incredible. But it is possible and it is possible today using hydrogen and fuel cells.

Hydrogen is the ideal environmental fuel. Burning hydrogen produces no acid rain, no greenhouse gas emission, no smog, no ozone-depleting chemicals and no radioactive waste.

And if the hydrogen is made from renewable energy, that is solar, wind or biomass, then there is absolutely no pollution, no greenhouse gases, and no resource depletion, a totally sustainable energy system. One key to the renewable hydrogen future is the fuel cell. A fuel cell is an electrochemical device with no moving parts, much like a car battery. A fuel cell produces electricity when supplied with hydrogen and oxygen and when the hydrogen and oxygen combine, then the output is, of course, H_2O, pure water. Now, we have experience with fuel cells because they provide the electrical power for our astronauts on the space shuttle. Plus it also produces pure, clean water.

So hydrogen is the latest breakthrough. Unlike electricity which it complements, hydrogen can be stored and piped long distance with no energy loss. So we think of hydrogen not so much as a source of energy, but as a transmittal of energy. It is the carrier we can use.

One of the problems with solar energy is, of course, it is OK when the Sun is shining but it is not too good when it is cloudy or raining or it is nighttime. The same is true of wind. Wind energy is fine, but it is not too good when the wind is not blowing. And so we can use those forms of energy to electrolyze water. And this is the perfect cycle. You use biomass or you use wind or you use solar or you use hydropower, for example. To make electrolyzed water, you get the hydrogen and oxygen, and you then take that hydrogen and you combine it back with oxygen in fuel cells. You get the electricity. You get heat also that can be used also for air-conditioning. And then what you get is water. So you start with water and you end with water. And it is a perfectly pure fuel cycle.

Hydrogen is not just a pipedream. It is already being used. These fuel cells that use hydrogen can efficiently convert the hydrogen back to electricity. In fact, buses right now are running on hydrogen-fed fuel cells in Vancouver and other cities. These buses have the pickup and the range of fossil fueled buses. But there is no pollution, and they are as energy efficient.

Furthermore, there is no reason why the hydrogen buses should not eventually cost any more than any other bus. And I believe this will be true for automobiles also. But much more work needs to be done to bring hydrogen energy to the point where it can be used on a wide-scale basis.

A recent House measure just passed the other body that was sponsored by Congressman BOB WALKER from Pennsylvania, who chairs the Science and Technology Committee in the House. I have worked with Congressman WALKER often in the past. I served on the committee with him when I was a Member of the House. And I know of his long and deep commitment to getting funds in for hydrogen energy research. And it comes out of his long study, as I said, of science and of technology. As I said, he is now the chair of that committee in the House. The bill that he introduced, I have introduced with bipartisan sponsorship here in the Senate. It is now introduced. It has, as I said, sponsors from both sides of the aisle.

It calls for a $25 million authorization next year for hydrogen energy research. I might point out that the House has already passed that bill and the Appropriations Committee in the House added money to this line to bring the total amount for hydrogen research to $15 million.

I am quite well aware that the administration only asked for $7.5 million. The Jeffords amendment, which was adopted earlier, provided, if I am not mistaken, another $1.5 million. That brings it up to $9 million total. That is still less than what we spent last year.

So for a very promising energy resource, for one that holds a great deal of promise for cutting down on pollution and for providing a clean renewable source of energy, both for electricity for buildings, for stationary uses, but also for use in transportation, this is the wrong way to go in cutting down the research.

As I said, the House upped it to $15 million. I had offered the amendment in the full Committee on Appropriations to bring that up to $15 million. I must admit, I lost on an 11-to-10 vote. I think if all the people had been there, maybe I would have won. I do not know. Not everybody was there. It was a very close vote. It was 11 to 10, and it was bipartisan. There were people on the Republican side and people on the Democratic side both voting for and against it. So it was a very close vote.

I do not want to take a great deal of time of the Senate. I know everybody wants to get out of here this evening. I have spoken with the chairman about this. I am hopeful that when the committee goes to conference, they will look kindly upon the mark that the House put in. I want to assure the chairman that he will have my support. I can assure him of the support of the people who are cosponsors of the bill and I, again, would like to ask the chairman what his intentions might be when they go to conference on this one item of hydrogen research.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Madam President, Senator HARKIN's request has been partially granted by the Jeffords amendment which added $1.5 million to this program as part of his larger amendment regarding solar energy and other things.

I want to make it clear to Senator HARKIN that since the House has a higher number—I think they have $15 million; we are going in with $9 million—we will do our very best to work with them so we do not return with anything less than $12 million, and that is what the Senator originally asked for. We will be there, or higher than that, when we come out of conference.

I urge that the Senator consider that as a great victory. He has my word, and

certainly he is going to come out of it fairly well.

Mr. HARKIN. Madam President, when the Senator from New Mexico gives me his word, I take it to the bank. I appreciate his consideration of this. He has been a strong supporter of research in new energy. I compliment him for that.

This is another one of the elements, I think, that helps us to provide the energy we are going to need in the future.

I thank the chairman for his consideration of this. I will give him whatever support I can in getting this item up in conference. I thank the chairman.

Mr. DOMENICI. Madam President, I am reviewing the list with the ranking member. I will tell the Senate we are, believe it or not, perilously close to having this bill done. As a matter of fact, I ask if Senator WELLSTONE's and Senator Grams' offices would contact me. I think it is the WELLSTONE amendment with reference to water reservoirs. It is the only one still pending that needs to be discussed. So if we can get some word on that. And then we have the managers' amendment cleaning up the bill and agreeing to a number of amendments that have been presented that we both agree on. Obviously, they are going to be in order, and we are going to adopt them. I say to Senator WELLSTONE, Mr. President, that we need to know what his intentions are.

I yield the floor and 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. WELLSTONE. 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. WELLSTONE. Madam President, I want my colleagues to know I am ready to go forward with a discussion on this amendment. The Senator from New Mexico is waiting for my colleague from Minnesota. The reason for this delay is we are waiting for my colleague from Minnesota, and I am reluctant to go forward. I think we will be ready to go in a few moments.

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. JOHNSTON. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

VITIATING ADOPTION OF COMMITTEE AMENDMENT ON PAGE 12, BEGINNING ON LINE 17

Mr. JOHNSTON. Madam President, I have a group of cleared amendments now.

I ask unanimous consent to vitiate the action of the Senate adopting the committee amendment on page 12, beginning on line 17 through line 18 on page 13, striking House text regarding Manistique Harbor, MI. The adoption of this request will restore the House language.

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

Mr. LEVIN. Madam President, I am pleased that the managers of the energy and water development appropriations have agreed to keep the House language regarding a federally designated harbor of refuge in Michigan. The provision will allow the implementation of a U.S. Environmental Protection Agency administrative order addressing contaminated sediments in Manistique River and Harbor.

In early July, immediately after the House's favorable action on the Stupak amendment, I requested that an identical provision be included in the Senate Appropriations Subcommittee on energy and water development bill for fiscal year 1996. I understand that the Environment Committee has no objection to the substance of the language in question, particularly since it does not affect policy or require Federal funds.

I appreciate the cooperation of the managers and the Environment Committee. There are special time constraints at work in the Manistique case. The EPA, the Army Corps of Engineers, the local community, and the interested parties, would like to begin implementation of the remediation action this summer to prevent further contaminants from entering Lake Michigan. I ask unanimous consent that a letter from the EPA Region V Administrator be included in the RECORD, following my statement.

As some of my colleagues may know, winter comes early to the Upper Peninsula. Therefore, it is urgent that action occur during our limited construction season. If H.R. 1905 should become bogged down for some unlikely reason in the conference process or on the floor, I hope my colleagues will bear with me as I seek to move this language on another vehicle or as an individual bill. This is not a controversial matter. We should move it quickly.

Mr. BRADLEY. Mr. President, I understand that the House has included language in its report accompanying the Energy and Water Appropriations bill which would have an impact on the Central Valley Project Improvement Act of 1992 (CVPIA). I am very concerned that an appropriations bill would be used for this purpose and I urge my colleagues who will be conferees on this bill to reject these attacks on the CVPIA.

The House report attempts to delay a study of the San Joaquin river that was established in law through the CVPIA. As the author of that act, I am surprised by the action of the House. The study is specifically ordered in the 1992 Act and, in fact, has a statutory deadline for action by the Secretary. Clearly, this statute is unaffected by any Committee Report language and the law remains binding on the Secretary.

The House also includes report language which bears on the repayment for the Kesterson Reservoir Cleanup Program.

I understand that there is no Senate report or legislative language concerning repayment responsibilities for the Kesterson Reservoir Cleanup Program and the San Joaquin Valley Drainage Program.

Mr. JOHNSTON. That is correct.

Mr. BRADLEY. I also understand that the taxpayers have spent tens of millions of dollars for the cleanup of the Kesterson Reservoir which was built to collect the drainage water from farms in the Bureau of Reclamations' San Louis Unit within the Central Valley project.

The Kesterson facility is so contaminated with selenium and other chemicals that it was closed on March of 1985 by the Department of Interior. Many migratory birds using Kesterson Ponds were killed in violation of the Migratory Bird Treaty and Congress has appropriated tens of millions of dollars to clean up Kesterson.

Mr. JOHNSTON. The Senator is correct.

Mr. BRADLEY. It is my further understanding that absent legislative language, the repayment for Kesterson cleanup is reimbursable and the Secretary of Interior is obligated by law to collect reimbursable costs.

Mr. JOHNSTON. That is correct.

Mr. BRADLEY. Now is not the time to be spending additional taxpayer funds on cleanup which should be paid by water contractors whose drainage caused such problems at Kesterson.

With regard to the San Joaquin River comprehensive plan, I understand that the House committee report recommends that $1 million be moved out of the San Joaquin River Basin initiative and into the Shasta temperature control device. This would have a devastating effect on the San Joaquin River comprehensive plan, a study required under the 1992 statute which is due for completion next year. Is there language on these funds in the Senate bill or report?

Mr. JOHNSTON. No.

Mr. BRADLEY. I thank the Senator for these clarifications. Nothing in the CVPIA required Friant water users to give up any water. The San Joaquin comprehensive plan is only a study.

AMENDMENTS NO. 2059 THROUGH 2065

Mr. JOHNSTON. Madam President, I send a group of amendments to the desk and ask unanimous consent that the amendments be considered and agreed to, en bloc.

Mr. President, these amendments are as follows: An amendment by Senator BINGAMAN to reduce the energy costs of Federal facilities; an amendment by Senators BRADLEY and LAUTENBERG, within available funds, to provide for the use of funds for the Tokamak fusion test reactor; an amendment by Senator DASCHLE, within available

funds, to provide $300,000 to complete a feasibility study of alternatives for meeting the drinking water needs on the Cheyenne River Sioux Reservation under the Bureau of Reclamation; an amendment by Senator BAUCUS to provide $2 million, within available funds, for Indian energy resource projects, for Crow Indian projects; an amendment by Senator BYRD respecting Petersburg, WV, revising a cost ceiling on an authorized Corps of Engineers project; an amendment by Senator FEINGOLD to provide spending limitations on the TVA Environmental Research Center; an amendment by Senators BOXER and BAUCUS with respect to reporting requirements.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Louisiana [Mr. JOHNSTON], proposes amendments No. 2059 through 2065.

The PRESIDING OFFICER. Without objection, the amendments are agreed to.

So the amendments (No. 2059 through 2065) were agreed to, en bloc, as follows:

At the appropriate place, insert the following:

SEC. . ENERGY SAVINGS AT FEDERAL FACILITIES.

(a) REDUCTION IN FACILITIES ENERGY COSTS.—The head of each agency for which funds are made available under this Act shall take all actions necessary to achieve during fiscal year 1996 a 5 percent reduction, from fiscal year 1995 levels, in the energy costs of the facilities used by the agency.

(b) USE OF COST SAVINGS.—An amount equal to the amount of cost savings realized by an agency under subsection (a) shall remain available for obligation through the end of fiscal year 1997, without further authorization or appropriation, as follows:

(1) CONSERVATION MEASURES.—Fifty percent of the amount shall remain available for the implementation of additional energy conservation measures and for water conservation measures at such facilities used by the agency as are designated by the head of the agency.

(2) OTHER PURPOSES.—Fifty percent of the amount shall remain available for use by the agency for such purposes as are designated by the head of the agency, consistent with applicable law.

(c) REPORT.—

(1) IN GENERAL.—Not later than December 31, 1996, the head of each agency described in subsection (a) shall submit a report to Congress specifying the results of the actions taken under subsection (a) and providing any recommendations as to how to further reduce energy costs and energy consumption in the future.

(2) CONTENTS.—Each report shall—

(A) specify the total energy costs of the facilities used by the agency;

(B) identify the reductions achieved; and

(C) specify the actions that resulted in the reductions.

Mr. BINGAMAN. Madam President, when it comes to controlling Government spending, nothing stands out in my mind more than the billion dollars that the Federal agencies toss out the window every year in energy waste.

The Federal Government is our Nation's largest energy waster. This year agencies will spend almost $4 billion to heat, cool and power their 500,000 buildings.

Both the Office of Technology Assessment and the Alliance to Save Energy, a nonprofit group that I chair with Senator JEFFORDS, have estimated that Federal agencies could save $1 billion annually.

To achieve these savings, agencies just need to buy the same energy saving technologies—insulation, building controls, and energy efficient lighting, heating and air conditioning—that have been installed in many private sector offices and homes.

Why, because there are now businesses, known as energy service companies, that stand ready to upgrade Federal facilities at no up-front cost to the Government—That's right, at no up-front cost to the Federal Government.

These companies offer what are called energy saving performance contracts which provide private sector expertise to assess what energy saving technologies are most cost effective, provide nongovernmental financing to make the improvements, install and maintain the equipment and guarantee the energy savings will be achieved.

Agencies pay for the service over time using the energy costs they have saved—if they do not see the saving they do not pay for the service—its that simple, that is the guarantee.

This type of contract is used every day in the private sector and State and local government facilities. For instance, Honeywell Corp. has entered into these energy saving arrangements with over 1,000 local school districts nationwide, allowing schools to reinvest $800 million in savings in critical education resources rather than continuing to pay for energy waste.

Unfortunately, even though Congress first authorized Federal agencies to take advantage of this innovative business approach in 1986 agencies have been dragging their heals.

To help get things moving, the Department of Energy recently prepared streamlined procedures to encourage their use.

Now is the time for Congress to put the agencies feet to the fire on financial reform of Government energy waste. Agencies should enter into these partnerships with the private sector.

That is why, today I am proposing an amendment calling for each Federal agency covered by this bill, to reduce Government energy costs by 5 percent in 1996. I am also asking that agencies report back to us by the end of 1996 to ensure that they have actually taken action to reduce their energy costs.

You know, we are often called upon up here to make really hard controversial decisions that please some and anger others. This is a winner for everyone. If 1,000 local school boards have examined it and are reaping the savings, I say its time we got our Nation's biggest energy waster on track, too.

With this one, simple reform, we will create thousands of job and business opportunities in every one of our States, improve the environment by reducing air pollution and save ourselves hundreds of million of dollars every year, at no up-front cost to taxpayers. As my kid would say, ''Dad, its a no brainer''.

AMENDMENT NO. 2060

(Purpose: To provide for the use of funds for the Tokamak Fusion Test Reactor)

On page 20, lines 22 and 23, after ''expended'' insert '', of which amount within available funds $56,000,000 may be available to continue operation of the Tokamak Fusion Test Reactor (for which purpose, the Secretary may use savings from reducing general administrative expenses in accordance with the Department of Energy's strategic alignment and downsizing effort, but none of the savings used for this purpose shall come from programmatic accounts within this title)''.

Madam President, I rise in support of the pending amendment. This amendment is a smart one because it makes use of existing Department of Energy resources. It is also a no-cost amendment. It does not increase any account in this bill. And it does not take one cent from any other Department of Energy research program.

Last year's conference report on the energy and water bill contained language calling for an expert commission to report to Congress on what the future of the fusion program should be. This report was done by the President's Committee on Advisors on Science and Technology or more commonly known as PCAST.

This report was written by energy research experts within Government, the private sector, universities, and the national laboratories.

The PCAST report anticipated that the fusion program would have to live with fewer resources in the next few years. Despite the dwindling resources envisioned by the PCAST, they strongly recommended that the existing Tokamak fusion test reactor [TFTR] at Princeton University operate for another 3 years.

And the statement of administration policy accompanying this bill reiterates support for the PCAST report in general and TFTR specifically.

However, the current language in the energy and water bill is ambiguous about the TFTR machine. Therefore, this amendment seeks to clarify that the Secretary of Energy will have the authority to keep TFTR effectively operating for another 3 years. And it accomplishes exactly what the PCAST report called for with regard to TFTR.

Madam President, the fusion program has been a success for this country. The TFTR machine at Princeton University has broken world records of fusion power in the last 2 years. Furthermore, the TFTR at Princeton is the only machine in the world that uses deuterium-tritium fuel, which is the type of fuel that might one day be used in a commercial fusion machine.

Madam President, at this time I would like to tell my colleagues about some of the potential advantages to developing fusion energy. Fusion energy

holds the promise of an abundant, clean burning, inexpensive energy alternative for the next century.

The byproducts of fusion energy are thousands of times less dangerous than fission. The byproducts also cannot be converted into nuclear weapons. Finally, fusion energy has no chemical combustion products and therefore, would not contribute to acid rain or global warming.

It is clear that fusion energy is an environmentally sound energy source worth the investment of Federal resources.

Despite all of the promise and success of the fusion program in the last 2 years, its budget has been cut deeply this year. It has been cut by 40 percent which is much more than other energy research programs. For example:

Nuclear energy was only cut by 6 percent.

Biological and environmental research was only cut by 4 percent.

General sciences was only cut by 1 percent.

Nuclear physics was only cut 8 percent.

And some part of the energy research budget actually received increases in this bill:

High energy physics received a 2-percent increase; and

Basic energy science got a 6-percent increase.

Madam President, I understand that some of the cuts in the fusion program and in other programs in this bill are necessary. The allocation for this bill is less than it was last year. The managers of this bill have had to make some tough decisions and I commend them for their hard work in putting this bill together.

However, I believe that adopting this amendment will improve this bill while not increasing its tight allocation.

This amendment simply allows the Secretary of Energy the flexibility to operate the TFTR machine to complete all the ongoing experiments at Princeton. The Federal Government has already invested over $1 billion in the fusion facility at Princeton. It would be shortsighted to stop these continuing research activities at Princeton, especially since the machine will be ending its operations in 3 years.

This amendment does not cut the core fusion program or the international fusion activities funded in this bill. Nor does it cut any other energy research activities funded in this bill. It simply allows the fusion research on the TFTR machine at Princeton to continue.

Madam President, in 3 years the fusion program will be at a turning point. At that time, we must decide whether or not we will make the long-term investment in developing fusion energy. We may or may not have the resources at that time to go forward. But we should move the fusion program forward until that day comes. We should make the best use of the facilities and human resources that we have invested so much into over the years.

Madam President, I urge my colleagues to support this no-cost amendment.

I yield the floor.

Mr. BRADLEY. Madam President, today Senator LAUTENBERG and I are offering an amendment to insure the continuation of the tokamak fusion test reactor, or TFTR, at the Princeton Plasma Physics Laboratory. Without increasing any account in the bill or cutting any other Department of Energy research program, the amendment insures that the TFTR and its valuable research will proceed for another year.

I agree that we need to make significant appropriations cuts, however, we should not forget that some cuts hurt more than others. Shutting down a major research lab like TFTR is doubly damaging. First, we lost the important research it might have provided into cleaner, safer sources of nuclear power. But even worse, we make it that much harder to restart research when times get better financially but scientists have moved on to other, more secure, fields of study.

The Princeton lab is the world leader in fusion research and the only tokamak in the world using deuterium-tritium fuel, the most likely fuel for a future commercial fusion reactor. In December 1993, when this fuel was first injected into the machine, the TFTR began setting world fusion power records. Over the next few years, researchers plan to double the production of fusion power at TFTR. And as reported last week in Science magazine, Princeton scientists have made a recent breakthrough in fusion research which has great promise for removing some of the biggest obstacles to power production.

TFTR was authorized by Congress in 1976 and began operations in 1982 at a time when fusion machines could produce only a 10th of a watt of fusion power. The device has now produced more than 10 million watts of fusion power—an increase of more than 100 million times. TFTR has achieved or surpassed its initial design objectives and has higher performance standards and capabilities than any other existing device.

When power generation options for the next century and beyond are severely limited, we cannot afford to waste precious resources by abandoning important research work like the TFTR.

AMENDMENT NO. 2061

(Purpose: To ensure the completion of the feasibility study of alternatives for meeting the drinking water needs on the Cheyenne River Sioux Reservation and surrounding communities)

On page 15, line 17, add: ''*Provided further,* That within available funds, $300,000 is for the completion of the feasibility study of alternatives for meeting the drinking water needs on the Cheyenne River Sioux Reservation and surrounding communities.''

AMENDMENT NO. 2062

(Purpose: To provide that funds shall be made available to the Crow tribe for energy resources programs under title XXVI of the Energy Policy Act of 1992)

On page 20, lines 22 and 23, after ''expended'' insert ''*Provided further,* That within the amount for Indian Energy Resource projects, $2,000,000 may be made available to fund the Crow energy resources programs under title XXVI of the Energy Policy Act of 1992 (25 U.S.C. 3501 et seq.)''.

AMENDMENT NO. 2063

At the appropriate place in the bill (suggest page 12, after line 16) insert the following:

SEC. . The project for flood control for Petersburg, West Virginia, authorized by section 101(a)(26) of the Water Resources Development Act of 1990 (P.L. 101–640, 104 Stat. 4611) is modified to authorize the Secretary of the Army to construct the project at a total cost not to exceed $26,600,000, with an estimated first Federal cost of $19,195,000 and an estimated first non-Federal cost of $7,405,000.

AMENDMENT NO. 2064

(Purpose: To limit funding for the Tennessee Valley Authority Environmental Research Center)

On page 38, lines 1 and 2, after ''$110,339,000, to remain available until expended'' and insert ''Of the funds appropriated under this heading, not more than $25,000,000 may be expended for the Tennessee Valley Authority Environmental Research Center in Muscle Shoals, Alabama, in the event that the Center expends less than $25 million, such amount not expended shall be returned to the U.S. Treasury and the Tennessee Valley Authority appropriation reduced accordingly and the Tennessee Valley Authority shall take steps to obtain funding from other sources so as to reduce appropriated funding in the future and, not later than January 1, 1996, submit to Congress a preliminary plan securing funding from other sources.

Mr. FEINGOLD. Madam President, the manager's amendment includes an amendment relating to funding for the Tennessee Valley Authority which I authored. I appreciate the willingness of Members concerned with the issue to work out an acceptable amendment. This amendment is simple, and structured in such a way to gain acceptance from the Senate, including those from the Tennessee Valley Region. It limits and targets funds for the Tennessee Valley Authority and moves TVA forward on a path of becoming less reliant upon appropriated funds.

This amendment directs that no more than $25 million of the funds appropriated for TVA may be spent for TVA's Environmental Research Center in Muscle Shoals, Alabama. The House Energy and Water bill zeroes out funding for the Research Center. The Senate Report explains that the Committee restores funding for the Center, but proposes to reduce the Center's funds by 22 percent, from its current appropriations of $32 million to $25 million. My amendment would explicitly codify the Senate Report language and cap the amount that the Research Center could receive at $25 million. It provides that if less than $25 million is expended on the Center, the amount shall be returned to the Treasury and the TVA

appropriation reduced accordingly. Senate Committee Report recommendations relative to transitioning the Environmental Research Center to dependence upon funds other than appropriated funds for the conduct of its research program. I was pleased to see that the Committee made such a recommendation, and I am moving forward with this amendment to ensure that the TVA receives explicit legislative direction to achieve such a transition.

Finally, my amendment adds a new requirement for the Environmental Research Center. Consistent with the mandate to reduce dependence upon appropriated funds, the amendment directs TVA to report to Congress a plan for achieving a transition away from appropriated funds at the Environmental Research Center. That report should serve as a baseline for next year's fiscal year 1997 appropriations process and I am hopeful that the recommendations will clarify the source and type of funds that support the Environmental Research Center's program, and help TVA to plan for reductions in appropriated funds.

Madam President, I recently met with the Director of the TVA Environmental Research Center. Ongoing work in poultry litter utilization, ozone mitigation, and agricultural pollution prevention all are important areas of investigation—and all affect my home State of Wisconsin. After my meeting, I did feel that the work in which the Center is engaged is valuable, but it raised two issues to me. First, I question, given the character of the Center's work, whether this work needs to be done within the regional context, especially if it has national implications. Second, was the question of whether the Center has a proper institutional fit within TVA. Certainly, this Center, given its capable staff, has the ability to attract and complete research projects that are reimbursable.

Madam President, I understand the role that TVA has played in our history. I also know that we face an uncertain budget future. I believe that TVA discretionary funds should be on the table, and that the fiscal year 1996 funds should be structured and targeted to achieve further reductions in the future. I believe my amendment is a reasonable approach to address these concerns, and makes a logical compromise between the House and Senate approaches. I believe that the overall House level of funding for TVA, which amounts to a 25-percent cut in the TVA budget is appropriate in these tight budget times and I hope the conferees will accept that figure. However, I believe in making that cut, we should seek to direct an appropriate transition to non-federal funds.

The amendment caps the Center's funds at $25 million, making the Senate Committee report suggestions hard numbers by codifying them. I believe that this is an amendment that can be supported by Senators interested in reducing federal spending, including those within the TVA area.

Madam President, this amendment seeks to move TVA and its various projects closer toward reduced dependence on federal funding. In this time of severe pressure on the federal budget and the need to reduce the federal deficit, it is essential that some programs, like TVA, which have served an important purpose in the past, begin to transition away from reliance on federal funding. This transition should be done in a careful, planned manner, but the process toward transition off of reliance on federal funding must begin now. This amendment takes us a step further in that direction and I appreciate the support of the manager and interested Senators in reaching an agreement in the language of my amendment.

TVA'S ENVIRONMENTAL RESEARCH CENTER

Mr. HEFLIN. Madam President, I rise today to urge my colleagues to reject any amendments that would reduce or eliminate funding for the Tennessee Valley Authority's Environmental Research Center.

TVA's Environmental Research Center was once the Nation's most effective laboratory for developing new fertilizer and nutrient technologies that fueled the legendary gains in food and fiber production in the United States and around the world. Because of this work, TVA is largely responsible for the tremendous success of U.S. agriculture.

During the decades TVA conducted its fertilizer and agricultural research programs, it built a strong base of expertise in chemistry, chemical engineering, process engineering, agronomy, and other related agricultural and nutritional sciences. Now TVA is capitalizing on this expertise in developing technologies to solve environmental waste problems in the Tennessee Valley as well as across the Nation.

Today, TVA's Environmental Research Center is on the threshold of discovering new ways to prevent or reduce pollution of the air, land, and water from agricultural, municipal, and industrial operations. For our Nation to achieve agricultural and economic sustainability, we must have innovative technologies to operate our farms, factories, utilities, and cities in environmentally acceptable ways.

The research and development underway at the Environmental Research Center will help us avoid a crisis in disposing our agriculture, municipal, and industrial wastes. In fact, some of the Environmental Research Center's technologies are already in use throughout the country in cleaning up contaminated sites, reducing pollution from agricultural, and converting wastes into value-added products.

Let me cite a few examples of the impact that the Center's environmental and waste conversion work is already having across the country. These will serve as examples of the potential the Center has to fulfill the Nation's substantial environmental technology needs in the future:

POLLUTION PREVENTION IN AGRICULTURE

The Environmental Research Center's scientists have already developed pollution prevention technologies that are being used across the country. The Center is providing technical assistance in 70 agrichemical demonstration projects in 27 States.

It is a tribute to the Environmental Research Center's work that 15 of the Center's demonstrators have won State and regional awards for excellence in environmental stewardship.

A spinoff of the pollution prevention demonstration work with agricultural chemical suppliers is the impact that these retailers are having on farmers. The Center's demonstration sites are providing agri-dealers with information that they are using in promoting environmental stewardship with their farmer customers. These retailers are providing environmental services to their customers—services which will go a long way in helping solve the Nation's nonpoint source pollution problem.

ANIMAL WASTE MANAGEMENT

The technologies developed at the Environmental Research Center offer practical solutions to help manage the Nation's animal waste problems. The Center conducts 37 animal waste management projects in 10 States including high-tech composting for poultry wastes and poultry by-products. Research at the Center's constructed wetlands complex also contributes to solving severe pollution problems associated with the poultry and livestock industries. The animal and meat production industries are rapidly growing throughout the Nation to keep up with consumer demands. More than 20 States list poultry and poultry products as one of their top four agricultural income generators. But the downside of this $30 billion dollar a year industry is the tremendous volume of poultry litter and other wastes that must be disposed of or used in the environmentally acceptable way. The poultry waste issue is a serious problem for farmers and for the environment. The Center has research underway to develop technologies to convert poultry litter and other wastes into usable products.

The Center's compost research and development facility will demonstrate innovative ways to use composting of poultry litter as an industrial process. The process will generate products with controllable properties and designated uses.

The Center's researchers are making progress in investigating the use of nutrient-enhanced broiler litter as an organic-based plant food for turf. And poultry waste by-products are being evaluated as a feed source for ruminant animals and as a substitute in potting mixes for horticultural plants. Poultry litter also has potential for production of methane. The Center is exploring

the commercial opportunities in this area.

Some cutting-edge research underway at the Center is determining the potential of mixing poultry litter with heat-loving microorganisms to remediate PCB contaminated soils. This development can benefit many regions of the country where cost-effective technologies are needed to clean up contaminated soils.

The Center has joined forces with USDA, EPA, and the poultry industry to establish a poultry water quality consortium. Together, these public and private organizations are promoting innovative ways to manage and convert poultry wastes to assure that surface and groundwater quality are protected.

It is essential that this work continue. The Center has the expertise and research facilities to speed the development of needed technologies for animal waste management practices throughout the country.

ENVIRONMENTAL TECHNOLOGIES

There is a national concern over reducing ozone concentrations in urban as well as rural areas of the country. America has spent billions of dollars on emissions reductions during the past decade. But we still have serious problems. Ninety-six urban areas affecting 63 million people were identified in 1990 as having ground-level ozone problems. Ozone in the upper atmosphere is good, but at ground level it causes respiratory problems, reduces agricultural crop production, and hinders business growth.

The southeastern United States is especially susceptible to ozone exposure because of the region's warm temperatures, abundant sunshine, and high frequency of air stagnation, in addition, to the large percentage of forest land.

To address this concern, the Center helped establish the southern oxidants study, a unique partnership of Federal agencies (TVA, EPA, NOAA, the National Park Service, NASA, and DOE), universities, industry, and regulatory agencies. The research conducted by this group has significantly improved our understanding of the factors that control ozone formation. This public-private partnership is recognized as an excellent example of the efficient use of limited Federal resources. Research results from the southern oxidants study have significant application to many other parts of the country.

The Center has developed a genetically-engineered microbe that feeds on PCBs. This is a low cost way to clean up PCB-contaminated soils and will save millions of dollars annually in cleanup costs. The Center's constructed wetlands research facility is showing how to use this technology for more effective and low-cost cleanup of industrial, municipal, and animal wastes.

The Center is working on an economical way to filter and remove industrial air pollutants from manufacturing plant emissions. For example, the system is removing 99 percent of styrene, and industrial pollutant, from the emissions of a boat manufacturing facility.

The Center is working with the Department of Defense to clean up hazardous waste sites on military bases. Many defense sites have hazardous materials containing elemental phosphorus. The Center has found a way to clean up this problem economically.

Let me briefly highlight additional environmental technologies the Environmental Research Center is developing to benefit the Nation:

The Center is developing methods to predict environmental impacts of agricultural practices on nonpoint source pollution on a watershed scale.

The Center's scientists are seeking ways to use waste materials from fossil fuel-fired electricity producing plants in the United States. These fossil fueled plants today generate 120 million tons annually of coal combustion wastes. The Center is making progress in developing uses for these wastes, such as in soil amendments, plastics, paint fillers, and construction materials. These and other uses for such wastes will significantly reduce the amount of coal-combustion wastes going to landfills or other storage areas.

The Center is conducting research to detect, track, and remediate wastes and contaminants. These include organics and toxic metals in waste water from industrial, power generation, and municipal operations; oily contaminants to surface water (ponds, streams, and rivers); organic and inorganic contaminants in soil and groundwater; and chemical emissions to the air.

The Center's scientists project that 40 percent of the remediation an restoration needs of the Nation can be handled by bioremediation technologies. These technologies use living organisms to destroy pollutants such as PCBs; and, these bioremediation technologies are more cost-effective than many of today's cleanup methods. The Center's biotechnical research technologies will help reduce the Nation's cost for hazardous waste remediation and site restoration which is estimated to be $1.7 trillion over the next 30 years.

Mr. President, and my colleagues in the Senate, TVA's Environmental Research Center is addressing many of the concerns of the Nation in the environmental and waste management areas. As this chart shows, the Center is involved directly in environmental and waste management projects in 41 States. And the technologies being developed have significance for all the States, and indeed, the whole world.

It makes no sense to cut funding for this effective, problem-solving research laboratory. Our Nation is at a crossroads. We have the unique responsibility today to manage the fragile balance between sustainable economic development and environmental protection. The Welfare of our generation and future generations will be affected by what we do today and in the early years of the 21st century.

AMENDMENT NO. 2065

(Purpose: To require the Secretary of the Army to submit the plan to reduce the number of division offices within the Army Corps of Engineers to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives)

On page 9, line 24, insert ''(including the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives)'' after ''(Congress''.

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

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

The motion to lay on the table was agreed to.

Mr. DOMENICI. Madam President, I have a series of amendments that I will offer, en bloc. I might state to the Senate that I think that the only thing left after this is accomplished is the disposition of the Wellstone amendment. I might say that Senator WELLSTONE is here waiting. Senator ROD GRAMS of Minnesota is on his way. He thought we had nothing going until 8:30 because that is what I had announced. But he will be here shortly, and we will discuss the Senator's amendment and see what we can work out, if anything, then.

Mr. WELLSTONE. I thank my colleague from New Mexico. We can wait and see what we can work out.

Mr. DOMENICI. Senator HUTCHISON has an amendment on Cooper Lake, Corps of Engineers; Senators GRAMS and WELLSTONE have an amendment on Marshall, MI, Corps of Engineers; Senator WARNER has an amendment on Virginia Beach hurricane protection; Senator BROWN has two amendments on Delaware Basin and Susquehanna River Basin Commissions; Senators CRAIG and KEMPTHORNE have an amendment on Idaho Chemical Processing Plant at the Idaho Engineering Laboratory. They have a statement they wish to be included following this action. Senators PRESSLER and DASCHLE have an amendment on Lake Traverse, South Dakota and Minnesota, which has been cleared on both sides; Senators DOLE and KASSEBAUM have an amendment on Arkansas City flood control project; Senator HATFIELD has an amendment on Coos Bay.

AMENDMENTS NOS. 2066 THROUGH 2075

Mr. DOMENICI. Madam President, I send a group of amendments to the desk and ask unanimous consent that the amendments be considered and agreed to, en bloc.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI] proposes amendments numbered 2066 through 2075.

The PRESIDING OFFICER. Without objection, the amendments are agreed to.

The amendments (Nos. 2066 through 2075) were agreed to, en bloc, as follows:

AMENDMENT NO. 2066

(Purpose: To provide for the donation of land to the Army Corps of Engineers and the United States, the development of a recreation center, and the designation of land for mitigation)

On page 13 insert the following new section after line 23:

SEC. . (a) The Secretary of the Army is authorized to accept from a non-Federal sponsor an amount of additional lands not to exceed 300 acres which are contiguous to the Cooper Lake and Channels Project, Texas, authorized by the River and Harbor Act of 1965 and the Water Resources Development Act of 1986, and which provide habitat value at least equal to that provided by the lands authorized to be redesignated in subsection (b).

(b) Upon the completion of subsection (a), the Secretary is further authorized to redesignate an amount of mitigation land not to exceed 300 acres to recreation purposes.

(c) The cost of all work to be undertaken pursuant to this section, including but not limited to real estate appraisals, cultural and environmental surveys, and all development necessary to avoid net mitigation losses, to the extent such actions are required, shall be borne by the donating sponsor.

AMENDMENT NO. 2067

On page 6, after line 11, add: ''; For Marshall, Minnesota, $850,000;''.

AMENDMENT NO. 2068

On page 6, between line 11 and line 12 insert the following: ''Virginia Beach Erosion Control and Hurricane Protection, Virginia, $1,100,000;''.

AMENDMENT NO. 2069

(Purpose: To limit the use of funds for the Delaware River Basin Commission)

On page 33, strike line 5 and insert the following: Commission, as authorized by law (75 Stat. 716), $440,000, *Provided:* that the U.S. Commissioner (Alternate Federal Member) shall not be compensated at a level higher than General Schedule level 15.

AMENDMENT NO. 2070

(Purpose: To limit the use of funds for the Susquehanna River Basin Commission)

On page 37, strike line 14 and insert the following: $280,000, *Provided:* that the U.S. Commissioner (Alternate Federal Member) shall not be compensated at a level higher than General Schedule level 15.

AMENDMENT NO. 2071

Page 26, line 16, insert the following before the period: '': *Provided*, that within available funds, $4,952,000 is provided for electrical and utility systems upgrade, Idaho Chemical Processing Plant, Idaho National Engineering Laboratory, project number 96–D–463''.

Mr. CRAIG. Madam President, I want to thank the bill managers for agreeing to my and Senator KEMPTHORNE's amendment that provides $4.9 million for safety upgrades to the Idaho Chemical Processing Plant. I strongly support this proposal, the electrical and utility systems upgrade [EUSU] project, that will upgrade the Idaho Chemical Processing Plant utility systems.

This project will correct high risk environmental, health and life safety deficiencies at the plant. As the Department of Energy has stated in their field budget request, ''Correction of these deficiencies will reduce health and safety risks and provide safe and reliable utilities to support the ICPP mission.'' These facilities are outdated, overloaded and not in compliance with State regulations, DOE orders or national codes and standards. This project includes upgrades to normal and standby power electrical systems, sanitary sewer systems and water systems.

Madam President, there are spent nuclear fuels stored at the Idaho Chemical Processing Plant and it is essential they be stored safely. Madam President, this amendment will assure that goal is met.

I thank the managers.

Mr. KEMPTHORNE. Madam President, I am pleased to join Senator CRAIG in cosponsoring this amendment.

Madam President, this amendment provides funding, as called for in the President's budget request, for electrical and utility upgrades at the Idaho Chemical Processing Plant at the Idaho National Engineering Laboratory. The funding, $4.9 million, would come from the $1.45 billion provided for the nuclear materials and facilities stabilization program within the $5.9 billion provided for the Defense Environmental Restoration and Waste Management account.

This project was previously identified as a safety concern by the Nuclear Facilities Safety Board. The Idaho Chemical Processing Plant is one of the facilities at INEL that stores large volumes of highly radioactive spent nuclear fuel.

According to the Defense Nuclear Facilities Safety Board report of October 12, 1994, ''The electrical systems at ICPP, including CPP–603, are outdated and overloaded, and are not in compliance with state regulations, DOE orders, National Electric Codes and Standards and IEEE Standards.'' This report also states that these problems ''present potential health and safety risks during continued operation and maintenance of these systems. Upgrades to these systems are required but have been delayed for many years.''

Likewise, the fiscal year 1996 DOE budget submission states ''Upgrades to the ICPP electrical and utility distribution system are essential to: First, provide safe operation of site facilities vital to the ICPP mission, second, provide a safe work place for employees, third, minimize risk of property damage as well as damage to the environment, and fourth, provide adequate capacity to support the DOE mission.''

I am sure the chairman and ranking member understand the importance of this project and I regret that I did not bring this project to their attention sooner. I want to thank Senator DOMENICI and Senator JOHNSTON for agreeing to accept this amendment.

Finally, I want to thank Senators DOMENICI and JOHNSTON for this overall level of funding for the DOE clean up program provided by this bill. As the managers of the bill know, this is a very important program to the States and communities that host DOE facilities. In light of our very difficult budgetary situation, I am pleased by the level of funding for defense environmental restoration and waste management provided by this bill.

I want to once again thank the managers of the bill for their help and consideration.

AMENDMENT NO. 2072

(Purpose: To require the Army Corps of Engineers to take such actions as are necessary to obtain and maintain a specified elevation in Lake Traverse, South Dakota and Minnesota)

At the appropriate place in title I, insert the following:

SEC. 1 . WATER LEVEL IN LAKE TRAVERSE, SOUTH DAKOTA AND MINNESOTA.

(a) IN GENERAL.—Subject to subsection (b), notwithstanding any other law, the Secretary of the Army, acting through the Chief of Engineers of the Army Corps of Engineers and using funds made available under this Act, shall, to the greater extent practicable, take such actions as are necessary to obtain and maintain an elevation of 977 feet above sea level in Lake Traverse, South Dakota and Minnesota.

(b) LIMITATION.—No action taken under subsection (a) shall result in flooding at Mud Lake, South Dakota and Minnesota.

Mr. PRESSLER. Madam President, today I and Senator DASCHLE are offering an amendment to correct a problem in South Dakota that has resulted in severe flooding along the shores of Lake Traverse over the last several years. Lake Traverse lies on the far northeast section of South Dakota and in parts of western Minnesota. In fact, the boundary line between South Dakota and Minnesota goes through the middle of the lake.

Two out of the last three years, Lake Traverse has faced a major disaster due to high water levels. Shorelines were destroyed. Some small businesses lost money and proprietors were placed in financial jeopardy. Farmland was damaged and homes, cottages and other structures were damaged or destroyed. And if this is not enough, the environment and subsequent erosion wreaked havoc to the local land. Thousands of trees are under water and are dead or dying. Something must be done.

According to the U.S. Army Corps of Engineers, Congressional approval is needed before they can take steps to correct the high water level and erosion problems. The Corps is managing the lake with arcane rules that are half a century old. That is unacceptable. My amendment would give the Corps the necessary authority to better manage water release at Lake Traverse and control erosion.

The amendment would direct the U.S. Army Corps of Engineers the needed authority to obtain and maintain an elevation of 977 feet above sea level at Lake Traverse. The amendment also assures that should the Corps take action, such action would not result in flooding at Mud Lake.

There is strong public support for this action. I have held two meetings in South Dakota on this issue. At both of these meetings over 250 citizens were in attendance. Such turnout clearly indicates that South Dakotans believe something needs to be done. This amendment achieves their goal.

AMENDMENT NO. 2073

(Purpose: To provide funds for a flood control project)

On page 5 insert the following between lines 16 and 17: ''Arkansas City flood control project, Kansas, $700,000, except that for the purposes of the project, section 902 of Public Law 99–662 is waived;''.

AMENDMENT NO. 2074

On page 13, insert the following after line 23:

SEC. . Using funds appropriated herein the Secretary of the Army, acting through the Chief of Engineers, is authorized to undertake the Coos Bay, Oregon project in accordance with the Report of the Chief of Engineers, dated June 30, 1994, at a total cost of $14,541,000, with an estimated Federal cost of $10,777,000 and an estimated non-Federal cost of $3,764,000.

AMENDMENT NO. 2075

(Purpose: To require the Army Corps of Engineers to take such actions as are necessary to obtain and maintain a specified elevation in Lake Traverse, South Dakota and Minnesota)

At the appropriate place in title I, insert the following:

SEC. 1 . WATER LEVEL IN LAKE TRAVERSE, SOUTH DAKOTA

(a) IN GENERAL.—Subject to subsection (b), notwithstanding any other law, the Secretary of the Army, acting through the Chief of Engineers of the Army Corps of Engineers and using funds made available under this Act, shall, to the greatest extent practicable, take such actions as are necessary to obtain and maintain an elevation of 977 feet above sea level in Lake Traverse, South Dakota and Minnesota.

(b) LIMITATION.—No action taken under subsection (a) shall result in flooding at Mud Lake, South Dakota and Minnesota.

Mr. DOMENICI. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. DOLE. Madam President, we are down to one amendment on this bill. It seems to me that rather than call everyone back for one vote, if there is a vote on this, we could have that vote tomorrow morning. There is no request for a vote for final passage, as long as we have one on the conference report—either one on the bill or one on the conference report.

If that is satisfactory with the Senator from Minnesota, then I am willing to say—and the managers, of course—that there will be no more votes tonight, but we would have opening statements on DOD authorization yet tonight.

Mr. JOHNSTON. Madam President, I think that is an excellent idea.

I wonder if we could get unanimous consent to close out all other amendments other than the Wellstone amendment.

Mr. WELLSTONE. Madam President, I want to say to the majority leader that anything I can do to accommodate colleagues is fine with me. I am hopeful my colleague and I can work this out. It would be fine to have the vote tomorrow morning, if that is what we need.

Mr. DOLE. If it is all right with the Democratic whip, who is on the floor, Senator FORD, I announce there are no more votes this evening. If there is a vote required on the Wellstone amendment, maybe 9 o'clock in the morning.

Mr. DOMENICI. Madam President, reserving the right to object, and I will not, we might want to make sure, because I do not know what Senator GRAMS' desires are. He may want to amend the amendment. I think he ought to be permitted to do that.

The only thing left is your amendment and the possible second-degree amendment to it, if any.

Mr. DOLE. Whatever the disposition is——

Mr. FORD. Madam President, would the majority leader yield for a question?

Mr. DOLE. I am happy to yield to the Senator.

Mr. FORD. I understand the Senator is trying to move this along and get Members out. Did we get a unanimous-consent agreement that Senator Wellstone's amendment would be the only remaining amendment, or a second-degree to that amendment, that has already been offered?

Mr. DOLE. That was in the original list. We could make that request.

Mr. DOMENICI. There were no others allowed anyway, Madam President.

Mr. FORD. I wanted to be sure. There will be amendments in the second degree.

Mr. DOLE. I make that request, that the Wellstone amendment plus any second-degree amendments be the only amendments in order.

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

Mr. FORD. I thank the majority leader.

One further question: Should the Wellstone amendment be worked out and no final passage vote requested, that we could finish this bill tonight, and there would not be any left for tomorrow, could that be understood?

Mr. DOLE. That would be understood. Obviously, if we finish tonight without a vote, I am sure the managers would be happy to do that.

Mr. DOMENICI. Delighted.

Mr. FORD. One, no more votes this evening; and two, probably no votes on this bill tomorrow. We will go to DOD authorization tonight with opening statements.

Mr. DOLE. In the event there is a vote, we request it be put over until tomorrow. In the event we complete action without it, obviously that is desired.

Mr. DOMENICI. Madam President, I just noticed on this list there are two Senators that I have not formally asked. I believe there will be no amendment, but we must check with Senator BURNS right now and Senator SPECTER.

We have nothing else pending. We have to wait for Senator GRAMS now.

Mr. WELLSTONE. Very briefly, I wanted to thank my colleagues, both Democrats and Republicans alike. The managers' amendment includes funding for a flood control project in Marshall, MN, which was flooded three times in 1993.

This has been a project that for some time now, is very, very important to the people in Marshall. I know that the elected leadership of the people will be very, very grateful for the action that we have taken.

I thank my colleagues for their support. I yield the floor. 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. ASHCROFT. I ask unanimous consent that the order for the quorum call be rescinded.

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

WELFARE IN AMERICA

Mr. ASHCROFT. Madam President, I take this opportunity to raise important issues relating to a set of concerns which will be before the Senate next week, or perhaps even late this week.

I am talking about our responsibility to reform a welfare system, a welfare system which has been a tragic failure. All too frequently, we speak of this tragic failure as if it is a tragic failure in terms of dollars and cents. The tragedy of this failure is compounded. It is not just dollars and cents, or not even most importantly dollars and cents.

The tragedy of this failure is it is a failure in terms of human lives, the lives of children, the lives of families. It is a failure not only in terms of a single generation, but it is a failure that extends to lives that will exist in the future.

I will talk a little bit about that story. I have been talking about different stories in the welfare system, and the tragedies, the human face of this tragedy, for the last several days.

I might point out, you might think these are special cases I have somehow gained access to. The cases which I am addressing are cases which have appeared in the mainstream media. The first case was recorded in detail in the Chicago Tribune. Yesterday's case was reported in detail in the Boston Globe.

These cases are cases which have been a part of the mainstream reporting. A case which I will talk about today is the story of Rosie Watson and her successful 18-year endeavor to get welfare benefits for all seven members of her family. This is a story that is a vivid illustration of how the system entices people to try to game the system, even to be industrious in working the system, instead of working in the productive arena of American culture.

The Baltimore Sun reported in January that Rosie Watson, her common-

law husband, and their seven children live in Lake Providence, LA, and they receive annually, $46,716 in tax-free income—$46,716 in tax-free income. That is principally from a Federal supplemental security income payment.

Now, this woman, Ms. Watson, has an addiction to Federal welfare. That addiction began when she was 23 years of age. She started receiving Federal AFDC payment checks for herself and her two small children.

According to the Baltimore Sun, as the number of children in the family expanded, Ms. Watson soon discovered her family's income could be significantly expanded by switching from ordinary welfare to SSI, the supplemental security income. That is the Federal Government's welfare program that distributes payments to a broad range of beneficiaries that include disabled adults that cannot work and the families of children with so-called mental and learning disabilities. Since 1974, Ms. Watson has submitted no fewer than 17 applications to Social Security law judges. She submitted these applications on behalf of herself and members of her family in an attempt to receive the maximum Federal welfare allotment possible.

She claimed that she was too stressed out to work, and Ms. Watson was certified to receive Federal welfare benefits because of the disability, because she was too stressed out to work.

Her common-law husband likewise was approved to receive welfare payments after he successfully argued that he was overweight and his overweight condition constituted a physical disability that made him too heavy to work.

Moreover, since there is no limit to the number of times that anyone can ask for assistance, after even being turned down, Ms. Watson simply continued to file welfare petitions until she eventually secured payments of $458 each for all seven of her children.

According to a feature in the Baltimore Sun, all of Ms. Watson's children were ultimately awarded full SSI benefits because they ''lagged behind in school and scored poorly on psychological tests, which, under Government rules, translates in a failure to demonstrate''—and this is the term of art we use in the law—''age-appropriate behavior.''

Madam President, it is no surprise that across the land citizens are irate and they derisively refer to these monthly SSI checks that go to these individuals who do not have age-appropriate behavior as ''crazy checks,'' because if the children will act out aggressively, irrationally, will perform poorly, they can qualify themselves for $458 a month.

But that is not all. Ms. Watson soon discovered that persistence pays off. In the case of our Federal welfare system, it pays off big. In the case of the Watson family, $37,000 in tax-free, retroactive, lump-sum payments, because the lump sum was designed by our Federal system to say, ''We probably should have granted you these payments earlier. Here is a check or here are checks totaling $37,000 because you have finally convinced us that you are all incapable of functioning.''

Madam President, as I mentioned earlier, the issue here is not the amount of money the Federal bureaucracy is sending to this family every month. The real issue, the real issue is the toll this cycle of dependency collects in terms of human lives. In this case, the real issue concerns Ms. Watson's children and the devastating impact that this life style has on their lives.

Next to me is a picture of her 16-year-old daughter, Oleaner. She is not encouraged to pursue any of the dreams normal to a 16-year-old child. She is not doing well in school, in sports, or any extra curricula activity. It seems that her main use to her mother is the check that she ensures will show up in the mailbox every month. At 13 years of age, she was officially classified as unfit to work or to study or to do anything but collect checks.

Oleaner has become ensnared in a system which her mother manipulates for financial gain at the expense of her children's futures. She brings the family $458 per month and is paid $20 a month in allowance because of it. In order to qualify for these benefits, the children have forsaken their educations, their dreams, their futures, all sacrificed to the monthly check in the mailbox, which in a very strange way becomes their representation of what they are worth. They are worth something in terms of welfare.

According to the principal of the children's former elementary school, the abuse of these ''crazy checks'' is very widespread. Mr. Willie Lee Bell receives a questionnaire from the Social Security Administration—he is the principal—every time a student applies for benefits. He estimates that half of the students have applied for the benefits. He believes that many of these students are encouraged or even coached by their parents in a manner that makes them eligible to receive the so-called ''crazy checks.'' The children, he says, do not want to fail. They are just doing what mama wants.

Mrs. Watson's youngest son, George, was suspected of having been so coached. In 1991, the authorities alleged that he was not trying up to the best of his ability on the IQ tests. Ms. Watson denies the charge, saying she has never told any of her children to act crazy in order to get some money.

The effect on school performance is clear. Children must be disruptive, they must be noisy, they must be slow. If not, their checks will cease.

According to the Baltimore Sun, the message for this family and the message sent by this system is that it is not education that will provide advancement, it is not achievement, but it is disruption. Government assistance checks follow this kind of counterproductive behavior.

The message to her son George from Mrs. Watson is clearly evident by a dispute last year in school. George's school books were taken from his locker. The principal told him he had to pay for them. Ms. Watson refused to pay. George then flunked all of his courses. George then would have to repeat the seventh grade, and Ms. Watson bragged about the additional year as a result and the ability to collect these kinds of payments.

Madam President, we are now days away from the welfare debate. There is a near unanimous consensus from Republicans that the tragedy of cases like these demands immediate reform. SSI must be reformed. But from President Clinton and from those on the other side of the aisle, we hear: No proposal. There is silence. It is a silence which is deafening.

The people of America have sent us to this Chamber to change the way business is done.

Madam President, silence and apathy are the twin evils that have allowed this Washington-based, Washington-knows-all system to stifle the poor, that have ensnared the poor. The answer from the Democrats is more spending, more bureaucracy, more rhetoric, less reform, and on this point, silence.

We cannot accept reforms that are little more than half measures designed to make the American people think they have done something about welfare. We have been down that road before.

In 1988 we passed a so-called revolutionary welfare bill that did two things. First, it ensnared more people in the web of dependency. Second, it increased the costs of welfare. You can see this on the two charts that are here behind me, a major welfare reform in 1988 and see the spike in the costs.

Here is a percentage chart showing the number of children, or the percentage of children in poverty in our country. Notice that the war on poverty began in the 1960's. We had a relatively low figure. But as we have waged our so-called war on poverty, we found out we were waging war on the future of our children, as larger and larger numbers of our children found their way into the despair of poverty, ensnared by a welfare system which captured them rather than liberated them.

It is time for us to reform a system which has sought, perhaps, noble objectives. But it has elicited the worst of behavior.

It is time, Madam President, for us to do real reform. No rearrangement of the deck chairs on the welfare *Titanic* will save us. We have to repudiate the current system. We have to institute reforms. We have to capitalize on the ingenuity and creativity and capacity of State and local governments, even governments like the District of Columbia which are addressing the

central problems of the absence of family and the absence of work in the welfare system.

They know that Government cannot solve this problem, cannot solve it alone, cannot solve it just with more money. The more money we have spent, the greater the problem has grown.

The real cost in this entire operation is not just a cost in terms of financial resources. It has been a cost in lost lives. It has been from those who have sought to use their families, to abuse the system. It has been a cost of the future of children, and it will be the cost of the future of America if we do not correct this.

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

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

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS, 1996

The Senate continued with the consideration of the bill.

Mr. DOMENICI. Mr. President, it is my custom on every appropriations bill, whether I am the floor manager or not, to state succinctly as I can how it relates to the budget resolution and do some accounting for anybody that is interested in how the bill stacks up versus the budget resolution.

Mr. President, I would like to take a moment to discuss the budget impact of this bill as reported by the Senate Appropriations Committee.

By CBO's scoring, this bill provides $20.2 billion in new budget authority and $12 billion in new outlays for the Department of Energy, the Corps of Engineers, the Bureau of Reclamation, and for other selected independent agencies. With outlays from prior-year budget authority and other completed actions, the Senate bill is within the subcommittee's section 602(b) allocation.

Mr. President, this year's budget resolution established separate binding caps on defense and nondefense funding. This bill contains both defense and nondefense funding and must meet separate allocations.

According to CBO, the Senate-reported bill is within the allocation of budget authority and outlays for the defense and nondefense funding in this bill.

Mr. President, I ask, unanimous consent that a table printed in the RECORD comparing the Senate-reported bill's budget authority and outlay levels to the subcommittee's section 602(b) allocation.

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

ENERGY AND WATER SUBCOMMITTEE—SPENDING TOTALS—SENATE-REPORTED BILL

[Fiscal year 1996, dollars in millions]

	Budget authority	Outlays
DEFENSE DISCRETIONARY		
Outlays from prior-year BA and other actions completed	.....	4,039
H.R. 1905, as reported to the Senate	11,446	6,868
Scorekeeping adjustment	.....	.....
Subtotal defense discretionary	11,446	10,907
NONDEFENSE DISCRETIONARY		
Outlays from prior-year BA and other actions completed	.....	4,171
H.R. 1905, as reported to the Senate	8,716	5,100
Scorekeeping adjustment	.....	.....
Subtotal defense discretionary	8,716	9,271
MANDATORY		
Outlays from prior-year BA and other actions completed	.....	.....
H.R. 1905, as reported to the Senate	.....	.....
Adjustment to conform mandatory programs with Budget Resolution assumptions	.....	.....
Subtotal mandatory	.....	.....
Adjusted bill total	20,162	20,178
SENATE SUBCOMMITTEE 602(b) ALLOCATION		
Defense discretionary	11,447	10,944
Nondefense discretionary	8,733	9,272
Violent crime reduction trust fund	.....	.....
Mandatory	.....	.....
Total allocation	20,180	20,216
ADJUSTED BILL TOTAL COMPARED TO SENATE SUBCOMMITTEE 602(b) ALLOCATION		
Defense discretionary	−1	−37
Nondefense discretionary	−17	−1
Violent crime reduction trust fund	NA	NA
Mandatory	.....	.....
Total allocation	−18	−38

Note.—details may not add to totals due to rounding. Totals adjusted for consistency with current scorekeeping conventions.

SUSQUEHANNA RIVER BASIN WATER MANAGEMENT

Mr. SARBANES. Mr. President, I would like to engage the distinguished chairman of the subcommittee in a colloquy regarding the funding contained in the bill under general investigations for Susquehanna River Basin water management.

First, I want to thank the chairman for including $290,000—the full amount requested in fiscal year 1996—for the Army Corps of Engineers to continue the reconnaissance study investigation of the Susquehanna River Basin that was initiated last year. The Susquehanna River is the largest river on the east coast of the United States and the largest tributary of the Chesapeake Bay. It is also one of the most flood prone river basins in the Nation. The Army Corps of Engineers operates 13 reservoirs on the upper Susquehanna and regulates the low and high water flow management. There are also three large hydroelectric projects on the lower Susquehanna. Under normal conditions, these reservoirs and dams serve as traps for the harmful sediments which flow into the river. During major storms however, they suddenly discharge tremendous amounts of built-up sediments, severely degrading the water quality of the Chesapeake Bay, destroying valuable habitat and killing fish and other living resources. Scientists estimate that Tropical Storm Agnes in 1982 aged the bay by more than a decade in a matter of days because of the slug of sediments discharged from the Susquehanna River reservoirs. There is a real danger that another major storm in the basin could scour the sediment that has been accumulating behind these dams and present a major setback to our efforts to clean up the bay.

It was my understanding that it was the committee's intent in funding the reconnaissance study of the Susquehanna River Basin last year and again this year, that the corps was to investigate not only alternatives for managing water storage during high and low flow conditions and flood damage reduction needs in the basin, but also to address sediment related issues for the study area. Is this correct?

Mr. DOMENICI. The Senator from Maryland is correct. It is the committee's intent that the Corps of Engineers conduct a basin-wide sedimentation assessment as part of this study, including a complete evaluation of potential sediment management strategies to reduce the impact on Chesapeake Bay.

Mr. SARBANES. I appreciate these assurances and thank the chairman for his support.

COMMITTEE AMENDMENT BEGINNING ON PAGE 12, LINE 17

Mr. DOMENICI. Mr. President, with reference to the bill, I have two housekeeping measures that I would like to get behind us now.

On page 12, starting at lines 17, section 102, continuing through page 13 until section 103, I ask unanimous consent that that committee amendment be tabled.

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

EXCEPTED COMMITTEE AMENDMENT BEGINNING ON PAGE 38, LINE 19

Mr. DOMENICI. Mr. President, on page 38 of the bill, lines 19 through 25, that committee amendment remains not adopted because we just did not ask that it be adopted. At this point, I ask unanimous consent that committee amendment be adopted.

The PRESIDING OFFICER. That amendment has been agreed to.

Mr. DOMENICI. I thank the Chair. That is our error.

Ms. MOSELEY-BRAUN. As we consider the fiscal year 1996 energy and water development appropriations bill, I would like to express my great concern about the decision by the Senate to reduce funding for high-energy physics research by $20 million for a total of $657 million. This funding cut will impact the operating budgets of Fermi National Accelerator Laboratory in my State of Illinois, the Stanford Linear Accelerator Center in California, and the Brookhaven National Laboratory in New York.

I am aware that the deficit-driven decisions this Congress must make will have a real impact on Federal energy priorities. I also appreciate the support the committee has provided for high-energy physics research, and for Femilab, in previous years. Physicists commit decades of their lives, and, in many instances, their entire careers to

long-term Government-sponsored research projects. And that means it is critical that the Government also remain committed to orderly, stable research priorities.

This Federal commitment, however, can be jeopardized by insufficient funding for the base budgets of the high-energy physics laboratories, crating situations where research is pared back, trained personnel are lost from the field, and future productivity is endangered by discouraging students from these professions.

This is the situation faced by Fermilab. Budget cuts in previous years have led to the loss of approximately 300 people at Fermilab. And once again, the budget cuts proposed by the Senate will require further staff reductions at Fermilab.

I greatly appreciate the decision by the committee to provide $52 million to continue the construction of the main injector. The main injector will increase the power of the particle accelerator at Fermilab by a factor of 5. Given that Fermilab was the site of one of the most significant discoveries in modern physics—the discovery of the subatomic particle known as the top quark—ensuring that the main injector comes on line as quickly as possible will help us learn more about the top quark and other critically important high-energy physics issues.

Unfortunately, the leaps in knowledge promised by the main injector will be adversely countered by the cuts in the operating budget as proposed by the Senate, and that means less people who can use Fermilab, and more delays in carrying out our research priorities.

The United States has great potential to lead the world in high-energy physics—our community of scientists, facilities, and partnerships built up over the last 40 years is one of our Government's greatest achievements. In order to exploit these superb resources and the new major upgrades underway at these three national laboratories, however, increased base program funding is crucial.

Therefore, during conference of this bill, I strongly urge that $20 million be restored to the high-energy physics budget, bringing the total funding to $677 million, and ensuring that the high-energy physics field in the United States remains strong in the years ahead.

Mr. DOMENICI. I thank the Senator from Illinois for her comments regarding Fermi National Accelerator Laboratory and the high-energy physics budget. The committee has provided substantial funding for this budget in previous years, but given the budget constraint that the committee was forced to confront, we were simply unable to include these funds. I can assure the distinguished Senator that we will look favorable upon her request in conference and do all that we can to assist her in including her recommendation.

MCCOOK RESERVOIR CONSTRUCTION

Ms. MOSELEY-BRAUN. Mr. President, I would like to call attention to language in the committee report to this bill that would jeopardize the commencement of construction on a very important flood control project in my State of Illinois, the McCook and Thornton Reservoir project.

The McCook and Thornton Reservoir project is an integral part of the underground tunnel system of the Chicago underflow plan [CUP] designed to control major flooding problems in Chicago and surrounding communities. Once construction in complete, the reservoirs will protect over 500,000 homes and over 3 million people, helping to protect an extremely vulnerable area which sustains over $150 million in damages every year from floods. The project has been strongly supported over the years by the Appropriations Committees of both Chambers of Congress and by the Illinois delegation.

The McCook and Thorton Reservoir project is fully authorized. Its design memorandum is based upon a plan that was carefully crafted by the U.S. Army Corps of Engineers, and, most importantly, with the full input of the current landowner. Every effort was made to accommodate the interests of all parties involved in the project. Due to complexities associated with the negotiations for the acquisition of the project land, construction on the McCook and Thornton Reservoirs have been greatly delayed. However, these negotiations are making substantial progress, and are nearing closure.

That is why I am greatly concerned by the committee report language which unfairly questions the 1986 design memorandum that was the basis for the project authorization. The committee report language also directs the U.S. Army Corps of Engineers to continue their assessment of other siting options for the project.

If the committee report language is allowed to stand, the baseless questions about the authorization will continue, construction will be further delayed, and the project will wither and die.

Chicago desperately needs these flood control reservoirs to come online. In 1993, severe thunderstorms caused massive flooding southeast of Chicago. The capacity of the existing underground flood control system was only able to hold 1.5 billion of the 45 billion gallons of rainfall before being overwhelmed. The resulting excess floodwaters caused severe disruptions of major traffic thoroughfares, including the closing of Interstate 55, and the Dan Ryan and Stevenson expressways. Rainwater and raw sewage backed up into the basements of half a million homes, creating serious public health problems. The McCook and Thornton Reservoirs, had they been complete, would have provided more than enough capacity to contain those excess waters, and would have prevented these types of disasters from occurring.

This project must be allowed to move forward without further delay. I urge the Chairman's assistance in clarifying the committee's intent regarding this project. I also ask that the committee include language in the committee report which directs the key parties to complete negotiations for the acquisition of the McCook Reservoir immediately, and to direct the corps to proceed to construction with the project as authorized, notwithstanding the language in the committee report. In addition, if further funding beyond the prior appropriated dollars is needed to advance the project in fiscal year 1996, then the corps would have the authority to reprogram funds to the project.

Mr. SIMON. I want to join my colleague from Illinois in her request. The McCook Reservoir project is the linchpin to the successful flood protection and water pollution control efforts we have developed in the Chicago area. Unless this project is allowed to proceed with the funding Congress has provided, the Chicago metropolitan area will remain vulnerable to floods and significant threats to health and safety.

I urgently request the assistance of the chairman in including the conference report language referred to by Senator MOSELEY-BRAUN to complete negotiations for land for the project immediately, and to direct the corps to proceed with the authorized project notwithstanding the committee report language. Her assistance in including this and the reprogramming language is critical to the protection of the Chicago area, and I thank her for her efforts.

Mr. DOMENICI. Mr. President, I understand Senator ROD GRAMS is about ready to come and help us complete this measure.

Mr. FORD. Mr. President, will the Senator yield for a question?

Mr. DOMENICI. Of course.

Mr. FORD. I know he is doing everything he can. But any Senator who has been on his way now for about 40 minutes—

Mr. DOMENICI. He is here, and he is going to be ready quickly.

Mr. FORD. We are holding a lot of things up, and I know the Senator from New Mexico wants to get through the bill and get it behind us so we can move on to the defense authorization bill.

Mr. DOMENICI. I am fully aware of that, and we are keeping the Senate open. But Senator GRAMS is very desirous that I give him another 5 minutes, and I am going to accommodate him. He is in the Cloakroom. He will be out shortly, and then we can complete this matter.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

AMENDMENT NO. 2076

(Purpose: To establish interim water levels for certain lakes)

Mr. WELLSTONE. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Minnesota [Mr. WELLSTONE] proposes an amendment numbered 2076.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place in title V, insert the following:

SEC. . WATER LEVELS IN RAINY LAKE AND NAMAKAN LAKE.

(a) FINDINGS.—Congress finds that—

(1) the Rainy Lake and Namakan Reservoir Water Level International Steering Committee conducted a 2-year analysis in which public comments on the water levels in Rainy Lake and Namakan Lake revealed significant problems with the current regulation of water levels and resulted in Steering Committee recommendations in November 1993; and

(2) maintaining water levels closer to those recommended by the Steering Committee will help ensure the enhancement of water quality, fish and wildlife, and recreational resources in Rainy Lake and Namakan Lake.

(b) DEFINITIONS.—In this section:

(1) EXISTING RULE CURVE.—The term ''existing rule curve'' means each of the rule curves promulgated by the International Joint Commission to regulate water levels in Rainy Lake and Namakan Lake in effect as of the date of enactment of this Act.

(2) PROPOSED RULE CURVE.—The term ''proposed rule curve'' means each of the rule curves recommended by the Rainy Lake and Namakan Reservoir International Steering Committee for regulation of water levels in Rainy Lake and Namakan Lake in the publication entitled ''Final Report and Recommendations'' published in November 1993.

(c) WATER LEVELS.—The dams at International Falls and Kettle Falls, Minnesota, in Rainy Lake and Namakan Lake, respectively, shall be operated so as to maintain water levels as follows:

(1) COINCIDENT RULE CURVES.—In each instance in which an existing rule curve coincides with a proposed rule curve, the water level shall be maintained within the range of such coincidence.

(2) NONCOINCIDENT RULE CURVES.—In each instance in which an existing rule curve does not coincide with a proposed rule curve, the water level shall be maintained at the limit of the existing rule curve that is closest to the proposed rule curve.

(d) ENFORCEMENT.—

(1) IN GENERAL.—The Federal Energy Regulatory Commission shall enforce this section as though the provisions were included in the license issued by the Commission on December 31, 1987, for Commission Project No. 5223–001.

(2) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require the Commission to alter the license for Commission Project No. 5223–001 in any way.

(e) SUNSET.—This section shall remain in effect until the International Joint Commission review of and decision on the Steering Committee's recommendations are completed.

Mr. WELLSTONE. Mr. President, I will be brief. We have been waiting for some time. I think this amendment is acceptable to both sides. I thank my colleagues for their support.

This amendment deals with really a critical problem of water levels in the Rainy Lake and Namakan Lake. It is a hugely important issue to my State, especially to northern Minnesota.

The problem has been that the water level has been too low in the spring which, in turn, has created problems with spawning of fish and other wildlife habitat, but it also has been a problem for anglers. It has been a problem for recreation. It has been a problem for our resort owners.

So what this amendment does is it takes the water curve rule and it just essentially says this is an agreement that ultimately has to be worked out, I say to my colleague from New Mexico and my colleague from Minnesota, with the Canadians, with the IJC, the International Joint Commission. But in the meantime, within the existing rule structure, what we say to FERC is to implement this in such a way within the existing rules that we require that the water level in these lakes be on the upper level of the curve in the spring.

This is hugely important to my State of Minnesota. I will just list some of the beneficiaries. Above and beyond fish and wildlife and the park ecosystem, the sportfishing industry, the resort industry, the local economy; this amendment has the support of the International Steering Committee on Rainy Lake and Namakan Reservoir, the Citizens' Council on Voyageurs National Park, the Ash River Sportfishing Association, the Rainy Lake Sportfishing Association, and numerous other resorts, recreational, and business interests.

The amendment will not affect the IJC's current regulations. We cannot do that by law, nor are we trying to. This is an interim measure. It will not increase the flood risk. It will protect fish spawning grounds. It will improve dock access and decrease dock damage, also extremely important to people in my State. It will protect the park ecosystem and it will help save the local economy an estimated $800,000 a year in lost business due to low water levels at the beginning of the fishing season.

So it has taken some time for us to work this out, but this is an amendment that I am really proud to bring to the Senate. I believe I have the support of colleagues. I know it is extremely important to the International Falls community and really northeastern Minnesota.

I will say, since northeastern Minnesota is so important to Minnesota, it is very important to Minnesota.

I know that my colleague from Minnesota, whom I believe now is going to be supporting this, wants to speak on this as well.

I yield the floor to my colleague from Minnesota, and then I think I will follow up with concluding remarks. I believe the amendment will be acceptable to both sides.

Mr. GRAMS addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. GRAMS. Mr. President, I rise today in support of this amendment.

Clearly, there is a problem with the disputed water levels. It is a problem that deserves a solution—one that is well thought out and final.

Today, my colleague from Minnesota has offered his proposal. And I am prepared to support it—not as a solution to the problems facing the people of northern Minnesota, but as a message that we will not let these problems go unresolved.

Unfortunately, this amendment, while sending a message, does not necessarily pass the test of being a good solution. Hastily prepared ideas rarely do.

It should come as no surprise that this amendment has a number of problems and could have some unforeseen consequences of which we're not aware today. And the Senate needs to be aware of that.

There is an orderly and regular process by a joint United States-Canadian commission to address this very matter—the International Joint Commission.

That process is already underway. It will result in water level decisions based on scientific analysis.

Tonight the Senator's amendment would prejudge the outcome of that process.

It would put into effect a subcommittee report to the full international committee before the full committee has a chance to consider the report and make a final decision.

We simply do not know what impact the subcommittee recommendation would have on fish, wildlife, and the environment.

The amendment also does a very curious thing: It would require the Federal Energy Regulatory Commission to enforce the international joint commission subcommittee's water recommendations on dams and water impoundments over which the FERC does not now have jurisdiction.

What we are doing here is codifying a decision by a subcommittee of a United States-Canadian body, the international joint commission with virtually no input from the Canadian side.

But today, we will adopt this amendment—without adequate notice, without proper consultation. Because what we are giving the people of Minnesota is a message: and that is the Senate urges the IJC to act quickly to resolve this issue. The people of Minnesota deserve a solution, not just a message. But a message is what we are giving them tonight.

Again, I want to thank my colleague for his efforts and support. I yield the floor.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, there is agreement. We will not go on with the debate.

I say to my colleagues, this is not a hastily prepared idea. The steering committee spent 2 years and had lots of public comments before they reached their recommendations.

This is not a solution, it is an interim solution. We wait for the IJC to make final ruling. We cannot wait in the meantime. We have this problem to deal with now. This does not prejudice any final outcome. It is just a way of fixing a very important problem now.

There is no reason to go on with the debate. I am proud to have the support. I hope that we can voice vote this tonight.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I thank both Senators for working this amendment out. Obviously, we have no objection on our side, and I understand Senator JOHNSTON has no objection on his side. With that, I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2076) was agreed to.

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

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

The motion to lay on the table was agreed to.

Mr. DOMENICI. I thank both Senators.

Mrs. BOXER. Mr. President, the energy and water appropriations bill for fiscal year 1996, despite some progress particularly on water reclamation projects, represents a serious setback for environmental preservation.

In addition, the committee, in my view, has strayed outside its jurisdiction in directing the Secretary of the Army to develop a plan to consolidate the division offices of the Corps of Engineers. That issue is properly left with the authorizing committee, in this case the Environment and Public Works Committee.

I appreciate the committee accepting an amendment by me and Senator MAX BAUCUS, chairman of the Committee on Environment and Public Works, that specifies that the report on division consolidation shall be sent to the Senate Environment and Public Works Committee, on which I serve. I believe it is important that divisions which have a large workload and critical emergency response duties, such as the South Pacific Division in San Francisco, should be located in close proximity to the work requirements. The Environment and Public Works Committee will have a chance to consider the corps consolidation plan before implementation begins in August 1996.

Included in the House-passed bill, but omitted from the Senate Appropriations Committee version, were funds for the Spring Run Restoration Programs, the Coho Salmon Restoration Programs, the Winter Run Chinook Salmon Captive Breedstock Program, and certain fish screening programs and habitat acquisition programs. These represent solid investments in the health of the Pacific Salmon fishery.

I sincerely hope that the Senate conferees give these particular House-passed provisions careful consideration when they go to conference with the House.

I am pleased that the bill includes $11,367,000 for construction of the Los Angeles County Drainage Area, an important flood control improvement project that will restore an adequate level of flood protection to one of the more densely populated areas of the country. Without flood control improvements, the corps estimates that a 100-year flood event could inundate as much as 82 square miles of Los Angeles County, affecting more than 500,000 residents in 11 cities.

I appreciate Acting Assistant Secretary of the Army for Civil Works, John Zirschky, meeting with me personally about the project and hearing my concerns about the environmental impact of this project. Several environmental groups in Los Angeles County had raised concerns about the effect both visually and environmentally of constructing parapet walls along the top of the levees in place now and questioned whether the corps had fully explored nonstructural alternatives.

I understand because of the urgent need to move on this project that we could not afford to halt construction until such alternatives had been assessed. Therefore, I agreed to support the project after obtaining the corps support to pursue a feasibility study of the whole Los Angeles Basin watershed. Although some of the cities in the floodplain recently refused to participate in a community task force to look at project modifications while initial construction was under way, Secretary Zirschky has assured me that the corps will seek the county's cooperation in a 3-year feasibility study for ways to improve the river watershed including a review and possible modifications of the river's flood control improvements.

Even without a formal task force, the Secretary is willing to work with the county, affected cities, and the environmental groups to recommend ways to restore the natural ecosystem, improve stormwater management, and enhance water conservation and supply, and recreational opportunities. It is my hope that this study will serve as a springboard to greater cooperation among the affected cities, the country, the corps, and the environmental community.

Secretary Zirschky should be commended for working with Los Angeles County in the flood control project cooperation agreement to require the county to manage stormwater runoff to avoid any need for future expansion of the flood control project.

I ask unanimous consent that Secretary Zirschky's July 21, 1995, letter to me about this project be printed in the RECORD.

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

DEPARTMENT OF THE ARMY,
Washington, DC, July 21, 1995.

Hon. Barbara Boxer,
U.S. Senate, Washington, DC.

DEAR SENATOR BOXER: I am pleased to inform you that I recently sent to Congress a recommendation for construction of the flood damage reduction project for the Los Angeles County Drainage Area. My recommendation completes the authorization required by Section 101(b) of the Water Resources Development Act of 1990. A copy of my letter to Congress and a press release on the project are enclosed.

In approving this project, I have required that the non-Federal sponsor manage future stormwater runoff so that the authorized level of flood protection is not diminished. In addition, we have agreed to seek a non-Federal sponsor and initiate a multi-objective feasibility study of the entire Los Angeles River Watershed. This study will focus on restoring the natural ecosystem along the river and throughout the watershed, as well as providing opportunities to improve stormwater management, water conservation and water quality, recreation and the aesthetics in the watershed area. The study could also result in further modifications to the recently authorized project. In conducting this study, we are committed to working with other Federal agencies—State and local governments, as well as other non-governmental environmental organizations. The study will be initiated with available funds and will not delay construction of the Drainage Area project.

I look forward to working with you in bringing this much needed project to completion.

Sincerely,

JOHN H. ZIRSCHKY,
Acting Assistant Secretary of the Army (Civil Works).

Mr. THURMOND. Mr. President, will the manager of the bill, the distinguished Senator from New Mexico, yield for a question?

Mr. DOMENICI. I would be glad to yield.

Mr. THURMOND. Am I correct in my understanding that the energy and water development appropriations bill, as reported from the Appropriations Committee, includes an increase of over $140,000,000 for the Department of Energy's stockpile management program?

Mr. DOMENICI. My colleague from South Carolina, the chairman of the Senate Armed Services Committee, is correct. As reported by the Appropriations Committee, the Energy and Water Development Appropriations Act for fiscal year 1996 includes a $143,800,000 increase over the budget request for stockpile management.

Mr. BOND. Mr. President, I strongly support the increase in stockpile management provided by the committee. There is a clear need for the Department to ensure that its capabilities that currently reside at the Y–12 plant at Oak Ridge, TN; the Kansas City plant in Kansas City, MO; the Pantex plant in Texas; and the Savannah River site in South Carolina, are modernized to meet the requirements of the enduring nuclear weapons stockpile.

Mr. THOMPSON. Mr. President, I want to thank the Senator from New Mexico for his support for stockpile management and the additional funds

necessary to make needed investments in the Department of Energy's production sites such as the Y–12 plant. We certainly expect the Department will make additional investments in the production facilities to ensure those facilities meet future requirements.

Mr. FRIST. Mr. President, the facilities funded by the Department of Energy's stockpile management program represent essential elements in the continuing DOE complex. By simply having the know-how at hand, we cannot guarantee the proper management of the stockpile over the long term; we must also maintain the capabilities that exist in the facilities that produced components of the enduring stockpile.

Mrs. HUTCHISON. Mr. President, I also strongly support the increase in stockpile management provided by the committee. I am pleased to join with my colleagues to speak to the importance of maintaining a safe and reliable U.S. nuclear deterrent, and in particular, the need to make the necessary and cost-effective investments in nuclear weapons stockpile activities. The Pantex plant, along with Savannah River, Y–12, and Kansas City plant, is one of the few remaining production sites with existing infrastructure and capabilities that can meet the national security needs identified in the Department of Defense's nuclear posture review.

Mr. DOMENICI. I thank my colleagues.

Mr. President, I believe we are ready for third reading of the bill.

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?

So the bill (H.R. 1905), as amended, was passed.

Mr. DOMENICI. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOMENICI. Mr. President, I move that the Senate insist on its amendments and request a conference with the House on the disagreeing votes thereon and that the Chair be authorized to appoint conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer appointed Mr. DOMENICI, Mr. HATFIELD, Mr. COCHRAN, Mr. GORTON, Mr. MCCONNELL, Mr. BENNETT, Mr. BURNS, Mr. JOHNSTON, Mr. BYRD, Mr. HOLLINGS, Mr. REID, Mr. KERREY, and Mrs. MURRAY conferees on the part of the Senate.

Mr. DOMENICI. Mr. President, I am going to proceed to wrap up the Senate at the request of the majority leader.

MORNING BUSINESS

Mr. DOMENICI. Mr. President, I ask unanimous consent that there now be a period for the transaction of routine morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Thomas, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT ON THE NATIONAL EMERGENCY WITH IRAQ—MESSAGE FROM THE PRESIDENT—PM 71

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs.

To the Congress of the United States:

I hereby report to the Congress on the developments since my last report of February 8, 1995, concerning the national emergency with respect to Iraq that was declared in Executive Order No. 12722 of August 2, 1990. This report is submitted pursuant to section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c).

Executive Order No. 12722 ordered the immediate blocking of all property and interests in property of the Government of Iraq (including the Central Bank of Iraq) then or thereafter located in the United States or within the possession or control of a U.S. person. That order also prohibited the importation into the United States of goods and services of Iraqi origin as well as the exportation of goods, services, and technology from the United States to Iraq. The order prohibited travel-related transactions to or from Iraq and the performance of any contract in support of any industrial, commercial, or governmental project in Iraq. United States persons were also prohibited from granting or extending credit or loans to the Government of Iraq.

The foregoing prohibitions (as well as the blocking of Government of Iraq property) were continued and augmented on August 9, 1990, by Executive Order No. 12724, which was issued in order to align the sanctions imposed by the United States with United Nations Security Council Resolution 661 of August 6, 1990.

Executive Order No. 12817 was issued on October 21, 1992, to implement in the United States measures adopted in United Nations Security Council Resolution 778 of October 2, 1992. Resolution 778 requires U.N. Member States to transfer to a U.N. escrow account any funds (up to $200 million apiece) representing Iraqi-oil sale proceeds paid by purchasers after the imposition of U.N. sanctions on Iraq, to finance Iraq's obligations for U.N. activities with respect to Iraq, such as expenses to verify Iraqi weapons destruction, and to provide humanitarian assistance in Iraq on a nonpartisan basis. A portion of the escrowed funds also funds the activities of the U.N. Compensation Commission in Geneva, which handles claims from victims of the Iraqi invasion and occupation of Kuwait. Member States also may make voluntary contributions to the account. The funds placed in the escrow account are to be returned, with interest, to the Member States that transferred them to the United Nations, as funds are received from future sales of Iraqi oil authorized by the U.N. Security Council. No Member State is required to fund more than half of the total transfers or contributions to the escrow account.

This report discusses only matters concerning the national emergency with respect to Iraq that was declared in Executive Order No. 12722 and matters relating to Executive Orders Nos. 12724 and 12817 (the ''Executive orders''). The report covers events from February 2, 1995, through August 1, 1995.

1. During the reporting period, there were no amendments to the Iraqi Sanctions Regulations.

2. The Department of the Treasury's Office of Foreign Assets Control (''FAC'') continues its involvement in lawsuits seeking to prevent the unauthorized transfer of blocked Iraqi assets. In *Consarc Corporation* v. *Iraqi-ministry of Industry and Minerals*, a briefing schedule has been set for disposition of FAC's December 16, 1994, appeal of the district court's order of October 17, 1994, transferring blocked property.

Investigations of possible violations of the Iraqi sanctions continue to be pursued and appropriate enforcement actions taken. There are currently 43 enforcement actions pending, including nine cases referred by FAC to the U.S. Customs Service for joint investigation. Additional FAC civil penalty notices were prepared during the reporting period for violations of the International Emergency Economic Powers Act and Iraqi Sanction Regulations with respect to transactions involving Iraq. Three penalties totaling $8,905 were collected from two banks for

funds transfers in violation of the prohibitions against transactions involving Iraq.

3. Investigation also continues into the roles played by various individuals and firms outside Iraq in the Iraqi government procurement network. These investigations may lead to additions to FAC's listing of individuals and organizations determined to be Specially Designated Nationals (''SDNs'') of the Government of Iraq.

4. Pursuant to Executive Order No. 12817 implementing United Nations Security Council Resolution 778, on October 26, 1992, FAC directed the Federal Reserve Bank of New York to establish a blocked account for receipt of certain post-August 6, 1990, Iraq-oil sales proceeds, and to hold, invest, and transfer these funds as required by the Order. On March 21, 1995, following payments by the Governments of Canada ($1,780,749.14), the European Community ($399,695.21), Kuwait ($2,500,000.00), Norway ($261,758.10), and Switzerland ($40,000.00), respectively, to the special United Nations-controlled account, entitled ''United Nations Security Council Resolution 778 Escrow Account,'' the Federal Reserve Bank of New York was directed to transfer a corresponding amount of $4,982,202.45 from the blocked account it holds to the United Nations-controlled account. Similarly, on April 5, 1995, following the payment of $5,846,238.99 by the European Community, the Federal Reserve Bank of New York was directed to transfer a corresponding amount of $5,846,238.99 to the United Nations-controlled account. Again, on May 23, 1995, following the payment of $3,337,941.75 by the European Community, $571,428.00 by the Government of the Netherlands and $1,200,519.05 by the Government of the United Kingdom, the Federal Reserve Bank of New York was directed to transfer a corresponding amount of $5,109,888.80 to the United Nations—controlled account. Finally, on June 19, 1995, following the payment of $915,584.96 by the European Community and $736,923.12 by the Government of the United Kingdom, the Federal Reserve Bank of New York was directed to transfer a corresponding amount of $1,652,508.08 to the United Nations—controlled account. Cumulative transfers from the blocked Federal Reserve Bank of New York account since issuance of Executive Order No. 12817 have amounted to $175,133,026.20 of the up to $200 million that the United States is obligated to match from blocked Iraqi oil payments, pursuant to United Nations Security Council Resolution 778.

5. The Office of Foreign Assets Control has issued a total of 590 specific licenses regarding transactions pertaining to Iraq or Iraqi assets since August 1990. Licenses have been issued for transactions such as the filing of legal actions against Iraqi governmental entities, legal representation of Iraq, and the exportation to Iraq of donated medicine, medical supplies, food intended for humanitarian relief purposes, the execution of powers of attorney relating to the administration of personal assets and decedents' estates in Iraq, the protection of preexistent intellectual property rights in Iraq and travel to Iraq for the purposes of visiting Americans detained there. Since my last report, 57 specific licenses have been issued.

6. The expenses incurred by the Federal Government in the 6 month period from February 2, 1995, through August 1, 1995, which are directly attributable to the exercise of powers and authorities conferred by the declaration of a national emergency with respect to Iraq are reported to be about $4.9 million, most of which represents wage and salary costs for Federal personnel. Treasury (particularly in the Office of Foreign Assets Control, the U.S. Customs Service, the Office of the Under Secretary for Enforcement, and the Office of the General Counsel), the Department of State (particularly the Bureau of Economic and Business Affairs, the Bureau of Near Eastern Affairs, the Bureau of International Organization Affairs, the Bureau of Political-Military Affairs, the U.S. Mission to the United Nations, and the Office of the Legal Adviser) and the Department of Transportation (particularly the U.S. Coast Guard).

7. The United States imposed economic sanctions on Iraq in response to Iraq's illegal invasion and occupation of Kuwait, a clear act of brutal aggression. The United States, together with the international community, is maintaining economic sanctions against Iraq because the Iraqi regime has failed to comply fully with United Nations Security Council resolutions. Security Council resolutions on Iraq call for the elimination of Iraqi weapons of mass destruction, Iraqi recognition of Kuwait and the inviolability of the Iraq-Kuwait boundary, the release of Kuwaiti and other third-country nationals, compensation for victims of Iraqi aggression, long-term monitoring of weapons of mass destruction capabilities, the return of Kuwaiti assets stolen during Iraqi's illegal occupation of Kuwait, renunciation of terrorism, an end to internal Iraqi repression of its own civilian population, and the facilitation of access of international relief organizations to all those in need in all parts of Iraq. More than 5 years after the invasion, a pattern of defiance persists: a refusal to account for missing Kuwaiti detainees; failure to return Kuwaiti property worth millions of dollars, including military equipment that was used by Iraq in its movement of troops to the Kuwaiti border in October 1994; sponsorship of assassinations in Lebanon and in northern Iraq; incomplete declarations to weapons inspectors; and ongoing widespread human rights violations. As a result, the U.N. sanctions remain in place; the United States will continue to enforce those sanctions under domestic authority.

Baghdad government continues to violate basic human rights of its own citizens through systematic repression of minorities and denial of humanitarian assistance. The Government of Iraq has reportedly said it will not be bound by United Nations Security Council Resolution 688. For more than 4 years, Baghdad has maintained a blockade of food, medicine, and other humanitarian supplies against northern Iraq. The Iraqi military routinely harasses residents of both the north and has attempted to ''Arabize'' the Kurdish, Turcomen, and Assyrian areas of the north. Iraq has not relented in its artillery attacks against civilian population centers in the south or in its burning and draining operations in the southern marshes, which have forced thousands to flee to neighboring States. In April 1995, the U.N. Security Council adopted resolution 986 authorizing Iraq to export limited quantities of oil (up to $1 billion per quarter) under U.N. supervision in order to finance the purchase of food, medicine, and other humanitarian supplies. The resolution includes arrangements to ensure equitable distribution of such assistance to all the people of Iraq. The resolution also provides for the payment of compensation to victims of Iraqi aggression and for the funding of other U.N. activities with respect to Iraq. Resolution 986 was carefully crafted to address the issues raised by Iraq to justify its refusal to implement similar humanitarian resolutions adopted in 1991 (Resolutions 706 and 712), such as oil export routes and questions of national sovereignty. Nevertheless, Iraq refused to implement this humanitarian measure. This only reinforces our view that Saddam Hussein is unconcerned about the hardships suffered by the Iraqi people.

The policies and actions of Saddam Hussein regime continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States as well as to regional peace and security. The U.N. resolutions require that the Security Council be assured of Iraq's peaceful intentions in judging its compliance with sanctions. Because of Iraq's failure to comply fully with these resolutions, the United States will continue to apply economic sanctions to deter it from threatening peace and stability in the region.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *August 1, 1995.*

MESSAGES FROM THE HOUSE

At 12:04 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 701. An act to authorize the Secretary of Agriculture to convey lands to the City of Rolla, Missouri.

H.R. 714. An act to establish the Midewin National Tallgrass Prairie in the State of Illinois, and for other purposes.

H.R. 1874. An act to modify the boundaries of the Talladega National Forest, Alabama.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 89. Concurrent resolution waiving provisions of the Legislative Reorganization Act of 1970 requiring adjournment of Congress by July 31.

ENROLLED BILL SIGNED

At 3:11 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 2017. An act to authorize an increased Federal share of the costs of the certain transportation projects in the District of Columbia for fiscal years 1995 and 1996, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. THURMOND).

At 7:28 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2099. An act making appropriations for the Department of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for fiscal year ending September 30, 1996, and for other purposes.

The message also announced that the House has passed the following bill, without amendment:

S. 21. An act to terminate the United States arms embargo applicable to the Government of Bosnia and Herzegovina.

MEASURES REFERRED

The following bills were read the first and second times by unanimous consent and referred as indicated:

H.R. 701. An act to authorize the Secretary of Agriculture to convey lands to the City of Rolla, Missouri; to the Committee on Agriculture, Nutrition, and Forestry.

H.R. 1874. An act to modify the boundaries of the Talladega National Forest, Alabama; to the Committee on Agriculture, Nutrition, and Forestry.

H.R. 2099. An act making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for fiscal year ending September 30, 1996, and for other purposes; to the Committee on Appropriations.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. GORTON:

S. 1099. A bill to provide for a change in the exemption from the child labor provisions of the Fair Labor Standards Act of 1938 for minors between 16 and 18 years of age who engage in the operation of automobiles and trucks, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. MOYNIHAN (for himself, Mr. HATCH, Mr. BAUCUS, Mr. BINGAMAN, Mrs. BOXER, Mr. BREAUX, Mr. COCHRAN, Mr. D'AMATO, Mr. DODD, Mr. GRASSLEY, Mr. KYL, Ms. MOSELEY-BRAUN, Mr. PRYOR, and Mr. SIMPSON):

S. 1100. A bill to amend the Internal Revenue Code of 1986 to provide for the deduction of partnership investment expenses under the minimum tax; to the Committee on Finance.

By Mr. HATCH (for himself and Mr. HEFLIN) (by request):

S. 1101. A bill to make improvements in the operation and administration of the Federal courts, and for other purposes; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GORTON:

S. 1099. A bill to provide for a change in the exemption from the child labor provisions of the Fair Labor Standards Act of 1938 for minors between 16 and 18 years of age who engage in the operation of automobiles and trucks, and for other purposes; to the Committee on Labor and Human Resources

CHILD LABOR LEGISLATION

Mr. GORTON. Mr. President, few experiences are more valuable to young people than part-time and summer jobs. Jobs provide teenagers with both an income and an important lesson on what it's like to be in the work force. It is unfortunate, then, that the Federal Government—ever eager to encroach upon the lives of Americans—is denying young people the opportunity to work in at least one sector of our economy, car dealership.

Let me explain. Last year, the U.S. Department of Labor started cracking down on dealerships that allowed their 16- and 17-year-old employees to drive cars for short distances, say, from one lot to another across the street, or to a nearby gas station. Why? Because of a provision in the Fair Labor Standards Act that allows for only incidental and occasional driving by teenage employees under 18. As interpreted by the Department of Labor, this provision effectively wipes out any teenage driving whatsoever.

This provision in the Fair Labor Standards Act was intended to prevent employers from over-working young people and using then to drive heavy vehicles. But what we are talking about today, Mr. President, is not exploitation, but perfectly reasonable actions.

The Department of Labor, for reasons which I cannot fathom, has imposed almost $200,000 worth of fines on dealerships throughout Washington State, even thought the dealerships did not require their 16- and 17-year-old employees to drive often, or for a long time, but only in very limited circumstances. The result of these fines? Most car dealerships no longer hire people under 18 years of age, and hundreds of teenagers are prevented from getting good jobs.

Mr. President, I cannot help but point out the irony of the Labor Department acting as a job-destroying entity. Matthew Bergman, a then-17-year-old part-time dealership worker, said last year in the Seattle Times,

> I can have a legal state license that represents me in any state in the country, but I can't drive three blocks in a company car. It's a real bummer.

A bummer indeed, Mr. President. But it doesn't have to be that way. I believe we can reasonably modify the Fair Labor Standards Act so that teenagers can drive cars as long as it is not a primary part of their jobs. The bill I introduce today will do just that. It will be better for car dealerships, and better for kids who want to work. I urge my colleagues to support this important legislation.

Mr. President, I ask unanimous consent that the complete text of my bill be printed in the RECORD.

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

S. 1099

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AUTHORITY FOR MINORS TO OPERATE MOTOR VEHICLES.

In the administration of the child labor provisions of the Fair Labor Standards Act of 1938, the Secretary of Labor shall issue a final rule not later than 1 year from date of enactment of this Act to amend the exemption from the child labor restrictions of such Act under section 570.52(b)(1) of title 29, Code of Federal Regulation, for minors between 16 and 28 years of age who operate automobiles or trucks not exceeding 6,000 pounds gross vehicle weight to eliminate the requirement that such operation be only occasional and incidental to the employment of a minor and to add the requirement that such operation not be the primary duty of the employment of a minor.

By Mr. MOYNIHAN (for himself, Mr. HATCH, Mr. BAUCUS, Mr. BINGAMAN, Mrs. BOXER, Mr. BREAUX, Mr. COCHRAN, Mr. D'AMATO, Mr. DODD, Mr. GRASSLEY, Mr. KYL, Ms. MOSELEY-BRAUN, Mr. PRYOR, and Mr. SIMPSON):

S. 1100. A bill to amend the Internal Revenue Code of 1986 to provide for the deduction of partnership investment expenses under the minimum tax; to the Committee on Finance.

TAX LEGISLATION

Mr. MOYNIHAN. Mr. President, I am introducing a bill today to eliminate a serious tax impediment to venture capital investments. It would treat the investment expenses of individuals investing in partnerships the same for alternative minimum tax [AMT] purposes as they are currently treated for regular tax purposes. No longer would individuals who are subject to the AMT and invest in venture capital funds set up as partnerships face taxation on their gross earnings, rather than their net income after deduction of expenses. This provision was included in the Tax Fairness and Economic Growth Act of 1992, H.R. 11, legislation that was passed by Congress but vetoed for reasons unrelated to this issue.

Under current law, most investors are permitted to deduct the expenses of earning investment income so that they pay tax on the net income from an investment. Individual taxpayers not subject to the AMT are permitted to deduct investment expenses against investment income, to the extent that expenses exceed 2 percent of the taxpayer's adjusted gross income. Further, individuals who invest through mutual funds effectively get a deduction for all investment expenses without regard to the 2 percent floor applicable to direct investment. Corporate taxpayers are also entitled to a tax deduction for all investment expenses.

In contrast to the general rule, the AMT as it applies to individuals denies them a deduction for any investment expenses, despite the fact that such expenses are legitimate costs of earning investment income. Denying the deduction for investment expenses is especially harsh when applied to individual partners in a venture capital partnership, because all of the partnership's expenses—for example, salaries, rent, legal and accounting services, and the costs of investigating and managing investment opportunities—are considered investment expenses that cannot be deducted under the AMT.

The goal of the AMT is to properly measure a taxpayer's income, so that the tax is paid on economic income. There is no policy justification for preventing the deduction of legitimate expenses of earning investment income.

The bill that I am introducing today would address the undesirable AMT policy in current law by treating individuals investing in partnerships and subject to the AMT the same as individuals under the regular income tax. Partners would be allowed to deduct partnership investment expenses against their partnership investment income, subject to the same 2 percent floor applied to other individual investors under the regular income tax.

These proposed tax changes should increase the flow of funds to partnerships investing in new businesses by eliminating a substantial tax barrier that currently exists. The vast majority of venture capital funds are organized as partnerships. Further, this proposed legislation should improve the efficiency of capital markets by bringing the AMT rules for partnership investments into conformity with those applicable under the regular income tax rules, and closer to those applicable to investors in mutual funds.

Mr. President, I ask unanimous consent that the text of the bill be placed in the RECORD.

S. 1100

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TREATMENT OF PARTNERSHIP INVESTMENT EXPENSES UNDER MINIMUM TAX.

(a) GENERAL RULE.—Subparagraph (A) of section 56(b)(1) of the Internal Revenue Code of 1986 (relating to limitation on deductions) is amended to read as follows:

''(A) DISALLOWANCE OF CERTAIN DEDUCTIONS.—

''(i) IN GENERAL.—No deduction shall be allowed—

''(I) for any miscellaneous itemized deduction (as defined in section 67(b)), or

''(II) for any taxes described in paragraph (1), (2), or (3) of section 164(a).

''(ii) TREATMENT OF PARTNERSHIP INVESTMENT EXPENSES.—Subclause (I) of clause (i) shall not apply to the taxpayer's distributive share of the expenses described in section 212 of any partnership; except that the aggregate amount allowed as a deduction by reason of this sentence shall not exceed the lesser of (I) the aggregate adjusted investment income of the taxpayer from partnerships, or (II) the excess of the aggregate of the taxpayer's distributive shares of such expenses over 2 percent of adjusted gross income. For purposes of the preceding sentence, the term 'adjusted investment income' means investment income (as defined in section 163(d)(4)(B) without regard to clause (ii)(II) or clause (iii) reduced by investment interest (as defined in section 163(d)(3)).

''(iii) TREATMENT OF CERTAIN TAXES.—Subclause (II) of clause (i) shall not apply to any amount allowable in computing adjusted gross income.''

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after December 3, 1994.

Mr. HATCH. Mr. President, I am pleased to join with my distinguished colleague, Senator MOYNIHAN, in introducing legislation to ease the burden of the alternative minimum tax [AMT] on investors. I commend Senator MOYNIHAN and my other colleagues for the work they have done to help bring this bill to introduction in the Senate and to secure the strong bipartisan support that it enjoys.

Mr. President, changes to this area of the tax law are long overdue. Congress has attempted to correct this problem several times within the past few years. In fact, this bill was passed in its exact present form by both houses of Congress in 1992 as part of H.R. 11. My colleagues will recall that H.R. 11 was vetoed by President Bush for reasons unrelated to this provision.

Under current law, individuals who incur investment expenses may deduct them for regular tax purposes, subject to a 2-percent gross income floor. This includes expenses passed through to individuals from partnerships. While these legitimate investment expenses are deductible under the regular tax system, the alternative minimum tax system completely disallows their deductibility.

In the case of venture capital partnerships, investment expenses are often quite substantial. These partnerships spend a great deal of time and resources exploring possibilities for new investments to make sure that the products and companies will be successful before committing venture capital funding. The expenses required to explore and begin such investments include hiring support staff, renting office space, obtaining computers and other equipment, hooking up utilities, and legal and accounting fees.

Partners in these partnerships are generally successful and active businesspeople. Activities such as running other businesses, serving on boards of other companies, and investing heavily in other areas of the economy, often subjects their income to the alternative minimum tax. Even though their investment expenses from partnerships are completely legitimate, if the partners are subject to the AMT, these investment expenses are nondeductible and the partners, in effect, are punished for daring to invest.

The fact that these men and women are successful business people in other areas of their lives is the only reasons that the AMT kicks in to punish their investment activity. Mr. President, don't we want successful people to be the ones developing the products of tomorrow? In our view, there is simply no justification for disallowing legitimate expenses for reasons not even related to the venture capital investments.

Even the Treasury has acknowledged that the AMT's treatment of investment expenses is conceptually flawed. According to a recent report, this disparity in treatment results in the incorrect measurement of the economic income of investors subject to the AMT. The problem is not just conceptual. Real money, desperately needed by small businesses, is being diverted by a flawed tax policy.

Investors are often simply unwilling to make investments in emerging businesses that not only carry the highest risks in the investment world, but also carry the highest possible tax rates.

Mr. President, our bill will help stop the flow of capital away from entrepreneurial investments by allowing a partner in an investment partnership, filing as an individual, to deduct certain investment expenses for both regular tax and alternative minimum tax purposes. The strong disincentive to invest that the AMT has imposed on such partnerships would thus be eliminated.

Mr. President, this bill is pro-economy and pro-jobs. Allowing the deductibility of investment expenses will enhance the critical role that private sector investment plays in advancing our Nation's growth and development goals. This bill will affect the economic growth and vitality of our Nation in such industries as health care, biotechnology, pharmaceuticals, and high technology.

Small firms with venture capital support contribute significantly to the overall job growth of our economy. Such firms contribute greatly to the creation of jobs, and these are generally high quality jobs. In fact, 59 percent of the labor force in businesses created by venture capital are high-skill, high-wage workers such as engineers, scientists, and managers.

With an average annual growth rate of 25 percent, venture capital financed firms outpace almost all other sectors of our economy. As we remove this burden of the AMT, millions of dollars in entrepreneurial capital will be attracted that can provide a vital source

of funding for the jobs created by such start-up businesses.

In my home State of Utah, venture capital has contributed an estimated $100 million dollars to high growth industries. In fact, several of Utah's medical device and computer software companies owe their very existence to the capital that these partnerships provide.

Our bill would eliminate the AMT's financial impediment to the development of new, innovative products. Benefactors of this legislation include companies like Anefta, a Utah company which recently created the first pre-operating room anesthetic specifically designed for children. With the aid of a venture capital group, Anefta created an anesthetic in the form of a lollypop that hospitals across the country now give to children going into surgery.

Mr. President, it is time to stop punishing those willing to invest in America's future, in companies like Anefta. We need to remove the burden of the AMT on the entrepreneurial sector of our economy. I urge my colleagues to join Senator MOYNIHAN and myself in sponsoring this important legislation.

By Mr. HATCH (for himself and Mr. HEFLIN) (by request):

S. 1101. A bill to make improvements in the operation and administration of the Federal courts, and for other purposes; to the Committee on the Judiciary.

THE FEDERAL COURTS IMPROVEMENT ACT OF 1995

Mr. HATCH. Mr. President, at the request of the Administrative Office of the United States Courts, today I introduce the Federal Courts Improvement Act of 1995.

The Administrative Office prepared this legislation, and I am pleased to introduce it on that office's behalf. While I have reservations about some provisions of the bill, I believe that, out of comity to the judicial branch, the Senate should have the judiciary's specific proposals on record so that we can give those suggestions a full and fair hearing.

As for content, the bill is lengthy and includes both technical and substantive changes in the law. Some of its substantive changes do raise concern. For example, section 201 of the bill provides authorization for judicial branch reimbursement out of civil forfeiture funds for expenses incurred in connection with asset forfeiture proceedings. This might have a harmful effect on law enforcement and related programs, which currently receive reimbursement from civil forfeiture funds, and on other recipients of residual forfeiture funds.

A number of provisions relax rules pertaining to senior judges. Section 401 of the bill, for instance, changes the service requirements governing when judges may take senior status. Under the current rule, the earliest time a judge may take senior status is at 65 years of age, with 15 or more years of service. Under the new provision, a judge would be permitted to take senior status as early as age 60, so long as that judge's combined age and years of service equal at least 80.

Section 402 loosens requirements for senior judges' work certification to permit senior judges to obtain retroactive credit. Under that provision, a senior judge's work could be credited toward a prior year in which the judge did not complete the minimum work requirements. That would enable senior judges to remain eligible for salary increases for which they otherwise would not be qualified.

I have some concern that those provisions would increase costs to the Federal Government. With judges taking senior status earlier, a greater number of active judges would have to be appointed to handle the heavy Federal court caseload. Enabling senior judges to maintain senior status without meeting the already reduced work requirements could increase salary costs unnecessarily.

I mention these simply to highlight some concerns I have with this detailed and broad-ranging bill. The bill contains many other provisions that I hope to support. At this point, however, I must reserve my complete endorsement of it.

Mr. HEFLIN. Mr. President, I am joining with my colleague Senator ORRIN HATCH, chairman of the Judiciary Committee, to introduce at the request of the Administrative Office of the U.S. Courts the Federal Courts Improvement Act of 1995.

This bill contains some proposals carried over from previous Congresses, but it also contains some new proposals which the Federal judiciary believes will enhance and improve its operation. Section 101 would provide Federal authority for probation and pretrial service officers to carry firearms under rules prescribed by the Director of the Administrative Office of the Courts, if approved by the appropriate district court.

Section 202 would increase the civil filing fee from $120 to $150.

Section 304 would eliminate in-State plaintiff diversity jurisdiction.

Section 309 would raise the jurisdictional amount in diversity cases from $50,000 to $75,000 and index such amount for inflation to be adjusted at the end of each year evenly divisible by five.

Section 409 would authorize Federal judges to carry firearms for purposes of personal security.

Section 410 would change the date of temporary judgeships created in the 101st Congress under Public Law 101–650. Under current law, the 5 year term, after which new vacancies are not filled, began to run on the date of enactment of the public law. Under the proposed revision, the 5-year period would not begin until the confirmation date of the judge filling the temporary position.

Section 504 repeals a provision in a continuing appropriation resolution that bars annual cost-of-living adjustments in pay for Federal judges except as specifically authorized by Congress.

Section 603 would amend the Criminal Justice Act to delegate authority to the Judicial Conference to establish compensation rates and case compensation maximum amounts which are paid to attorneys who provide services under CJA.

The foregoing are just some of the provisions of the legislation we are introducing by request today. I do not agree with each and every proposal in the bill we are introducing, and I reserve the right to look at each specific proposal on its merits. I am confident that the Judiciary Committee will give this bill careful consideration and look forward to working with my colleagues on the committee in the weeks ahead.

ADDITIONAL COSPONSORS

S. 47

At the request of Mr. SARBANES, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 47, a bill to amend certain provisions of title 5, United States Code, in order to ensure equality between Federal firefighters and other employees in the civil service and other public sector firefighters, and for other purposes.

S. 112

At the request of Mr. DASCHLE, the name of the Senator from Wisconsin [Mr. KOHL] was added as a cosponsor of S. 112, a bill to amend the Internal Revenue Code of 1986 with respect to the treatment of certain amounts received by a cooperative telephone company.

S. 254

At the request of Mr. LOTT, the names of the Senator from Kansas [Mr. DOLE] and the Senator from Virginia [Mr. WARNER] were added as cosponsors of S. 254, a bill to extend eligibility for veterans' burial benefits, funeral benefits, and related benefits for veterans of certain service in the United States merchant marine during World War II.

S. 400

At the request of Mrs. HUTCHISON, the name of the Senator from Pennsylvania [Mr. SANTORUM] was added as a cosponsor of S. 400, a bill to provide for appropriate remedies for prison conditions, and for other purposes.

S. 434

At the request of Mr. KOHL, the name of the Senator from New York [Mr. D'AMATO] was added as a cosponsor of S. 434, a bill to amend the Internal Revenue Code of 1986 to increase the deductibility of business meal expenses for individuals who are subject to Federal limitations on hours of service.

S. 487

At the request of Mr. MCCAIN, the name of the Senator from Colorado [Mr. CAMPBELL] was added as a cosponsor of S. 487, a bill to amend the Indian Gaming Regulatory Act, and for other purposes.

S. 593

At the request of Mr. HATCH, the name of the Senator from Indiana [Mr. LUGAR] was added as a cosponsor of S. 593, a bill to amend the Federal Food, Drug, and Cosmetic Act to authorize the export of new drugs, and for other purposes.

S. 619

At the request of Mr. SMITH, the name of the Senator from Maine [Ms. SNOWE] was added as a cosponsor of S. 619, a bill to phase out the use of mercury in batteries and provide for the efficient and cost-effective collection and recycling or proper disposal of used nickel cadmium batteries, small sealed lead-acid batteries, and certain other batteries, and for other purposes.

S. 650

At the request of Mr. SHELBY, the name of the Senator from Idaho [Mr. KEMPTHORNE] was added as a cosponsor of S. 650, a bill to increase the amount of credit available to fuel local, regional, and national economic growth by reducing the regulatory burden imposed upon financial institutions, and for other purposes.

S. 772

At the request of Mr. DORGAN, the name of the Senator from North Carolina [Mr. FAIRCLOTH] was added as a cosponsor of S. 772, a bill to provide for an assessment of the violence broadcast on television, and for other purposes.

S. 847

At the request of Mr. GREGG, the name of the Senator from Indiana [Mr. LUGAR] was added as a cosponsor of S. 847, a bill to terminate the agricultural price support and production adjustment programs for sugar, and for other purposes.

S. 851

At the request of Mr. JOHNSTON, the names of the Senator from Oklahoma [Mr. INHOFE], the Senator from New Hampshire [Mr. SMITH], the Senator from Kentucky [Mr. MCCONNELL], the Senator from Wyoming [Mr. THOMAS], the Senator from Mississippi [Mr. COCHRAN], and the Senator from Michigan [Mr. ABRAHAM] were added as cosponsors of S. 851, a bill to amend the Federal Water Pollution Control Act to reform the wetlands regulatory program, and for other purposes.

S. 915

At the request of Mr. D'AMATO, the name of the Senator from Idaho [Mr. CRAIG] was added as a cosponsor of S. 915, a bill to govern relations between the United States and the Palestine Liberation Organization [PLO], to enforce compliance with standards of international conduct, and for other purposes.

S. 969

At the request of Mr. BRADLEY, the name of the Senator from Rhode Island [Mr. PELL] was added as a cosponsor of S. 969, a bill to require that health plans provide coverage for a minimum hospital stay for a mother and child following the birth of the child, and for other purposes.

S. 972

At the request of Mr. DASCHLE, the names of the Senator from Illinois [Mr. SIMON], and the Senator from Arkansas [Mr. BUMPERS] were added as cosponsors of S. 972, a bill to amend title XIX of the Social Security Act to provide for medicaid coverage of all certified nurse practitioners and clinical nurse specialists services.

S. 989

At the request of Mrs. KASSEBAUM, the names of the Senator from Colorado [Mr. BROWN] and the Senator from North Carolina [Mr. FAIRCLOTH] were added as cosponsors of S. 989, a bill to limit funding of an executive order that would prohibit Federal contractors from hiring permanent replacements for lawfully striking employees, and for other purposes.

S. 1072

At the request of Mr. THURMOND, the name of the Senator from Colorado [Mr. BROWN] was added as a cosponsor of S. 1072, a bill to redefine ''extortion'' for purposes of the Hobbs Act.

S. 1086

At the request of Mr. PRYOR, the name of the Senator from Louisiana [Mr. JOHNSTON] was added as a cosponsor of S. 1086, a bill to amend the Internal Revenue Code of 1986 to allow a family-owned business exclusion from the gross estate subject to estate tax, and for other purposes.

SENATE RESOLUTION 149

At the request of Mr. AKAKA, the names of the Senator from Vermont [Mr. LEAHY], and the Senator from New Jersey [Mr. LAUTENBERG] were added as cosponsors of Senate Resolution 149, a resolution expressing the sense of the Senate regarding the recent announcement by the Republic of France that it intends to conduct a series of underground nuclear test explosions despite the current international moratorium on nuclear testing.

AMENDMENTS SUBMITTED

THE FOREIGN RELATIONS REVITALIZATION ACT OF 1995

KERRY (AND PELL) AMENDMENT NO. 2034

(Ordered to lie on the table.)

Mr. KERRY (for himself and Mr. PELL) submitted an amendment intended to be proposed by them to the bill (S. 908) to authorize appropriations for the Department of State for fiscal years 1996 through 1999 and to abolish the United States Information Agency, the United States Arms Control and Disarmament Agency, and the Agency for International Development, and for other purposes; as follows:

On page 1, at the beginning of line 3, strike all that follows through page 2, line 20, and add the following—

''Section 4 of the United Nations Participation Act of 1945 (22 U.S.C. 287b) is amended—

''(1) by redesignating subsection (e) as subsection (f); and

''(2) by inserting after subsection (d) the following:

''(e) NOTICE TO CONGRESS OF PROPOSED UNITED NATIONS PEACEKEEPING ACTIVITIES.—(1) Except as provided in paragraph (2), at least 5 days before any vote in the Security Council to authorize any United Nations peacekeeping activity (including any extensions, modification, suspension, or termination of any previously authorized peacekeeping activity) which would involve the use of United States Armed Forces or the expenditure of United States funds, the President shall submit to the designated congressional committees a notification with respect to the proposed action. The notification shall include the following:

''(A) A cost assessment of such action (including the total estimated cost and the United States share of such cost).

''(B) Identification of the source of funding for the United States share of the costs of the action (whether in an annual budget request, reprogramming notification, a rescission of funds, a budget amendment, or a supplemental budget request).

''(2)(A) If the President determines that an emergency exists which prevents submission of the 5-day advance notification specified in paragraph (1) and that the proposed action is in the national interest of the United States, the notification described in paragraph (1) shall be provided in a timely manner but no later than 48 hours after the vote by the Security Council.

''(B) Determinations made under subparagraph (A) may not be delegated.''.

KERRY AMENDMENT NO. 2035

(Ordered to lie on the table.)

Mr. KERRY submitted an amendment intended to be proposed by him to the bill S. 908, supra; as follows:

Beginning on page 125, strike line 1 and all that follows through line 15 on page 267 and insert the following:

DIVISION B—CONSOLIDATION AND REINVENTION OF FOREIGN AFFAIRS AGENCIES

SEC. 1001. SHORT TITLE.

This division may be cited as the ''Foreign Affairs Reinvention Act of 1995''.

SEC. 1002. PURPOSES.

The purposes of this division are—

(1) to reorganize and reinvent the foreign affairs agencies of the United States in order to enhance the formulation, coordination, and implementation of United States foreign policy;

(2) to streamline and consolidate the functions and personnel of the Department of State, the Agency for International Development, the United States Information Agency, and the United States Arms Control and Disarmament Agency in order to eliminate redundancies in the functions and personnel of such agencies;

(3) to assist congressional efforts to balance the Federal budget and reduce the Federal debt;

(4) to strengthen the authority of United States ambassadors over all United States Government personnel and resources located in United States diplomatic missions in order to enhance the ability of the ambassadors to deploy such personnel and resources to the best effect to attain the President's foreign policy objectives;

(5) to encourage United States foreign affairs agencies to maintain a high percentage of the best qualified, most competent United

States citizens serving in the United States Government while downsizing significantly the total number of people employed by such agencies; and

(6) to ensure that all functions of United States diplomacy be subject to recruitment, training, assignment, promotion, and egress based on common standards and procedures while preserving maximum interchange among such functions.

TITLE XI—REORGANIZATION OF FOREIGN AFFAIRS AGENCIES

SEC. 1101. REORGANIZATION PLAN FOR THE DEPARTMENT OF STATE AND INDEPENDENT FOREIGN AFFAIRS AGENCIES.

(a) SUBMISSION OF PLAN.—Not later than 6 months after the date of enactment of this Act, the President shall transmit to the appropriate congressional committees a reorganization plan providing for the streamlining and consolidation of the Department of State, the United States Information Agency, the Agency for International Development, and the United States Arms Control and Disarmament Agency. Such plan shall provide for—

(1) the enhancement of the formulation, coordination, and implementation of policy;

(2) the maintenance, to the maximum extent possible, of a United States presence abroad within budgetary constraints;

(3) a reduction in the aggregate number of independent foreign affairs agencies;

(4) the elimination in the duplication of functions and personnel between the Department of State and such other agency or agencies not abolished under paragraph (3);

(5) the reduction in the aggregate number of positions in the Department of State and the independent foreign affairs agencies which are classified at each of levels II, III, and IV of the Executive Schedule;

(6) the reorganization and streamlining of the Department of State; and

(7) the achievement of a cost savings of at least $2,000,000,000 over 4 years through the consolidation of agencies.

(b) PLAN ELEMENTS.—The plan under subsection (a) shall—

(1) identify the functions of the independent foreign affairs agencies that will be transferred to the Department of State under the plan, as well as those that will be abolished under the plan;

(2) identify the personnel and positions of the agencies (including civil service personnel, Foreign Service personnel, and detailees) that will be transferred to the Department, separated from service with the Agency, or be eliminated under the plan, and set forth a schedule for such transfers, separations, and terminations;

(3) identify the personnel and positions of the Department (including civil service personnel, Foreign Service personnel, and detailees) that will be transferred within the Department, separated from service with the Department, or eliminated under the plan and set forth a schedule for such transfers, separations, and terminations;

(4) specify the consolidations and reorganization of functions of the Department that will be required under the plan in order to permit the Department to carry out the functions transferred to the Department under the plan;

(5) specify the funds available to the independent foreign affairs agencies that will be transferred to the Department under this title as a result of the implementation of the plan;

(6) specify the proposed allocations within the Department of unexpended funds of the independent foreign affairs agencies; and

(7) specify the proposed disposition of the property, facilities, contracts, records, and other assets and liabilities of the independent foreign affairs agencies resulting from the abolition of any such agency and the transfer of the functions of the independent foreign affairs agencies to the Department.

(c) LIMITATIONS ON CONTENTS OF PLAN.—(1) Sections 903, 904, and 905 of title 5, United States Code, shall apply to the plan transmitted under subsection (a).

(2) The plan may not provide for the termination of any function authorized by law.

(d) EFFECTIVE DATE OF PLAN.—(1) The plan transmitted under subsection (a) shall take effect 60 calendar days of continuous session of Congress after the date on which the plan is transmitted to Congress unless Congress enacts a joint resolution, in accordance with subsection (e), disapproving the plan.

(2) For purposes of paragraph (1)—

(A) continuity of session is broken only by an adjournment of Congress sine die; and

(B) the days on which either House is not in session because of an adjournment of more than 3 days to a day certain are excluded in the computation of any period of time in which Congress is in continuous session.

(e) CONGRESSIONAL PRIORITY PROCEDURES.—(1) Except as provided in paragraph (2), sections 908, 910, 911, and 912 of title 5, United States Code, shall apply to the consideration by Congress of a joint resolution described in paragraph (3) that is introduced in a House of Congress.

(2) The following requirements shall apply to actions described in paragraph (1) without regard to chapter 9 of title 5, United States Code:

(A) A referral of joint resolutions under this section may only be made to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

(B) The reference in section 908 of such title to reorganization plans transmitted on or before December 31, 1984, shall have no force or effect.

(3) A joint resolution under this section means only a joint resolution of the Congress, the matter after the resolving clause of which is as follows: ''That the Congress disapproves the reorganization plan numbered ___ transmitted to the Congress by the President on ___, 19___'', which plan may include such modifications and revisions as are submitted by the President under section 903(c) of title 5, United States Code. The blank spaces therein are to be filled appropriately.

(4) The provisions of this subsection supersede any other provision of law.

(f) EXPIRATION OF AUTHORITY TO TRANSMIT PLAN.—The authority of the President to transmit a reorganization plan under subsection (a) shall expire on the date that is 6 months after the date of the enactment of this Act.

(g) DEADLINE FOR IMPLEMENTATION.—If the reorganization plan transmitted under subsection (a) is not disapproved by Congress in accordance with subsection (e), the plan shall be implemented not later than March 1, 1997.

(h) ABOLITION OF INDEPENDENT FOREIGN AFFAIRS AGENCIES.—

(1) ABOLITION FOR FAILURE TO TRANSMIT PLAN.—If the President does not transmit to Congress a reorganization plan under subsection (a), the United States Arms Control and Disarmament Agency, the United States Information Agency, and the Agency for International Development are abolished as of 180 days after the date of enactment of this Act.

(2) ABOLITION FOR FAILURE TO IMPLEMENT PLAN.—If the President does not implement the reorganization plan transmitted and not disapproved under this section with respect to an agency referred to in paragraph (1), the agency is abolished as of March 1, 1997.

(i) DEFINITION.—As used in this section, the term ''independent foreign affairs agencies'' means the United States Arms Control and Disarmament Agency, the United States Information Agency, and the Agency for International Development.

SEC. 1102. TRANSFERS OF FUNCTIONS.

(a) TRANSFERS.—Subject to subsection (b), there are transferred to, and vested in, the Secretary of State all functions vested by law (including by reorganization plan approved before the date of the enactment of this Act pursuant to chapter 9 of title 5, United States Code) in, or exercised by, the head of each of the following agencies, the agencies themselves, or officers, employees, or components thereof:

(1) The United States Arms Control and Disarmament Agency

(2) The United States Information Agency.

(3) The Agency for International Development.

(b) EFFECTIVE DATE.—The transfers referred to in subsection (a) shall take place—

(1) if the President does not transmit a reorganization plan to Congress under section 1101(a), not later than 180 days after the date of enactment of this Act; or

(2) if the President does not implement the reorganization plan transmitted and not disapproved under such section with respect to an agency referred to in subsection (a), not later than March 1, 1997.

SEC. 1103. VOLUNTARY SEPARATION INCENTIVES.

(a) AUTHORITY TO PAY INCENTIVES.—The head of an agency referred to in subsection (b) may pay voluntary incentive payments to employees of the agency in order to avoid or minimize the need for involuntary separations from the agency as a result of the abolition of the agency and the consolidation of functions of the Department of State under this title.

(b) COVERED AGENCIES.—Subsection (a) applies to the following agencies:

(1) The Department of State.

(2) The United States Arms Control and Disarmament Agency.

(3) The United States Information Agency.

(4) The Agency for International Development.

(c) PAYMENT REQUIREMENTS.—(1) The head of an agency shall pay voluntary separation incentive payments in accordance with the provisions of section 3 of the Federal Workforce Restructuring Act of 1994 (Public Law 103-226; 108 Stat. 111), except that an employee of the agency shall be deemed to be eligible for payment of a voluntary separation incentive payment under that section if the employee separates from service with the agency during the period beginning on the date of enactment of this Act and ending on February 28, 1997.

(2) The provisions of subsection (d) of such section 3 shall apply to any employee who is paid a voluntary separation incentive payment under this section.

(d) FUNDING.—The payment of voluntary separation incentive payments under this section shall be made from funds in the Foreign Affairs Reorganization Transition Fund established under section 1104. The Secretary of State may transfer sums in that Fund to the head of an agency under subsection (e)(1)(B) of that section for payment of such payments by the agency head.

(e) TERMINATION OF AUTHORITY.—The authority of the head of an agency to authorize payment of voluntary separation incentive payments under this section shall expire on February 28, 1997.

SEC. 1104. TRANSITION FUND.

(a) ESTABLISHMENT.—There is hereby established on the books of the Treasury an account to be known as the ''Foreign Affairs Reorganization Transition Fund''.

(b) PURPOSE.—The purpose of the account is to provide funds for the orderly transfer of functions and personnel to the Department of State as a result of the implementation of this title and for payment of other costs associated with the consolidation of foreign affairs agencies under this title.

(c) DEPOSITS.—(1) Subject to paragraphs (2) and (3), there shall be deposited into the account the following:

(A) Funds appropriated to the account pursuant to the authorization of appropriations in subsection (j).

(B) Funds transferred to the account by the Secretary of State from funds that are transferred to the Secretary by the head of an agency under subsection (d).

(C) Funds transferred to the account by the Secretary from funds that are transferred to the Department of State together with the transfer of functions to the Department under this title and that are not required by the Secretary in order to carry out the functions.

(D) Funds transferred to the account by the Secretary from any unobligated funds that are appropriated or otherwise made available to the Department.

(2) The Secretary may transfer funds to the account under subparagraph (C) of paragraph (1) only if the Secretary determines that the amount of funds deposited in the account pursuant to subparagraphs (A) and (B) of that paragraph is inadequate to pay the costs of carrying out this title.

(3) The Secretary may transfer funds to the account under subparagraph (D) of paragraph (1) only if the Secretary determines that the amount of funds deposited in the account pursuant to subparagraphs (A), (B), and (C) of that paragraph is inadequate to pay the costs of carrying out this title.

(d) TRANSFER OF FUNDS TO SECRETARY OF STATE.—The head of a transferor agency shall transfer to the Secretary the amount, if any, of the unobligated funds appropriated or otherwise made available to the agency for functions of the agency that are abolished under this title which funds are not required to carry out the functions of the agency as a result of the abolishment of the functions under this title.

(e) USE OF FUNDS.—(1)(A) Notwithstanding any other provision of law, the Secretary shall use sums in the account for payment of the costs of carrying out this title, including costs relating to the consolidation of functions of the Department of State and relating to the termination of employees of the Department.

(B) The Secretary may transfer sums in the account to the head of an agency to be abolished under this title for payment by the head of the agency of the cost of carrying out a voluntary separation incentive program at the agency under section 1103.

(2) Funds in the account shall be available for the payment of costs under paragraph (1) without fiscal year limitation.

(3) Funds in the account may be used only for purposes of paying the costs of carrying out this title.

(f) TREATMENT OF UNOBLIGATED BALANCES.—(1) Subject to paragraph (2), unobligated funds, if any, which remain in the account after the payment of the costs described in subsection (e)(1) shall be transferred to Department of State and shall be available to the Secretary of State for purposes of carrying out the functions of the Department.

(2) The Secretary may not transfer funds in the account to the Department under paragraph (1) unless the appropriate congressional committees are notified in advance of such transfer in accordance with the procedures applicable to reprogramming notifications under section 34 of the State Department Basic Authorities Act of 1956.

(g) REPORT ON ACCOUNT.—Not later than October 1, 1998, the Secretary of State shall transmit to the appropriate congressional committees a report containing an accounting of—

(1) the expenditures from the account established under this section; and

(2) in the event of any transfer of funds to the Department of State under subsection (f), the functions for which the funds so transferred were expended.

(i) TERMINATION OF AUTHORITY TO USE ACCOUNT.—The Secretary may not obligate funds in the account after September 30, 1999.

(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $200,000,000 for deposit under subsection (c)(1) into the account established under subsection (a).

SEC. 1105. ASSUMPTION OF DUTIES BY APPROPRIATE APPOINTEES.

An individual holding office on the date of the enactment of this Act—

(1) who was appointed to the office by the President, by and with the advice and consent of the Senate;

(2) who is transferred to a new office in the Department of State under this title; and

(3) who performs duties in such new office that are substantially similar to the duties performed by the individual in the office held on such date,

may, in the discretion of the Secretary of State, assume the duties of such new office, and shall not be required to be reappointed by reason of the enactment of this title.

SEC. 1106. RIGHTS OF EMPLOYEES OF ABOLISHED AGENCIES.

(a) IN GENERAL.—Except as otherwise provided by this title, the transfer pursuant to this title of full-time personnel (except special Government employees) and part-time personnel holding permanent positions shall not cause any such employee to be separated or reduced in grade or compensation for 1 year after the date of transfer of such employee under this title.

(b) EXECUTIVE SCHEDULE POSITIONS.—Except as otherwise provided in this title, any person who, on the day preceding the date of the abolition of a transferor agency under this title, held a position in such an agency that was compensated in accordance with the Executive Schedule prescribed in chapter 53 of title 5, United States Code, and who, without a break in service, is appointed in the Department of State to a position having duties comparable to the duties performed immediately preceding such appointment shall continue to be compensated in such new position at not less than the rate provided for such previous position, for the duration of the service of such person in such new position.

(c) TERMINATION OF CERTAIN POSITIONS.—Positions whose incumbents are appointed by the President, by and with the advice and consent of the Senate, the functions of which are transferred under this title, shall terminate on the date of the transferal of the functions under this title.

(d) EXCEPTED SERVICE.—(1) Subject to paragraph (2), in the case of employees occupying positions in the excepted service or the Senior Executive Service, any appointment authority established pursuant to law or regulations of the Office of Personnel Management for filling such positions shall be transferred.

(2) The Department of State may decline a transfer of authority under paragraph (1) (and the employees appointed pursuant thereto) to the extent that such authority relates to positions excepted from the competitive service because of their confidential, policy-making, policy-determining, or policy-advocating character, and noncareer positions in the Senior Executive Service (within the meaning of section 3132(a)(7) of title 5, United States Code).

(e) EMPLOYEE BENEFIT PROGRAMS.—(1) Any employee accepting employment with the Department of State as a result of such transfer may retain for 1 year after the date such transfer occurs membership in any employee benefit program of the transferor agency, including insurance, to which such employee belongs on the date of the enactment of this Act if—

(A) the employee does not elect to give up the benefit or membership in the program; and

(B) the benefit or program is continued by the Secretary of State.

(2) The difference in the costs between the benefits which would have been provided by such agency or entity and those provided by this section shall be paid by the Secretary of State. If any employee elects to give up membership in a health insurance program or the health insurance program is not continued by the Secretary of State, the employee shall be permitted to select an alternate Federal health insurance program within 30 days of such election or notice, without regard to any other regularly scheduled open season.

(f) SENIOR EXECUTIVE SERVICE.—A transferring employee in the Senior Executive Service shall be placed in a comparable position at the Department of State.

(g) ASSIGNMENTS.—(1) Transferring employees shall receive notice of their position assignments not later than the date on which the reorganization plan setting forth the transferal of such employees is transmitted to the appropriate congressional committees under this title.

(2) Foreign Service personnel transferred to the Department of State pursuant to this title shall be eligible for any assignment open to Foreign Service personnel within the Department.

SEC. 1107. TRANSFER AND ALLOCATIONS OF APPROPRIATIONS AND PERSONNEL.

(a) IN GENERAL.—Except as otherwise provided in this title, the personnel employed in connection with, and the assets, liabilities, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds employed, used, held, arising from, available to, or to be made available in connection with the functions transferred under this title, subject to section 1531 of title 31, United States Code, shall be transferred to the Department of State.

(b) TREATMENT OF PERSONNEL EMPLOYED IN TERMINATED FUNCTIONS.—The following shall apply with respect to officers and employees of a transferor agency that are not transferred under this title:

(1) Under such regulations as the Office of Personnel Management may prescribe, the head of any agency in the executive branch may appoint in the competitive service any person who is certified by the head of the transferor agency as having served satisfactorily in the transferor agency and who passes such examination as the Office of Personnel Management may prescribe. Any person so appointed shall, upon completion of the prescribed probationary period, acquire a competitive status.

(2) The head of any agency in the executive branch having an established merit system in the excepted service may appoint in such service any person who is certified by the head of the transferor agency as having served satisfactorily in the transferor agency and who passes such examination as the head of such agency in the executive branch may prescribe.

(3) Any appointment under this subsection shall be made within a period of 1 year after

completion of the appointee's service in the transferor agency.

(4) Any law, Executive order, or regulation which would disqualify an applicant for appointment in the competitive service or in the excepted service concerned shall also disqualify an applicant for appointment under this subsection.

SEC. 1108. PERSONNEL AUTHORITIES FOR TRANSFERRED FUNCTIONS.

(a) APPOINTMENTS.—(1) Subject to paragraph (2), the Secretary of State may appoint and fix the compensation of such officers and employees, including investigators, attorneys, and administrative law judges, as may be necessary to carry out the respective functions transferred to the Department of State under this title. Except as otherwise provided by law, such officers and employees shall be appointed in accordance with the civil service laws and their compensation fixed in accordance with title 5, United States Code.

(2) A person employed under paragraph (1) may not continue in such employment after the end of the period (as determined by the Secretary) required for the transferal of functions under this title.

(b) EXPERTS AND CONSULTANTS.—The Secretary of State may obtain the services of experts and consultants in connection with functions transferred to the Department of State under this title in accordance with section 3109 of title 5, United States Code, and compensate such experts and consultants for each day (including traveltime) at rates not in excess of the rate of pay for level IV of the Executive Schedule under section 5315 of such title. The head Secretary may pay experts and consultants who are serving away from their homes or regular place of business travel expenses and per diem in lieu of subsistence at rates authorized by sections 5702 and 5703 of such title for persons in Government service employed intermittently.

SEC. 1109. PROPERTY AND FACILITIES.

(a) IN GENERAL.—The Secretary of State shall review the property and facilities of each transferror agency for purposes of determining if the property is required by the Department of State in order to carry out the functions of the Department after the transfer of functions to the Department under this title.

(b) DEADLINE FOR TRANSFER.—Not later than March 1, 1997, all property and facilities within the custody of the transferor agencies shall be transferred to the custody of the Secretary of State.

SEC. 1110. DELEGATION AND ASSIGNMENT.

Except where otherwise expressly prohibited by law or otherwise provided by this title, the Secretary of State may delegate any of the functions transferred to the Secretary under this title and any function transferred or granted to the Secretary after the effective date of this title to such officers and employees of the Department of State as the Secretary may designate, and may authorize successive redelegations of such functions as may be necessary or appropriate. No delegation of functions by the Secretary under this section or under any other provision of this title shall relieve the Secretary of responsibility for the administration of such functions.

SEC. 1111. RULES.

The Secretary of State may prescribe, in accordance with the provisions of chapters 5 and 6 of title 5, United States Code, such rules and regulations as the Secretary determines necessary or appropriate to administer and manage the functions of the Department of State after the transfer of functions to the Department under this title.

SEC. 1112. INCIDENTAL TRANSFERS.

The Director of the Office of Management and Budget may, at such time or times as the Director shall provide, make such additional incidental dispositions of personnel, assets, liabilities, grants, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds held, used, arising from, available to, or to be made available in connection with such functions, as may be necessary to carry out the provisions of this title. The Director shall provide for the termination of the affairs of all entities terminated by this title and for such further measures and dispositions as may be necessary to effectuate the purposes of this title.

SEC. 1113. EFFECT ON CONTRACTS AND GRANTS.

(a) PROHIBITION ON NEW OR EXTENDED CONTRACTS OR GRANTS.—Except as provided in subsection (b), the United States Arms Control and Disarmament Agency, the United States Information Agency, and the Agency for International Development may not—

(1) enter into a contract or agreement which will continue in force after the termination date, if any, of such agency under this title;

(2) extend the term of an existing contract or agreement of such agency to a date after such date; or

(3) make a grant which will continue in force after such date.

(b) EXCEPTION.—Subsection (a) does not apply to the following:

(1) Contracts and agreements for carrying out essential administrative functions.

(2) Contracts and agreements for functions and activities that the Secretary of State determines will be carried out by the Department of State after the termination of the agency concerned under this title.

(3) Grants relating to the functions and activities referred to in paragraph (2).

(c) EVALUATION AND TERMINATION OF EXISTING CONTRACTS.—The Secretary of State and the head of each agency referred to in subsection (a) shall—

(1) review the contracts of such agency that will continue in force after the date, if any, of the abolishment of the agency under this title in order to determine if the cost of abrogating such contracts before that date would be exceed the cost of carrying out the contract according to its terms; and

(2) in the case of each contract so determined, provide for the termination of the contract in the most cost-effective manner practicable.

SEC. 1114. SAVINGS PROVISIONS.

(a) CONTINUING EFFECT OF LEGAL DOCUMENTS.—All orders, determinations, rules, regulations, permits, agreements, grants, contracts, certificates, licenses, registrations, privileges, and other administrative actions—

(1) which have been issued, made, granted, or allowed to become effective by the President, any Federal agency or official thereof, or by a court of competent jurisdiction, in the performance of functions which are transferred under this title, and

(2) which are in effect at the time this title takes effect, or were final before the effective date of this title and are to become effective on or after the effective date of this title,

shall continue in effect according to their terms until modified, terminated, superseded, set aside, or revoked in accordance with law by the President, the Secretary of State or other authorized official, a court of competent jurisdiction, or by operation of law.

(b) PROCEEDINGS NOT AFFECTED.—The provisions of this title shall not affect any proceedings, including notices of proposed rulemaking, or any application for any license, permit, certificate, or financial assistance pending before the transferor agency at the time this title takes effect for that agency, with respect to functions transferred under this title but such proceedings and applications shall be continued. Orders shall be issued in such proceedings, appeals shall be taken therefrom, and payments shall be made pursuant to such orders, as if this title had not been enacted, and orders issued in any such proceedings shall continue in effect until modified, terminated, superseded, or revoked by a duly authorized official, by a court of competent jurisdiction, or by operation of law. Nothing in this subsection shall be deemed to prohibit the discontinuance or modification of any such proceeding under the same terms and conditions and to the same extent that such proceeding could have been discontinued or modified if this title had not been enacted.

(c) SUITS NOT AFFECTED.—The provisions of this title shall not affect suits commenced before the effective date of this title, and in all such suits, proceedings shall be had, appeals taken, and judgments rendered in the same manner and with the same effect as if this title had not been enacted.

(d) NONABATEMENT OF ACTIONS.—No suit, action, or other proceeding commenced by or against the transferor agency, or by or against any individual in the official capacity of such individual as an officer of the transferor agency, shall abate by reason of the enactment of this title.

(e) ADMINISTRATIVE ACTIONS RELATING TO PROMULGATION OF REGULATIONS.—Any administrative action relating to the preparation or promulgation of a regulation by the transferor agency relating to a function transferred under this title may be continued by the Secretary of State with the same effect as if this title had not been enacted.

SEC. 1115. SEPARABILITY.

If a provision of this title or its application to any person or circumstance is held invalid, neither the remainder of this title nor the application of the provision to other persons or circumstances shall be affected.

SEC. 1116. TRANSITION.

The Secretary of State may utilize—

(1) the services of such officers, employees, and other personnel of the transferor agency with respect to functions transferred to the Department of State under this title; and

(2) funds appropriated to such functions for such period of time as may reasonably be needed to facilitate the orderly implementation of this title.

SEC. 1117. ADDITIONAL CONFORMING AMENDMENTS.

The President may submit a report to the appropriate congressional committees containing such recommendations for such additional technical and conforming amendments to the laws of the United States as may be appropriate to reflect the changes made by this division.

SEC. 1118. FINAL REPORT.

Not later than October 1, 1998, the President shall provide by written report to the Congress a final accounting of the finances and operations of the United States Arms Control and Disarmament Agency, the United States Information Agency, and the Agency for International Development.

SEC. 1119. DEFINITIONS.

For purposes of this title, unless otherwise provided or indicated by the context—

(1) the term ''appropriate congressional committees'' means the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives;

(2) the term ''Federal agency'' has the meaning given to the term ''agency'' by section 551(1) of title 5, United States Code;

(3) the term ''function'' means any duty, obligation, power, authority, responsibility, right, privilege, activity, or program;

(4) the term ''office'' includes any office, administration, agency, institute, unit, organizational entity, or component thereof;

(5) the term ''transferor agency'' refers to each of the following agencies:

(A) The Agency for International Development, a component of the International Development Cooperation Agency.

(B) The International Development Cooperation Agency (insofar as it exercises functions related to the Agency for International Development).

(C) The United States Information Agency (exclusive of the Broadcasting Board of Governors).

(D) The United States Arms Control and Disarmament Agency.

TITLE XII—CONSOLIDATION OF DIPLOMATIC MISSIONS AND CONSULAR POSTS

SEC. 1201. CONSOLIDATION OF UNITED STATES DIPLOMATIC MISSIONS AND CONSULAR POSTS.

(a) CONSOLIDATION PLAN.—The Secretary of State shall develop a worldwide plan for the consolidation, wherever practicable, on a regional or areawide basis, of United States missions and consular posts abroad in order to carry out this section.

(b) CONTENTS OF PLAN.—The plan shall—

(1) identify the specific United States diplomatic missions and consular posts for consolidation;

(2) identify those missions and posts at which the resident ambassador would also be accredited to other specified states in which the United States either maintained no resident official presence or maintained such a presence only at staff level; and

(3) provide an estimate of—

(A) the amount by which expenditures would be reduced through the reduction in the number of United States Government personnel assigned abroad;

(B) through a reduction in the costs of maintaining United States properties abroad; and

(C) the amount of revenues generated to the United States through the sale or other disposition of United States properties associated with the posts to be consolidated abroad.

(c) TRANSMITTAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of State shall transmit a copy of the plan to the appropriate congressional committees.

(d) IMPLEMENTATION.—Not later than 60 days after transmittal of the plan under subsection (c), the Secretary of State shall take steps to implement the plan unless the Congress before such date enacts legislation disapproving the plan.

(e) CONGRESSIONAL PRIORITY PROCEDURES.—(1) A joint resolution described in paragraph (2) which is introduced in a House of Congress after the date on which a plan developed under subsection (a) is received by Congress, shall be considered in accordance with the procedures set forth in paragraphs (3) through (7) of section 8066(c) of the Department of Defense Appropriations Act, 1985 (as contained in Public Law 98-473 (98 Stat. 1936)), except that—

(A) references to the ''report described in paragraph (1)'' shall be deemed to be references to the joint resolution; and

(B) references to the Committee on Appropriations of the House of Representatives and to the Committee on Appropriations of the Senate shall be deemed to be references to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

(2) A joint resolution under this paragraph is a joint resolution the matter after the resolving clause of which is as follows: ''That the Congress disapproves the plan submitted by the President on _____ pursuant to section 1109 of the Foreign Relations Revitalization Act.''.

(f) RESUBMISSION OF PLAN.—If, within 60 days of transmittal of a plan under subsection (c), Congress enacts legislation disapproving the plan, the President shall transmit to the appropriate congressional committees a revised plan developed under subsection (a).

(g) STATUTORY CONSTRUCTION.—Nothing in this section requires the termination of United States diplomatic or consular relations with any foreign country.

(h) DEFINITIONS.—As used in this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

(2) PLAN.—The term ''plan'' means the plan developed under subsection (a).

SEC. 1202. DETAIL OF OTHER AGENCY PERSONNEL TO STATE DEPARTMENT.

Any employee of any agency other than the Department of State who is assigned to an overseas post located within any United States mission except for those assigned to a military command shall be detailed to the Department of State for the duration of such assignment, and shall be fully under the authority of the Chief of Mission. The Chief of Protocol, at the sole discretion of the Secretary of State, shall accord diplomatic titles, privileges, and immunities to any such employees as the Secretary of State deems appropriate.

BROWN AMENDMENT NO. 2036

(Ordered to lie on the table.)

Mr. BROWN submitted an amendment intended to be proposed by him to amendment No. 1938 proposed by him to the bill S. 908, supra; as follows:

At the appropriate place in the bill, insert the following new section:

''SEC. . LIMITATION ON CARGO PREFERENCE.

For all agricultural commodities transported under section 901(b) and 901b of the Merchant Marine Act of 1936 as part of any United States Government-administered program of food assistance to foreign countries, the United States shall not reimburse carriers more than 25 percent above the international market rate, as determined by the Secretary of Agricultural.''

BROWN AMENDMENTS NOS. 2037–2039

(Ordered to lie on the table.)

Mr. BROWN submitted three amendments to be proposed by him to amendments submitted by him to the bill S. 908, supra; as follows;

AMENDMENT NO. 2037

At the appropriate place in the bill, add the following new section:

SEC. . REIMBURSEMENT FOR MARGINAL COSTS.

(a) For all agricultural commodities transported under sections 901(b) and 901b of the Merchant Marine Act of 1936 as part of any United States government-administered program of food assistance to foreign countries, the United States is authorized to reimburse carriers above the international market rate as determined by the Secretary of Agriculture only to the extent of the differential cost incurred by U.S. shippers necessary to comply with U.S. health, safety, labor and other U.S. standards that are not required for non-U.S. vessels.

(b) REPORT.—The Secretary of Transportation shall submit a report 90 days after the enactment of this Act and annually thereafter to the appropriate committees of Congress detailing the U.S. health, safety, labor and other standards and their differential cost to U.S. shippers of agricultural commodities under sections 901(b) and 901b of the Merchant Marine Act of 1936.

AMENDMENT NO. 2038

At the appropriate place in the bill, add the following new section:

''SEC. . AUTHORIZATION FOR AN INDUSTRIAL PARK ON THE BORDER BETWEEN THE TERRITORIES AND ISRAEL.

(a) FINDINGS.—The Congress finds that:

(1) Extremists in Hamas and Islamic Jihad who reject the gains made since the signing of the Declaration of Principles have used terrorist tactics to force the closing of the territories;

(2) These terrorist acts have exacerbated existing problems and Gaza is now experiencing staggering unemployment nearing 50%, increasing chaos and a downward spiral of dashed hopes and deepening poverty;

(3) Israel's legitimate security concerns necessitate creative new methods of ensuring continued economic opportunity for the Palestinians; and

(4) The development of industrial parks along the border between Gaza, the West Bank and Israel sponsored by individual nations provides an important means of providing both development for Palestinians while maintaining border security.

(b) SENSE OF CONGRESS.—It is the sense of Congress that:'

(1) The United States should take prompt, visible action before the coming elections in Gaza and Jericho that promises hope and jobs to Palestinians;

(2) The rapid development of an industrial park, closely coordinated with private sector investors, will provide a clear sign of opportunity resulting from peace with Israel;

(3) The decision to site the industrial park should give special consideration to the extremely difficult economic conditions in Gaza;

(4) The President should appoint a Special Coordinator to coordinate the rapid development of an industrial park in Gaza and to begin the recruitment of U.S. investors; and

(5) The Secretary of State should direct a short-term review and implementation of U.S. assistance plans to assist in speeding the flow of goods and services between Israel and Gaza while increasing security between the two areas.

(b) AUTHORIZATION.—There are authorized to be appropriated $10,000,000 for the rapid development of a prototype industrial park in Gaza and/or the West Bank, notwithstanding sections 513 and 545 of the FY1995 Foreign Operations, Export Financing and Related Programs and FY1994 Supplemental Appropriations Act (P.L. 103–306) or similar provisions.''

AMENDMENT NO. 2039

At the appropriate place in the bill, insert the following new section:

TITLE ___—NATO PARTICIPATION ACT AMENDMENTS OF 1995

SECTION 1. SHORT TITLE.

This title may be cited as the ''NATO Participation Act Amendments of 1995''.

SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) Since 1949, the North Atlantic Treaty Organization (NATO) has played an essential role in guaranteeing the security, freedom, and prosperity of the United States and its partners in the Alliance.

(2) NATO has expanded its membership on three different occasions since 1949.

(3) The sustained commitment of the member countries of NATO to mutual defense of their security ultimately made possible the democratic transformation in Central and Eastern Europe and the demise of the Soviet Union.

(4) NATO was designed to be and remains a defensive military organization whose members have never contemplated the use of, or used, military force to expand the borders of its member states.

(5) While the immediate threat to the security of the United States and its allies has been reduced with the collapse of the Iron Curtain, new security threats, such as the situation in Bosnia and Herzegovina, are emerging to the shared interests of the member countries of NATO.

(6) NATO remains the only multilateral security organization capable of conducting effective military operations to protect Western security interests.

(7) NATO has played a positive role in defusing tensions between NATO members and, as a result, no military action has occurred between two NATO member states since the inception of NATO in 1949.

(8) NATO is also an important diplomatic forum for the discussion of issues of concern to its member states and for the peaceful resolution of disputes.

(9) America's security, freedom, and prosperity remain linked to the security of the countries of Europe.

(10) Any threat to the security of the newly emerging democracies in Europe would pose a security threat to the United States and its European allies.

(11) The admission to NATO of European countries that have been freed from Communist domination and that meet specific criteria for NATO membership would contribute to international peace and enhance the security of the region.

(12) A number of countries have expressed varying degrees of interest in NATO membership, and have taken concrete steps to demonstrate this commitment.

(13) Full integration of Central and East European countries into the North Atlantic Alliance after such countries meet essential criteria for admission would enhance the security of the Alliance and, thereby, contribute to the security of the United States.

(14) The expansion of NATO can create the stable environment needed to successfully complete the political and economic transformation envisioned by European states emerging from communist domination.

(15) In recognition that not all countries which have requested membership in NATO will necessarily qualify at the same pace, the accession date for each new member will vary.

(16) The provision of NATO transition assistance should include those countries most ready for closer ties with NATO, and should be designed to assist other countries meeting specified criteria of eligibility to move forward toward eventual NATO membership.

(17) The evaluation of future membership in NATO for countries emerging from communist domination should be based on the progress of those nations in meeting criteria for NATO transition assistance and evolving NATO criteria, which require enhancement of NATO's security and the approval of all NATO members.

SEC. 3. UNITED STATES POLICY.

It should be the policy of the United States—

(1) to join with the NATO allies of the United States to redefine the role of the NATO Alliance in the post-Cold War world;

(2) to actively assist European countries emerging from communist domination in their transition so that such countries may eventually qualify for NATO membership; and

(3) to work to define the political and security relationship between an enlarged NATO and the Russian Federation.

SEC. 4. REVISIONS TO PROGRAM TO FACILITATE TRANSITION TO NATO MEMBERSHIP.

(a) ESTABLISHMENT OF PROGRAM.—Subsection (a) of section 203 of the NATO Participation Act of 1994 (title II of Public Law 103–447; 22 U.S.C. 1928 note) is amended to read as follows:

''(a) ESTABLISHMENT OF PROGRAM.—The President shall provide expanded security assistance and other related assistance to countries designated under subsection (d) to facilitate their transition to full NATO membership.''.

(b) ELIGIBLE COUNTRIES.—

(1) ELIGIBILITY.—Subsection (d) of section 203 of such Act is amended to read as follows:

''(d) DESIGNATION OF ELIGIBLE COUNTRIES.—

''(1) PRESIDENTIAL REVIEW AND REPORT.—Within 60 days of the enactment of the NATO Participation Act Amendments of 1995, the President shall transmit to the Congress an evaluation of Poland, Hungary, the Czech Republic, and Slovakia as well as Estonia, Latvia, Lithuania, Slovenia, Bulgaria, Romania and Albania in accordance with the criteria in paragraph (3) and specifically designate one or more of these countries to be eligible to receive assistance under the program established in subsection (a). The President shall provide a report of the country-by-country evaluation as well as an evaluation of each designated country's progress toward conformance with criteria for full NATO membership.

''(2) OTHER EUROPEAN COUNTRIES EMERGING FROM COMMUNIST DOMINATION.—

''(A) In addition to the country or countries designated pursuant to paragraph (1), the President may designate other European countries emerging from communist domination. The President may make such a designation in the case of any such country only if the President determines, and reports to the designated congressional committees, that such country meets the criteria specified in paragraph (3).

''(3) CRITERIA.—The criteria referred to in paragraph (2) are, with respect to each country, that the country—

''(A) has made significant progress toward establishing—

''(i) shared values and interests;

''(ii) democratic governments;

''(iii) free market economies;

''(iv) civilian control of the military, of the police, and of intelligence services;

''(v) adherence to the values, principles, and political commitments embodied in the Helsinki Final Act of the Organization on Security and Cooperation in Europe; and

''(vi) more transparent defense budgets and is participating in the Partnership For Peace defense planning process;

''(B) has made public commitments—

''(i) to further the principles of NATO and to contribute to the security of the North Atlantic area;

''(ii) to accept the obligations, responsibilities, and costs of NATO membership; and

''(iii) to implement infrastructure development activities that will facilitate participation in and support for NATO military activities;

''(C) is not ineligible for assistance under section 563 of Public Law 103–306, with respect to transfers of equipment to a country the government of which the the Secretary of State has determined is a terrorist government for purposes of section 40(d) of the Arms Export Control Act; and

''(D) is likely, within five years of the determination of the President under paragraph (1) or (2), to be in a position to further the principles of the North Atlantic Treaty and to contribute to its own security and that of the North Atlantic area.

''(4) PROHIBITION ON FUNDING FOR PARTNERSHIP FOR PEACE ACTIVITIES OR ON FUNDING FOR THE WARSAW INITIATIVE.—Effective 60 days after the date of enactment of the NATO Participation Act Amendments of 1995, no funds authorized to be appropriated under any provision of law may be obligated or expended for activities associated with the Partnership for Peace program or the Warsaw Initiative until the President has designated at least one country to participate in the transition program established under subsection (a).''.

(2) CONFORMING AMENDMENTS.—

(A) Subsections (b) and (c) of section 203 of such Act are amended by striking ''countries described in such subsection'' each of the two places it appears and inserting ''countries designated under subsection (d)''.

(B) Subsection (e) of section 203 of such Act is amended—

(i) by striking ''subsection (d)'' and inserting ''subsection (d)(2)''; and

(ii) by inserting ''(22 U.S.C. 2394)'' before the period at the end.

(C) Section 204(c) of such Act is amended by striking ''any other Partnership for Peace country designated under section 203(d)'' and inserting ''any country designated under section 203(d)(2)''.

(c) TYPES OF ASSISTANCE.—Section 203(c) of such Act is amended—

(1) by redesignating paragraphs (1) through (4) as subparagraphs (A) through (D), respectively; and

(2) by inserting after subparagraph (D) (as redesignated) the following new subparagraphs:

''(E) Assistance under chapter 4 of part II of the Foreign Assistance Act of 1961 (relating to the Economic Support Fund).

''(F) Funds appropriated under the 'Nonproliferation and Disarmament Fund' account''.

''(G) Assistance under chapter 6 of part II of the Foreign Assistance Act of 1961 (relating to peacekeeping operations and other programs).''.

''(H) Authority for the Department of Defense to pay excess defense articles costs for countries designated for both grant lethal and nonlethal excess defense articles.

''(I) Authority to convert FMF loans to grants, and grants to loans, for eligible countries.''.

(3) by inserting ''(1)'' immediately after ''TYPE OF ASSISTANCE.—''; and

(4) by adding at the end the following new paragraphs:

''(2) For fiscal years 1996 and 1997, in providing assistance under chapter 5 of part II of the Foreign Assistance Act of 1961 for the countries designated under subsection (d), the President shall include as an important component of such assistance the provision of sufficient language training to enable military personnel to participate further in programs for military training and in defense exchange programs.

''(3) Of the amounts made available under chapter 5 of part II of the Foreign Assistance Act of 1961 (relating to international military education and training), $5,000,000 for fiscal year 1996 and $5,000,000 for fiscal year 1997 should support—

''(A) the attendance of additional military personnel of Poland, Hungary, the Czech Republic, and Slovakia at professional military education institutions in the United States in accordance with section 544 of such Act; and

''(B) the placement and support of United States instructors and experts at military educational centers within the foreign countries designated under subsection (d) that are receiving assistance under that chapter.''.

SEC. 5. ASSISTANCE FOR NATO PARTICIPATION ACT DESIGNEES.

The President is authorized to obligate and expend $60,000,000 from funds made available under the Foreign Assistance Act of 1961 in support of countries designated to receive transition assistance under section 203(a) of the NATO Participation Act, as follows:

(1) Poland: $20,000,000.

(2) Czech Republic: $10,000,000.

(3) Hungary: $5,000,000.

(4) Slovakia: $5,000,000.

(5) Other European countries designated under subsection (d)(1) or subsection (d)(2): $20,000,000.

SEC. 6. TERMINATION OF ELIGIBILITY.

Section 203(f) of the NATO Participation Act of 1994 (title II of Public Law 103–447; 22 U.S.C. 1928 note) is amended to read as follows:

''(f) TERMINATION OF ELIGIBILITY.—(1) The eligibility of a country designated under subsection (d) for the program established in subsection (a) shall terminate 60 days after the President makes a certification under paragraph (2) unless, within the 60-day period, the Congress enacts a joint resolution disapproving the termination of eligibility.

''(2) Whenever the President determines that the government of a country designated under subsection (d)—

''(A) no longer meets the criteria set forth in subsection (d)(2)(A);

''(B) is hostile to the NATO alliance; or

''(C) poses a national security threat to the United States,

then the President shall so certify to the appropriate congressional committees.

''(3) Nothing in this Act shall affect the eligibility of countries to participate under other provisions of law in programs described in this Act.''.

(b) CONGRESSIONAL PRIORITY PROCEDURES.—Section 203 of such Act is amended by adding at the end the following new subsection:

''(g) CONGRESSIONAL PRIORITY PROCEDURES.—

''(1) APPLICABLE PROCEDURES.—A joint resolution described in paragraph (2) which is introduced in a House of Congress after the date on which a certification made under subsection (f)(2) is received by Congress shall be considered in accordance with the procedures set forth in paragraphs (3) through (7) of section 8066(c) of the Department of Defense Appropriations Act, 1985 (as contained in Public Law 98–473 (98 Stat. 1936)), except that—

''(A) references to the 'resolution described in paragraph (1)' shall be deemed to be references to the joint resolution; and

''(B) references to the Committee on Appropriations of the House of Representatives and to the Committee on Appropriations of the Senate shall be deemed to be references to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

''(2) TEXT OF JOINT RESOLUTION.—A joint resolution under this paragraph is a joint resolution the matter after the resolving clause of which is as follows: 'That the Congress disapproves the certification submitted by the President on _____ pursuant to section 203(f) of the NATO Participation Act of 1994.'.''.

SEC. 7. REPORTS.

(a) ANNUAL REPORT.—Section 206 of the NATO Participation Act of 1994 (title II of Public Law 103–447; 22 U.S.C. 1928 note), as redesignated by section 5(1) of this Act, is amended—

(1) by inserting ''annual'' in the section heading before the first word;

(2) by inserting ''annual'' after ''include in the'' in the matter preceding paragraph (1);

(3) in paragraph (1), by striking ''Partnership for Peace'' and inserting ''European''; and

(4) by striking paragraph (2) and inserting instead the following new paragraph:

''(2) In the event that the President determines that, despite a period of transition assistance, a country designated under section 203(d) has not, as of January 10, 1999, met criteria for NATO membership set forth by the North Atlantic Council, the President shall transmit a report to the designated congressional committees containing an assessment of the progress made by that country in meeting those standards.''.

SEC. 8. DEFINITIONS.

The NATO Participation Act of 1994 (title II of Public Law 103–447; 22 U.S.C. 1928 note), as amended by this Act, is further amended by adding at the end the following new section:

''SEC. 207. DEFINITIONS.

''For purposes of this title:

''(1) NATO.—The term 'NATO' means the North Atlantic Treaty Organization.

''(2) DESIGNATED CONGRESSIONAL COMMITTEES.—The term 'designated congressional committees' means—

''(A) the Committee on International Relations, the Committee on National Security, and the Committee on Appropriations of the House of Representatives; and

''(B) the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Appropriations of the Senate.

''(3) EUROPEAN COUNTRIES EMERGING FROM COMMUNIST DOMINATION.—The term 'European countries emerging from Communist domination' includes, but is not limited to, Albania, Bulgaria, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Moldova, Poland, Romania, Slovakia, Slovenia, and Ukraine.''.

BROWN AMENDMENT NO. 2040

(Ordered to lie on the table.)

Mr. BROWN submitted an amendment intended to be proposed by him to amendment No. 1950 proposed by him to the bill S. 908, supra; as follows:

At the appropriate place in the bill, add the following new section:

SEC. 510. CLARIFICATION OF RESTRICTIONS UNDER SECTION 620E OF THE FOREIGN ASSISTANCE ACT OF 1961.

(a) IN GENERAL.—Section 620E of the Foreign Assistance Act of 1961 (22 U.S.C. 2375) is amended—

(1) in subsection (e)—

(A) by striking ''No assistance'' and inserting ''No military assistance'';

(B) by striking ''in which assistance is to be furnished or military equipment or technology'' and inserting ''in which military assistance is to be furnished or military equipment or technology'';

(C) by striking ''the proposed United States assistance'' and inserting ''the proposed United States military assistance'';

(D) by inserting ''(1)'' immediately after ''(e)''; and

(E) by adding at the end the following new paragraph:

''(2) The prohibitions in this subsection do not apply to any assistance or transfer provided for the purposes of—

''(A) international narcotics control (including chapter 8 of part I of this Act) or any other provision of law available for providing assistance for counternarcotics purposes;

''(B) facilitating military-to-military contact, training (including chapter 5 of part II of this Act), or humanitarian or civic assistance projects;

''(C) peacekeeping and other multilateral operations (including chapter 6 of part II of this Act, relating to peacekeeping) or any provisions of law available for providing assistance for peacekeeping purposes, except that any lethal military equipment provided under this subparagraph shall be provided on a lease or loan basis only and shall be returned upon completion of the operation for which it was provided; or

''(D) antiterrorism assistance (including chapter 8 of part II of this Act, relating to antiterrorism assistance) or any other provision of law available for antiterrorism assistance purposes.

''(3) The restrictions of this subsection shall continue to apply to contracts for the delivery of F–16 aircraft to Pakistan.

''(4) Notwithstanding the restrictions contained in this subsection, military equipment, technology, or defense services, other than F–16 aircraft, may be transferred to Pakistan pursuant to contracts or cases entered into before October 1, 1990.''; and

(2) by adding at the end the following new subsections:

''(f) STORAGE COSTS.—The President may release the Government of Pakistan of its contractual obligation to pay the United States Government for the storage costs of items purchased prior to October 1, 1990, but not delivered by the United States Government by virtue of the application of subsection (e) and may reimburse the Government of Pakistan for any such amounts paid, on such terms and conditions as the President may prescribe, if such payments would have no impact on the scoring of United States budget authority or outlays.

''(g) RETURN OF MILITARY EQUIPMENT.—The President may return to the Government of Pakistan military equipment paid for and delivered to Pakistan and subsequently transferred for repair or upgrade to the United States but not returned to Pakistan by virtue of the application of subsection (e). Such equipment or its equivalent may be returned to the Government of Pakistan if the President determines and so certifies to the appropriate congressional committees that such equipment or equivalent neither constitutes nor has received any significant qualitative upgrade since being transferred to the United States.''.

HELMS AMENDMENT NO. 2041

Mr. HELMS proposed an amendment to the bill S. 908, supra; as follows:

At the end of the bill, add the following:

SEC. . SENSE OF CONGRESS REGARDING CONSOLIDATION AND REINVENTION OF FOREIGN AFFAIRS AGENCIES.

(a) FINDINGS.—The Congress finds that it is necessary in order to make the Government more efficient and to realize significant budgetary savings for the American taxpayer—

(1) to consolidate and reinvent foreign affairs agencies of the United States within the Department of State;

(2) to provide for the reorganization of the Department of State to maximize efficient use of resources eliminate redundancy in functions, and improve the management of the Department of State;

(3) to assist congressional efforts to balance the Federal budget by the year 2002;

(4) to ensure that the international affairs budget function shoulders an appropriate

share of the reductions in United States Government spending necessary to eliminate the $4,800,000,000,000 budget deficit; and

(5) to strengthen—

(A) the coordination of United States foreign policy;

(B) the leading role of the Secretary of State in the formulation and articulation of United States foreign policy;

(C) the authority of United States ambassadors over all United States Government personnel and resources located in United States diplomatic missions, in order to enhance the ability of the ambassadors to deploy those resources to the best effect that will attain the President's foreign policy objectives; and

(D) the United States Foreign Service, as the forward deployed civilian force of the United States Government, through renewed emphasis on the original principles which undergird the distinct Foreign Service personnel system. These include worldwide availability, assignments based on the needs of the service, rank in person, and merit-based advancement.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the President should—

(1) consolidate within the Department of State, or eliminate, such duplicative, overlapping, or superfluous personnel, functions, goals, activities, offices, and programs that the United States Arms Control and Disarmament Agency, the United States Information Agency, and the Agency for International Development have in common with the Department of State in order to realize a budgetary savings to the American taxpayer of at least $3,000,000,000 during fiscal years 1996 through 1999;

(2) encourage the United States foreign affairs agencies to maintain a high percentage of the best qualified, most competent American citizens serving in the United States Government while downsizing significantly the total number of people employed by these agencies; and

(3) ensure that all functions of diplomacy be subject to recruitment, training, assignment, promotion and egress based on common standards and procedures, with maximum interchange among the functions.

HELMS AMENDMENT NO. 2042

Mr. HELMS proposed an amendment to amendment No. 2041 proposed by him to the bill S. 908, supra; as follows:

Strike all after the word ''SEC.'' and insert the following:

. . SENSE OF CONGRESS REGARDING CONSOLIDATION AND REINVENTION OF FOREIGN AFFAIRS AGENCIES.

(a) FINDINGS.—The Congress finds that it is necessary in order to make the Government more efficient and to realize significant budgetary savings for the American taxpayer—

(1) to consolidate and reinvent foreign affairs agencies of the United States within the Department of State;

(2) to provide for the reorganization of the Department of State to maximize efficient use of resources, eliminate redundancy in functions, and improve the management of the Department of State;

(3) to assist congressional efforts to balance the Federal budget by the year 2002;

(4) to ensure that the international affairs budget function shoulders an appropriate share of the reductions in United States Government spending necessary to eliminate the $4,800,000,000,000 budget deficit; and

(5) to strengthen—

(A) the coordination of United States foreign policy;

(B) the leading role of the Secretary of State in the formulation and articulation of United States foreign policy;

(C) the authority of United States ambassadors over all United States Government personnel and resources located in United States diplomatic missions, in order to enhance the ability of the ambassadors to deploy those resources to the best effect that will attain the President's foreign policy objectives; and

(D) the United States Foreign Service, as the forward deployed civilian force of the United States Government, through renewed emphasis on the original principles which undergird the distinct Foreign Service personnel system. These include worldwide availability, assignments based on the needs of the service, rank in person, and merit-based advancement.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the President should—

(1) consolidate and eliminate, such duplicative, overlapping, or superfluous personnel, functions, goals, activities, offices, and programs that the United States Arms Control and Disarmament Agency, the United States Information Agency, and the Agency for International Development have in common with the Department of State in order to realize a budgetary savings to the American taxpayer of at least $3,000,000,000 during fiscal years 1996 through 1999;

(2) encourage the United States foreign affairs agencies to maintain a high percentage of the best qualified, most competent American citizens serving in the United States Government while downsizing significantly the total number of people employed by these agencies; and

(3) ensure that all functions of diplomacy be subject to recruitment, training, assignment, promotion and egress based on common standards and procedures, with maximum interchange among the functions.

HATCH (AND OTHERS) AMENDMENT NO. 2043

(Ordered to lie on the table.)

Mr. HATCH (for himself, Mr. MOYNIHAN, Mr. JEFFORDS, Mr. PELL, Mr. HARKIN, and Mr. CAMPBELL) submitted an amendment intended to be proposed by them to the bill S. 908, supra; as follows:

On page 84, stroke lines 23 and 24.

On page 85, line 1, strike ''(2)'' and insert ''(1)''.

On page 85, line 3, strike ''(3)'' and insert ''(2)''.

On page 85, line 4, strike ''(4)'' and insert ''(3)''.

On page 85, line 6, strike ''(5)'' and insert ''(4)''.

HATCH (AND ABRAHAM) AMENDMENT NO. 2044

(Ordered to lie on the table.)

Mr. HATCH (for himself and Mr. ABRAHAM) submitted an amendment intended to be proposed by them to the bill S. 908, supra; as follows:

On page 124, after line 20, add the following:

SEC. 618. TERMINATION OF THE UNITED STATES ARMS EMBARGO APPLICABLE TO THE GOVERNMENT OF THE REPUBLIC OF CROATIA.

(a) TERMINATION.—Subject to subsection (b), the President shall terminate the United States arms embargo of the Government of the Republic of Croatia at such time that the United States terminates the United States arms embargo of the Government of Bosnia and Herzegovina.

(b) RESUMPTION.—The President may resume the United States arms embargo of the Government of the Republic of Croatia upon—

(1) determining the Government of the Republic of Croatia is actively interfering with the transhipment of arms deliveries to the Government of Bosnia and Herzegovina, and

(2) reporting in writing to the President pro tempore of the Senate and the Speaker of the House of Representatives that he has determined the Government of the Republic of Croatia is actively interfering with the transhipment of arms deliveries to the Government of Bosnia and Herzegovina, the basis for his determination, and the measures the United States has taken to minimize such interference.

(c) DEFINITION.—As used in this section, the terms ''United States arms embargo of the Government of the Republic of Croatia,'' and ''United States arms embargo of the Government of Bosnia and Herzegovina'' mean the application to the Government of the Republic of Croatia and the Government of Bosnia and Herzegovina, respectively, of the policy adopted July 10, 1991, and published in the Federal Register of July 19, 1991 (58 FR 33322) under the heading ''Suspension of Munitions Export Licenses to Yugoslavia.''

BOND AMENDMENT NO. 2045

(Ordered to lie on the table.)

Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 908, supra; as follows:

On page 24 line 3, strike all after the word ''The'' through the word ''Committee'' on line 14, and insert in lieu thereof the following:

''Attorney General shall conduct a study to develop, in consultation with the Secretary of State, the Secretary of Commerce, the Secretary of Treasury, the Director of Central Intelligence, the Securities and Exchange Commission, the United States Trade Representative, the Overseas Private Investment Corporation, the Trade and Development Agency, and the Export-Import Bank of the United States, proposals to end the discrimination against United States exports that result from bribery and corruption in international business transactions.

''(d) REPORT.—The Attorney General, in consultation with the agencies and agency heads listed in subsection (c), shall submit a report containing the proposals developed under subsection (c) to the Committee on Banking, Housing and Urban Affairs and the''.

KASSEBAUM AMENDMENT NO. 2046

(Ordered to lie on the table.)

Mrs. KASSEBAUM submitted an amendment intended to be proposed by her to the bill S. 908, supra; as follows:

On page 108 strike lines 13 through 25, and on page 109 strike lines 1 through 3.

FEINGOLD (AND SIMPSON) AMENDMENT NO. 2047

(Ordered to lie on the table.)

Mr. FEINGOLD (for himself and Mr. SIMPSON) submitted an amendment intended to be proposed by them to amendment No. 1916 submitted by Mr. HELMS to the bill S. 908, supra; as follows:

Strike all and in lieu of the matter intended to be inserted, insert the following:

On page 124, after line 20, insert the following:

SEC. . UNITED NATIONS POPULATION FUND.

(a) AVAILABILITY OF FUNDS.—Of the amounts made available to carry out part I

of the Foreign Assistance Act of 1961, $35,000,000 shall be made available for each of fiscal years 1996 and 1997 to the United Nations Population Fund (UNFPA).

(b) PROHIBITION.—None of the funds made available under this section may be made available for activities in the People's Republic of China.

(c) CONDITION.—Funds made available under this section to the UNFPA shall be provided only on the condition that such funds are maintained in a separate account and are not commingled with any other funds.

(d) REPORTS.—

(1) Not later than February 1, 1996, and February 1, 1997, the Secretary of State shall submit to the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and International Relations of the House of Representatives a report indicating the amount that the UNFPA plans to spend in the People's Republic of China during the fiscal year in which the report is submitted.

(2) If the amount indicated in a report submitted under paragraph (1) exceeds $7,000,000, then the amount made available to the UNFPA shall be reduced by $7,000,000.

BROWN AMENDMENTS NOS. 2048–2052

(Ordered to lie on the table.)

Mr. BROWN submitted five amendments intended to be proposed by him to amendments submitted by him to the bill S. 908, supra; as follows:

AMENDMENT NO. 2048

In lieu of the matter proposed to be inserted by the amendment, insert the following:

SEC. . AUTHORIZATION FOR AN INDUSTRIAL PARK ON THE BORDER BETWEEN THE TERRITORIES AND ISRAEL.

(a) FINDINGS.—The Congress finds that:

(1) Extremists in Hamas and Islamic Jihad who reject the gains made since the signing of the Declaration of Principles have used terrorist tactics to force the closing of the territories;

(2) These terrorist acts have exacerbated existing problems and Gaza is now experiencing staggering unemployment nearing 50%, increasing chaos and a downward spiral of dashed hopes and deeping poverty;

(3) Israel's legitimate security concerns necessitate creative new methods of ensuring continued economic opportunity for the Palestinians; and

(4) The development of industrial parks along the border between Gaza, the West Bank and Israel sponsored by individual nations provides an important means of providing both development for Palestinians while maintaining border security.

(b) SENSE OF CONGRESS.—It is the sense of Congress that:

(1) The United States should take prompt, visable action before the coming election in Gaza and Jericho that promises hope and jobs to Palestinians;

(2) The rapid development of an industrial park, closely coordinated with private sector investors, will provide a clear sign of opportunity resulting from peace with Israel;

(3) The decision to site the industrial park should give special consideration to the extremely difficult economic conditions in Gaza;

(4) The President should appoint a Special Coordinator to coordinate the rapid development of an industrial park in Gaza and to begin the recruitment of U.S. investors; and

(5) The Secretary of State should direct a short-term review and implement of U.S. assistance plans to assist in speeding the flow of goods and services between Israel and Gaza while increasing security between the two areas.

(c) AUTHORIZATION.—There are authorized to be appropriated $10,000,000 for the rapid development of a prototype industrial park in Gaza and/or the West Bank, notwithstanding sections 513 and 545 of the FY1995 Foreign Operations, Export Financing and Related Programs and FY1994 Supplemental Appropriations Act (P.L. 103–306) or similar provisions.

AMENDMENT NO. 2049

In lieu of the matter proposed to be inserted by the amendment, insert the following:

SEC. . REIMBURSEMENT FOR MARGINAL COSTS.

(a) For all agricultural commodities transported under sections 901(b) and 901b of the Merchant Marine Act of 1936 as part of any United States Government-administered program of food assistance to foreign countries, the United States is authorized to reimburse carriers above the international market rate as determined by the Secretary of Agriculture only to the extent of the differential cost incurred by U.S. shippers necessary to comply with U.S. health, safety, labor and other U.S. standards that are not required for non-U.S. vessels.

(b) REPORT.—The Secretary of Transportation shall submit a report 90 days after the enactment of this Act and annually thereafter to the appropriate committees of Congress detailing the U.S. health, safety, labor and other standards and their differential cost to U.S. shippers of agricultural commodities under sections 901(b) and 901b of the Merchant Marine Act of 1936.

AMENDMENT NO. 2050

In lieu of the matter to be proposed to be inserted by the amendment, insert the following:

SEC. . LIMITATION ON CARGO PREFERENCE.

For all agricultural commodities transported under sections 901(b) and 901b of the Merchant Marine Act of 1936 as part of any United States Government-administered program of food assistance to foreign countries, the United States shall not reimburse carriers more than 25 percent above the international market rate, as determined by the Secretary of Agriculture.

AMENDMENT NO. 2051

In lieu of the matter proposed to be inserted by the amendment, insert the following:

SEC. 510. CLARIFICATION OF RESTRICTIONS UNDER SECTION 620E OF THE FOREIGN ASSISTANCE ACT OF 1961.

(a) IN GENERAL.—Section 620E of the Foreign Assistance Act of 1961 (22 U.S.C. 2375) is amended—

(1) in subsection (e)—

(A) by striking ''No assistance'' and inserting ''No military assistance'';

(B) by striking ''in which assistance is to be furnished or military equipment or technology'' and inserting ''in which military assistance is to be furnished or military equipment or technology'';

(C) by striking ''the proposed United States assistance'' and inserting ''the proposed United States military assistance'';

(D) by inserting ''(1)'' immediately after ''(e)''; and

(E) by adding at the end the following new paragraph:

''(2) The prohibitions in this subsection do not apply to any assistance or transfer provided for the purposes of—

''(A) international narcotics control (including chapter 8 of part I of this Act) or any other provision of law available for providing assistance for counternarcotics purposes;

''(B) facilitating military-to-military contact, training (including chapter 5 of part II of this Act), or humanitarian or civic assistance projects;

''(C) peacekeeping and other multilateral operations (including chapter 6 of part II of this Act, relating to peacekeeping) or any provisions of law available for providing assistance for peacekeeping purposes, except that any lethal military equipment provided under this subparagraph shall be provided on a lease or loan basis only and shall be returned upon completion of the operation for which it was provided; or

''(D) antiterrorism assistance (including chapter 8 of part II of this Act, relating to antiterrorism assistance) or any other provision of law available for antiterrorism assistance purposes.

''(3) The restrictions of this subsection shall continue to apply to contracts for the delivery of F–16 aircraft to Pakistan.

''(4) Notwithstanding the restrictions contained in this subsection, military equipment, technology, or defense services, other than F–16 aircraft, may be transferred to Pakistan pursuant to contracts or cases entered into before October 1, 1990.''; and

(2) by adding at the end the following new subsections:

''(f) STORAGE COSTS.—The President may release the Government of Pakistan of its contractual obligation to pay the United States Government for the storage costs of items purchased prior to October 1, 1990, but not delivered by the United States Government by virtue of the application of subsection (e) and may reimburse the Government of Pakistan for any such amounts paid, on such terms and conditions as the President may prescribe, if such payments would have no impact on the scoring of United States budget authority or outlays.

''(g) RETURN OF MILITARY EQUIPMENT.—The President may return to the Government of Pakistan military equipment paid for and delivered to Pakistan and subsequently transferred for repair or upgrade to the United States but not returned to Pakistan by virtue of the application of subsection (e). Such equipment or its equivalent may be returned to the Government of Pakistan if the President determines and so certifies to the appropriate congressional committees that such equipment or equivalent neither constitutes nor has received any significant qualitative upgrade since being transferred to the United States.''.

AMENDMENT NO. 2052

In lieu of the matter proposed to be inserted by the amendment, insert the following:

TITLE ____—NATO PARTICIPATION ACT AMENDMENTS OF 1995

SECTION 1. SHORT TITLE.

This title may be cited as the ''NATO Participation Act Amendments of 1995''.

SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) Since 1949, the North Atlantic Treaty Organization (NATO) has played an essential role in guaranteeing the security, freedom, and prosperity of the United States and its partners in the Alliance.

(2) NATO has expanded its membership on three different occasions since 1949.

(3) The sustained commitment of the member countries of NATO to mutual defense of their security ultimately made possible the democratic transformation in Central and Eastern Europe and the demise of the Soviet Union.

(4) NATO was designed to be and remains a defensive military organization whose members have never contemplated the use of, or

used, military force to expand the borders of its member states.

(5) While the immediate threat to the security of the United States and its allies has been reduced with the collapse of the Iron Curtain, new security threats, such as the situation in Bosnia and Herzegovina, are emerging to the shared interests of the member countries of NATO.

(6) NATO remains the only multilateral security organization capable of conducting effective military operations to protect Western security interests.

(7) NATO has played a positive role in defusing tensions between NATO members and, as a result, no military action has occurred between two NATO member states since the inception of NATO in 1949.

(8) NATO is also an important diplomatic forum for the discussion of issues of concern to its member states and for the peaceful resolution of disputes.

(9) America's security, freedom, and prosperity remain linked to the security of the countries of Europe.

(10) Any threat to the security of the newly emerging democracies in Europe would pose a security threat to the United States and its European allies.

(11) The admission to NATO of European countries that have been freed from Communist domination and that meet specific criteria for NATO membership would contribute to international peace and enhance the security of the region.

(12) A number of countries have expressed varying degrees of interest in NATO membership, and have taken concrete steps to demonstrate this commitment.

(13) Full integration of Central and East European countries into the North Atlantic Alliance after such countries meet essential criteria for admission would enhance the security of the Alliance and, thereby, contribute to the security of the United States.

(14) The expansion of NATO can create the stable environment needed to successfully complete the political and economic transformation envisioned by European states emerging from communist domination.

(15) In recognition that not all countries which have requested membership in NATO will necessarily qualify at the same pace, the accession date for each new member will vary.

(16) The provision of NATO transition assistance should include those countries most ready for closer ties with NATO, and should be designed to assist other countries meeting specified criteria of eligibility to move forward toward eventual NATO membership.

(17) The evaluation of future membership in NATO for countries emerging from communist domination should be based on the progress of those nations in meeting criteria for NATO transition assistance and evolving NATO criteria, which require enhancement of NATO's security and the approval of all NATO members.

SEC. 3. UNITED STATES POLICY.

It should be the policy of the United States—

(1) to join with the NATO allies of the United States to redefine the role of the NATO Alliance in the post-Cold War world;

(2) to actively assist European countries emerging from communist domination in their transition so that such countries may eventually qualify for NATO membership; and

(3) to work to define the political and security relationship between an enlarged NATO and the Russian Federation.

SEC. 4. REVISIONS TO PROGRAM TO FACILITATE TRANSITION TO NATO MEMBERSHIP.

(a) ESTABLISHMENT OF PROGRAM.—Subsection (a) of section 203 of the NATO Participation Act of 1994 (title II of Public Law 103–447; 22 U.S.C. 1928 note) is amended to read as follows:

''(a) ESTABLISHMENT OF PROGRAM.—The President shall provide expanded security assistance and other related assistance to countries designated under subsection (d) to facilitate their transition to full NATO membership.''.

(b) ELIGIBLE COUNTRIES.—

(1) ELIGIBILITY.—Subsection (d) of section 203 of such Act is amended to read as follows:

''(d) DESIGNATION OF ELIGIBLE COUNTRIES.—

''(1) PRESIDENTIAL REVIEW AND REPORT.—Within 60 days of the enactment of the NATO Participation Act Amendments of 1995, the President shall transmit to the Congress an evaluation of Poland, Hungary, the Czech Republic, and Slovakia as well as Estonia, Latvia, Lithuania, Slovenia, Bulgaria, Romania and Albania in accordance with the criteria in paragraph (3) and specifically designate one or more of these countries to be eligible to receive assistance under the program established in subsection (a). The President shall provide a report of the country-by-country evaluation as well as an evaluation of each designated country's progress toward conformance with criteria for full NATO membership.

''(2) OTHER EUROPEAN COUNTRIES EMERGING FROM COMMUNIST DOMINATION.—

''(A) In addition to the country or countries designated pursuant to paragraph (1), the President may designate other European countries emerging from communist domination. The President may make such a designation in the case of any such country only if the President determines, and reports to the designated congressional committees, that such country meets the criteria specified in paragraph (3).

''(3) CRITERIA.—The criteria referred to in paragraph (2) are, with respect to each country, that the country—

''(A) has made significant progress toward establishing—

''(i) shared values and interests;

''(ii) democratic governments;

''(iii) free market economies;

''(iv) civilian control of the military, of the police, and of intelligence services;

''(v) adherence to the values, principles, and political commitments embodied in the Helsinki Final Act of the Organization on Security and Cooperation in Europe; and

''(vi) more transparent defense budgets and is participating in the Partnership For Peace defense planning process;

''(B) has made public commitments—

''(i) to further the principles of NATO and to contribute to the security of the North Atlantic area;

''(ii) to accept the obligations, responsibilities, and costs of NATO membership; and

''(iii) to implement infrastructure development activities that will facilitate participation in and support for NATO military activities;

''(C) is not ineligible for assistance under section 563 of Public Law 103–306, with respect to transfers of equipment to a country the government of which the the Secretary of State has determined is a terrorist government for purposes of section 40(d) of the Arms Export Control Act; and

''(D) is likely, within five years of the determination of the President under paragraph (1) or (2), to be in a position to further the principles of the North Atlantic Treaty and to contribute to its own security and that of the North Atlantic area.

''(4) PROHIBITION ON FUNDING FOR PARTNERSHIP FOR PEACE ACTIVITIES OR ON FUNDING FOR THE WARSAW INITIATIVE.—Effective 60 days after the date of enactment of the NATO Participation Act Amendments of 1995, no funds authorized to be appropriated under any provision of law may be obligated or expended for activities associated with the Partnership for Peace program or the Warsaw Initiative until the President has designated at least one country to participate in the transition program established under subsection (a).''.

(2) CONFORMING AMENDMENTS.—

(A) Subsections (b) and (c) of section 203 of such Act are amended by striking ''countries described in such subsection'' each of the two places it appears and inserting ''countries designated under subsection (d)''.

(B) Subsection (e) of section 203 of such Act is amended—

(i) by striking ''subsection (d)'' and inserting ''subsection (d)(2)''; and

(ii) by inserting ''(22 U.S.C. 2394)'' before the period at the end.

(C) Section 204(c) of such Act is amended by striking ''any other Partnership for Peace country designated under section 203(d)'' and inserting ''any country designated under section 203(d)(2)''.

(c) TYPES OF ASSISTANCE.—Section 203(c) of such Act is amended—

(1) by redesignating paragraphs (1) through (4) as subparagraphs (A) through (D), respectively; and

(2) by inserting after subparagraph (D) (as redesignated) the following new subparagraphs:

''(E) Assistance under chapter 4 of part II of the Foreign Assistance Act of 1961 (relating to the Economic Support Fund).

''(F) Funds appropriated under the 'Nonproliferation and Disarmament Fund' account''.

''(G) Assistance under chapter 6 of part II of the Foreign Assistance Act of 1961 (relating to peacekeeping operations and other programs).''.

''(H) Authority for the Department of Defense to pay excess defense articles costs for countries designated for both grant lethal and nonlethal excess defense articles.

''(I) Authority to convert FMF loans to grants, and grants to loans, for eligible countries.''.

(3) by inserting ''(1)'' immediately after ''TYPE OF ASSISTANCE.—''; and

(4) by adding at the end the following new paragraphs:

''(2) For fiscal years 1996 and 1997, in providing assistance under chapter 5 of part II of the Foreign Assistance Act of 1961 for the countries designated under subsection (d), the President shall include as an important component of such assistance the provision of sufficient language training to enable military personnel to participate further in programs for military training and in defense exchange programs.

''(3) Of the amounts made available under chapter 5 of part II of the Foreign Assistance Act of 1961 (relating to international military education and training), $5,000,000 for fiscal year 1996 and $5,000,000 for fiscal year 1997 should support—

''(A) the attendance of additional military personnel of Poland, Hungary, the Czech Republic, and Slovakia at professional military education institutions in the United States in accordance with section 544 of such Act; and

''(B) the placement and support of United States instructors and experts at military educational centers within the foreign countries designated under subsection (d) that are receiving assistance under that chapter.''.

SEC. 5. ASSISTANCE FOR NATO PARTICIPATION ACT DESIGNEES.

The President is authorized to obligate and expend $60,000,000 from funds made available under the Foreign Assistance Act of 1961 in support of countries designated to receive

transition assistance under section 203(a) of the NATO Participation Act, as follows:

(1) Poland: $20,000,000.

(2) Czech Republic: $10,000,000.

(3) Hungary: $5,000,000.

(4) Slovakia: $5,000,000.

(5) Other European countries designated under subsection (d)(1) or subsection (d)(2): $20,000,000.

SEC. 6. TERMINATION OF ELIGIBILITY.

Section 203(f) of the NATO Participation Act of 1994 (title II of Public Law 103–447; 22 U.S.C. 1928 note) is amended to read as follows:

''(f) TERMINATION OF ELIGIBILITY.—(1) The eligibility of a country designated under subsection (d) for the program established in subsection (a) shall terminate 60 days after the President makes a certification under paragraph (2) unless, within the 60-day period, the Congress enacts a joint resolution disapproving the termination of eligibility.

''(2) Whenever the President determines that the government of a country designated under subsection (d)—

''(A) no longer meets the criteria set forth in subsection (d)(2)(A);

''(B) is hostile to the NATO alliance; or

''(C) poses a national security threat to the United States,

then the President shall so certify to the appropriate congressional committees.

''(3) Nothing in this Act shall affect the eligibility of countries to participate under other provisions of law in programs described in this Act.''.

(b) CONGRESSIONAL PRIORITY PROCEDURES.—Section 203 of such Act is amended by adding at the end the following new subsection:

''(g) CONGRESSIONAL PRIORITY PROCEDURES.—

''(1) APPLICABLE PROCEDURES.—A joint resolution described in paragraph (2) which is introduced in a House of Congress after the date on which a certification made under subsection (f)(2) is received by Congress shall be considered in accordance with the procedures set forth in paragraphs (3) through (7) of section 8066(c) of the Department of Defense Appropriations Act, 1985 (as contained in Public Law 98–473 (98 Stat. 1936)), except that—

''(A) references to the 'resolution described in paragraph (1)' shall be deemed to be references to the joint resolution; and

''(B) references to the Committee on Appropriations of the House of Representatives and to the Committee on Appropriations of the Senate shall be deemed to be references to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

''(2) TEXT OF JOINT RESOLUTION.—A joint resolution under this paragraph is a joint resolution the matter after the resolving clause of which is as follows: 'That the Congress disapproves the certification submitted by the President on _____ pursuant to section 203(f) of the NATO Participation Act of 1994.'.''.

SEC. 7. REPORTS.

(a) ANNUAL REPORT.—Section 206 of the NATO Participation Act of 1994 (title II of Public Law 103–447; 22 U.S.C. 1928 note), as redesignated by section 5(1) of this Act, is amended—

(1) by inserting ''annual'' in the section heading before the first word;

(2) by inserting ''annual'' after ''include in the'' in the matter preceding paragraph (1);

(3) in paragraph (1), by striking ''Partnership for Peace'' and inserting ''European''; and

(4) by striking paragraph (2) and inserting instead the following new paragraph:

''(2) In the event that the President determines that, despite a period of transition assistance, a country designated under section 203(d) has not, as of January 10, 1999, met criteria for NATO membership set forth by the North Atlantic Council, the President shall transmit a report to the designated congressional committees containing an assessment of the progress made by that country in meeting those standards.''.

SEC. 8. DEFINITIONS.

The NATO Participation Act of 1994 (title II of Public Law 103–447; 22 U.S.C. 1928 note), as amended by this Act, is further amended by adding at the end the following new section:

''SEC. 207. DEFINITIONS.

''For purposes of this title:

''(1) NATO.—The term 'NATO' means the North Atlantic Treaty Organization.

''(2) DESIGNATED CONGRESSIONAL COMMITTEES.—The term 'designated congressional committees' means—

''(A) the Committee on International Relations, the Committee on National Security, and the Committee on Appropriations of the House of Representatives; and

''(B) the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Appropriations of the Senate.

''(3) EUROPEAN COUNTRIES EMERGING FROM COMMUNIST DOMINATION.—The term 'European countries emerging from Communist domination' includes, but is not limited to, Albania, Bulgaria, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Moldova, Poland, Romania, Slovakia, Slovenia, and Ukraine.''.

THE ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1996

REID AMENDMENT NO. 2053

Mr. DOMENICI (for Mr. REID) proposed an amendment to the bill (H.R. 1905) making appropriations for energy and water development for the fiscal year ending September 30, 1996, and for other purposes; as follows:

On page 24, line 7, strike ''135(a)(2), 135(d), 135(e). 141(g), 145'' and insert ''135(d), 135(e),''.

JEFFORDS (AND OTHERS) AMENDMENT NO. 2054

Mr. JEFFORDS (for himself, Mr. ROTH, Mr. GRAMS, Mr. WELLSTONE, Mr. HARKIN, and Mr. LEHY) proposed an amendment to the bill H.R. 1905, supra; as follows:

On page 20, line 23 insert the following:

SEC. . FUNDING FOR ENERGY SUPPLY, RESEARCH AND DEVELOPMENT ACTIVITIES RELATING TO RENEWABLE ENERGY SOURCES.

''(a) REDUCTION IN APPROPRIATION FOR DEPARTMENTAL ADMINISTRATION.—Notwithstanding any other provision of this Act, the amount appropriated in title III of this Act under the heading DEPARTMENTAL ADMINISTRATION is hereby reduced by $37,000,000.

''(b) INCREASE IN APPROPRIATION FOR ENERGY SUPPLY, RESEARCH AND DEVELOPMENT ACTIVITIES.—Notwithstanding any other provision of this Act, the amount appropriated in title III of this act under the heading ENERGY SUPPLY, RESEARCH AND DEVELOPMENT ACTIVITIES is hereby increased by $37,000,000.

''(c) AVAILABILITY OF FUNDS.—Of the funds appropriated in title III of this Act under the heading ENERGY SUPPLY, RESEARCH AND DEVELOPMENT ACTIVITIES—

''(1) not less than $4,500,000 shall be available for solar building technology research;

''(2) not less than $78,929,000 shall be available for photovoltaic energy systems;

''(3) not less than $28,443,000 shall be available for solar thermal energy systems;

''(4) not less than $55,300,000 shall be available for biofuels of which no less than half shall go toward the BIOMASS ELECTRIC PROGRAM;

''(5) not less than $42,000,000 shall be available for wind energy systems;

''(6) not less than $8,000,000 shall be available for international solar energy programs;

''(7) not less than $9,000,000 shall be available for hydrogen research;''.

BUMPERS (AND OTHERS) AMENDMENT NO. 2055

Mr. BUMPERS (for himself, Mr. INHOFE, Mr. KERRY, Mr. FEINGOLD, and Mr. BRADLEY) proposed an amendment to the bill H.R. 1905, supra; as follows:

Strike lines 22–23 on page 20 and insert in lieu thereof the following: ''$2,793,324,000 to remain available until expended. *Provided that,* no more than $7,500,000 of such funds shall be used for the termination of the Gas Turbine-Modular Helium Reactor program.''

ABRAHAM (AND OTHERS) AMENDMENT NO. 2056

Mr. ABRAHAM (for himself, Mr. GRAMS, Mr. KYL, and Mr. ASHCROFT) proposed an amendment

On page 41, between lines 12 and 13, insert the following:

SEC. 510. MAGNETIC FUSION ENERGY ENGINEERING.

Section 7 of the Magnetic Fusion Energy Engineering Act (42 U.S.C. 9396) is repealed.

SEC. 511. REPEAL OF REPORT ON VERIFICATION TECHNIQUES FOR PRODUCTION OF PLUTONIUM AND HIGHLY ENRICHED URANIUM.

Section 3131 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 104 Stat. 1839) is amended by striking out subsection (c).

DORGAN (AND OTHERS) AMENDMENT NO. 2057

Mr. DORGAN (for himself, Mr. KOHL, Mr. FORD, Mr. ROBB, Mr. BREAUX, Mr. HARKIN, Mr. BRADLEY, and Mr. WELLSTONE) proposed an amendment to the bill H.R. 1905, supra; as follows:

At the appropriate place in the bill, insert the following:

SEC. . SENSE OF THE SENATE ON THE CONFERENCE ON S. 4, THE LINE ITEM VETO ACT.

(a) FINDINGS.—The Senate finds that—

(1) the line item veto was a major plank in the House majority's ''Contract with America'' and has received strong bipartisan support in the 104th Congress;

(2) the House of Representatives on February 6, 1995, passed H.R. 2, the Line Item Veto Act, on a vote of 294–134;

(3) the Senate on March 23, 1995, passed S. 4, the Separate Enrollment and Line Item Veto Act of 1995, on a vote of 69–29;

(4) the House passed S. 4, with the text of H.R. 2 inserted, by voice vote on May 17, 1995, 50 days after passage by the Senate;

(5) notwithstanding the failure of the House to request a conference, the Senate disagreed with the House amendments, requested a conference and appointed conferees on S. 4 on June 20, 1995;

(6) the papers for S. 4 have been held at the desk of the Speaker of the House for 42 days, and the Speaker of the House has not yet moved to appoint conferees;

(7) with the passage of time it increasingly appears that the Congress may pass and send to the President not only the appropriations bills for fiscal year 1996 but also the reconciliation bill required by H.Con.Res. 67 (the concurrent resolution setting forth the congressional budget for fiscal years 1996, 1997, 1998, 1999, 2000, 2001, and 2002) without first passing and sending to the President a line item veto bill; and

(8) the House majority leadership has publicly cast doubt on the prospects for a conference on S. 4 this year.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the Speaker of the House should move to appoint conferees on S. 4 immediately, so that the House and Senate may resolve their differences on this important legislation;

GRAMS (AND OTHERS) AMENDMENT NO. 2058

Mr. GRAMS (for himself, Mr. MCCAIN, and Mr. FEINGOLD) proposed an amendment to the bill H.R. 1905, supra; as follows:

On page 32, line 13, strike ''$182,000,000'' and insert ''$142,000,000.''

BINGAMAN AMENDMENT NO. 2059

Mr. JOHNSTON (for Mr. BINGAMAN) proposed an amendment to the bill H.R. 1905, supra; as follows:

At the appropriate place, insert the following:

SEC. . ENERGY SAVINGS AT FEDERAL FACILITIES.

(a) REDUCTION IN FACILITIES ENERGY COSTS.—The head of each agency for which funds are made available under this Act shall take all actions necessary to achieve during fiscal year 1996 a 5 percent reduction, from fiscal year 1995 levels, in energy costs of the facilities used by the agency.

(b) USE OF COST SAVINGS.—An amount equal to the amount of cost savings realized by an agency under subsection (a) shall remain available for obligation through the end of fiscal year 1997, without further authorization or appropriation, as follows:

(1) CONSERVATION MEASURES.—Fifty percent of the amount shall remain available for the implementation of additional energy conservation measures and for water conservation measures at such facilities used by the agency as are designated by the head of the agency.

(2) OTHER PURPOSES.—Fifty percent of the amount shall remain available for use by the agency for such purposes as are designated by the head of the agency, consistent with applicable law.

(c) REPORT.—

(1) IN GENERAL.—Not later than December 31, 1996, the head of each agency described in subsection (a) shall submit a report to Congress specifying the results of the actions taken under subsection (a) and providing any recommendations as to how to further reduce energy costs and energy consumption in the future.

(2) CONTENTS.—Each report shall—

(A) specify the total energy costs of the facilities used by the agency;

(B) identify the reductions achieved; and

(C) specify the actions that resulted in the reductions.

LAUTENBERG (AND BRADLEY) AMENDMENT NO. 2060

Mr. JOHNSTON (for Mr. LAUTENBERG, for himself and Mr. BRADLEY) proposed an amendment to the bill H.R. 1905, supra; as follows:

On page 20, lines 22 and 23, after ''expended'' insert '', of which amount within available funds $56,000,000 may be available to continue operation of the Tokamak Fusion Test Reactor (for which purpose, the Secretary may use savings from reducing general administrative expenses in accordance with the Department of Energy's strategic alignment and downsizing effort, but none of the savings used for this purpose shall come from programmatic accounts within this title)''.

DASCHLE AMENDMENT NO. 2061

Mr. JOHNSTON (for Mr. DASCHLE) proposed an amendment to the bill H.R. 1905, supra; as follows:

On page 15, line 17, add: ''*provided further,* within available funds, $300,000 is for the completion of the feasibility study of alternatives for meeting the drinking water needs on the Cheyenne River Sioux Reservation and surrounding communities.''

BAUCUS AMENDMENT NO. 2062

Mr. JOHNSTON (for Mr. BAUCUS) proposed an amendment to the bill H.R. 1905, supra; as follows:

On page 20, lines 22 and 23, after ''expended'' insert ''*Provided further,* That within the amount for Indian Energy Resource projects, $2,000,000 may be made available fund the Crow energy resources programs under title XXVI of the Energy Policy Act of 1992 (25 U.S.C. 3501 et seq.)''.

BYRD AMENDMENT NO. 2063

Mr. JOHNSTON (for Mr. BYRD) proposed an amendment to the bill H.R. 1905, supra; as follows:

At the appropriate place in the bill (suggest page 12, after line 16) insert the following:

SEC. . The project for flood control for Petersburg, West Virginia, authorized by section 101(a)(26) of the Water Resources Development Act of 1990 (P.L. 101–640, 104 Stat. 4611) is modified to authorize the Secretary of the Army to construct the project at a total cost not to exceed $26,600,000, with an estimated first Federal cost of $19,195,000 and an estimated first non-Federal cost of $7,405,000.

FEINGOLD AMENDMENT NO. 2064

Mr. JOHNSTON (for Mr. FEINGOLD) proposed an amendment to the bill H.R. 1905, supra; as follows:

On page 38, lines 1 and 2, after ''$110,339,000, to remain available until expended'' insert ''Of the funds appropriated under this heading, not more than $25,000,000 may be expended for the Tennessee Valley Authority Environmental Research Center in Muscle Shoals, Alabama, in the event that the Center expends less than $25 million, such amount not expended shall be returned to the U.S. Treasury and the Tennessee Valley Authority appropriation reduced accordingly and the Tennessee Valley Authority shall take steps to obtain funding from other sources so as to reduce appropriated funding in the future and, not later than January 1, 1996, submit to Congress a preliminary plan securing funding from other sources.

BOXER (AND BAUCUS) AMENDMENT NO. 2065

Mr. JOHNSTON (for Mrs. BOXER, for herself and Mr. BAUCUS) proposed an amendment to the bill H.R. 1905, supra; as follows:

On page 9, line 24, insert ''(including the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives)'' after ''Congress''.

HUTCHISON AMENDMENT NO. 2066

Mr. DOMENICI (for Mrs. HUTCHISON) proposed an amendment to the bill H.R. 1905, Supra; as follows:

On page 13 insert the following new section after line 23:

SEC.—.''(a) The Secretary of the Army is authorized to accept from a non-Federal sponsor an amount of additional lands not to exceed 300 acres which are contiguous to the Cooper Lake and Channels Project, Texas, authorized by the River and Harbor Act of 1965 and the Water Resources Development Act of 1986, and which provide habitat value at least equal to that provided by the lands authorized to be redesignated in subsection (b).

''(b) Upon the completion of subsection (a), the Secretary is further authorized to redesignate an amount of mitigation land not to exceed 300 acres to recreation purposes.

''(c) The cost of all work to be undertaken pursuant to this section, including but not limited to real estate appraisals, cultural and environmental surveys, and all development necessary to avoid net mitigation losses, to the extent such actions are required, shall be borne by the donating sponsor.

GRAMS (AND WELLSTONE) AMENDMENT NO. 2067

Mr. DOMENICI (for Mr. GRAMS, for himself and Mr. WELLSTONE) proposed an amendment to the bill H.R. 1905, supra; as follows:

On page 6, after line 11, add: ''; For Marshall, Minnesota, $850,000;''.

WARNER AMENDMENT NO. 2068

Mr. DOMENICI (for Mr. WARNER) proposed an amendment to the bill H.R. 1905, supra; as follows:

On page 6, between line 11 and line 12 insert the following: ''Virginia Beach Erosion Control and Hurricane Protection, Virginia, $1,100,000;''.

BROWN AMENDMENTS NOS. 2069–2070

Mr. DOMENICI (for Mr. BROWN) proposed two amendments to the bill H.R. 1905, supra; as follows:

AMENDMENT NO. 2069

On page 33, strike line 5 and insert the following: Commission, as authorized by law (75 Stat. 716), $440,000, *Provided:* that the U.S. Commissioner (Alternate Federal Member) shall not be compensated at a level higher than General Schedule level 15.

AMENDMENT NO. 2070

On page 37, strike line 14 and insert the following: $280,000, *Provided:* that the U.S. Commissioner (Alternate Federal Member) shall not be compensated at a level higher than General Schedule level 15.

CRAIG (AND KEMPTHORNE) AMENDMENT NO. 2071

Mr. DOMENICI (for Mr. CRAIG, for himself and Mr. KEMPTHORNE) proposed an amendment to the bill H.R. 1905, supra; as follows:

Page 26, line 16, insert the following before the period: ": Provided, that within available funds, $4,952,000 is provided for electrical and utility systems upgrade, Idaho Chemical Processing Plant, Idaho National Engineering Laboratory, project number 96–D–463".

PRESSLER (AND DASCHLE) AMENDMENT NO. 2072

Mr. DOMENCI (for Mr. PRESSLER, for himself and Mr. DASCHLE) proposed an amendment to the bill H.R. 1905, supra; as follows:

At the appropriate place in title I, insert the following:

SEC. 1 . WATER LEVEL IN LAKE TRAVERSE, SOUTH DAKOTA AND MINNESOTA.

(a) IN GENERAL.—Subject to subsection (b), notwithstanding any other law, the Secretary of the Army, acting through the Chief of Engineers of the Army Corps of Engineers and using funds made available under this Act, shall, to the greatest extent practicable, take such actions as are necessary to obtain and maintain an elevation of 977 feet above sea level in Lake Traverse, South Dakota and Minnesota.

(b) LIMITATION.—No action taken under subsection (a) shall result in flooding at Mud Lake, South Dakota and Minnesota.

DOLE (AND KASSEBAUM) AMENDMENT NO. 2073

Mr. DOMENICI (for Mr. DOLE, for himself and Mrs. KASSEBAUM) proposed an amendment to the bill H.R. 1905, supra; as follows:

On page 5 insert the following between lines 16 and 17: "Arkansas City flood control project, Kansas, $700,000, except that for the purposes of the project, section 902 of Public Law 99–662 is waived;".

HATFIELD AMENDMENT NO. 2074

Mr. DOMENICI (for Mr. HATFIELD) proposed an amendment to the bill H.R. 1905, supra; as follows:

On page 13, insert the following after line 23:

SEC. . Using funds appropriated herein the Secretary of the Army, acting through the Chief of Engineers, is authorized to undertake the Coos Bay, Oregon project in accordance with the Report of the Chief of Engineers, dated June 30, 1994, at a total cost of $14,541,000, with an estimated Federal cost of $10,777,000 and an estimated non-Federal cost of $3,764,000.

PRESSLER AMENDMENT NO. 2075

Mr. DOMENICI (for Mr. PRESSLER) proposed an amendment to the bill H.R. 1905, supra; as follows:

At the appropriate place in title I, insert the following:

SEC. . WATER LEVEL IN LAKE TRAVERSE, SOUTH DAKOTA AND MINNESOTA.

(a) IN GENERAL.—Subject to subsection (b), notwithstanding any other law, the Secretary of the Army, acting through the Chief of Engineers of the Army Corps of Engineers and using funds made available under this Act, shall, to the greatest extent practicable, take such actions as are necessary to obtain and maintain an elevation of 977 feet above sea level in Lake Traverse, South Dakota and Minnesota.

(b) LIMITATION.—No action taken under subsection (a) shall result in flooding at Mud Lake, South Dakota and Minnesota.

WELLSTONE AMENDMENT NO. 2076

Mr. WELLSTONE proposed an amendment to the bill H.R. 1905, supra; as follows:

At the appropriate place in title V, insert the following:

SEC. . WATER LEVELS IN RAINY LAKE AND NAMAKAN LAKE.

(a) FINDINGS.—Congress finds that—

(1) the Rainy Lake and Namakan Reservoir Water Level International Steering Committee conducted a 2-year analysis in which public comments on the water levels in Rainy Lake and Namakan Lake revealed significant problems with the current regulation of water levels and resulted in Steering Committee recommendations in November 1993; and

(2) maintaining water levels closer to those recommended by the Steering Committee will help ensure the enhancement of water quality, fish and wildlife, and recreational resources in Rainy Lake and Namakan Lake.

(b) DEFINITIONS.—In this section:—

(1) EXISTING RULE CURVE.—The term "existing rule curve" means each of the rule curves promulgated by the International Joint Commission to regulate water levels in Rainy Lake and Namakan Lake in effect as of the date of enactment of this Act.

(2) PROPOSED RULE CURVE.—The term "proposed rule curve" means each of the rule curves recommended by the Rainy Lake and Namakan Reservoir International Steering Committee for regulation of water levels in Rainy Lake and Namakan Lake in the publication entitled "Final Report and Recommendations" published in November 1993.

(c) WATER LEVELS.—The dams at International Falls and Kettle Falls, Minnesota, in Rainy Lake and Namakan Lake, respectively, shall be operated so as to maintain water levels as follows:

(1) COINCIDENT RULE CURVES.—In each instance in which as existing rule curve coincides with a proposed rule curve, the water level shall be maintained within the range of such coincidence.

(2) NONCOINCIDENT RULE CURVES.—In each instance in which an existing rule curve does not coincide with a proposed rule curve, the water level shall be maintained at the limit of the existing rule curve that is closest to the proposed rule curve.

(d) ENFORCEMENT.—

(1) IN GENERAL.—The Federal Energy Regulatory Commission shall enforce this section as though the provisions were included in the license issued by the Commission on December 31, 1987, for Commission Project No. 5223–001.

(2) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require the Commission to alter the license for Commission Project No. 5223–001 in any way.

(e) SUNSET.—This section shall remain in effect until the International Joint Commission review of and decision on the Steering Committee's recommendations are completed.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. HELMS. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be allowed to meet during the Tuesday, August 1, 1995 session of the Senate for the purpose of conducting a hearing on the future of the Department of Commerce.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. HELMS. Mr. President, I ask unanimous consent that the Committee of Foreign Relations be authorized to meet during the session of the Senate on Tuesday, August 1, 1995, at 9:00 a.m.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. HELMS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate of the Senate on Tuesday, August 1, 1995, at 11 a.m.

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

SUBCOMMITTEE ON CLEAN AIR, WETLANDS, PRIVATE PROPERTY AND NUCLEAR SAFETY

Mr. HELMS. Mr. President, I ask unanimous consent that the Subcommittee on Clean Air, Wetlands, Private Property and Nuclear Safety be granted permission to conduct an oversight hearing Tuesday, August 1, at 2:00 p.m. on title V of the Clean Air Act.

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

SUBCOMMITTEE ON THE CONSTITUTION, FEDERALISM AND PROPERTY RIGHTS

Mr. HELMS. Mr. President, I ask unanimous consent that the Subcommittee on the Constitution, Federalism and Property Rights of the Committee on the Judiciary, be authorized to meet during the session of the Senate on Tuesday, August 1, 1995 at 9:00 a.m., to hold a hearing on H.R. 660, Older Americans Act.

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

SUBCOMMITTEE ON IMMIGRATION

Mr. HELMS. Mr. President, I ask unanimous consent that the Subcommittee on Immigration, of the Committee on the Judiciary, be authorized to meet during the session of the Senate on Tuesday, August 1, 1995 at 11:00 a.m., to hold a hearing on annual refugee consultation.

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

SUBCOMMITTEE ON INTERNATIONAL TRADE

Mr. HELMS. Mr. President, I ask unanimous consent that the Subcommittee on International Trade of the Committee on Finance be permitted to meet Tuesday, August 1, 1995, beginning at 10:00 a.m. in room SD–215, to conduct a hearing on Cambodia and Bulgaria most-favored-nation status, the renewal of the Generalized System of Preferences Program, and Trade Agency Budgets for fiscal year 1996.

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

ADDITIONAL STATEMENTS

WHO ARE THE VETERANS OF WORLD WAR II?

● Mr. COATS. Mr. President, I rise today to present a poem, ''Who Are the Veterans of World War II,'' that Dr. Jack Gren, a Fort Wayne, IN, native, has written to pay tribute to the veterans of World War II. It reflects his experiences during possibly the most historic war of this century.

As a young man, Dr. Gren volunteered for the Air Force and flew the Hump in the China-Burma-India theater of operations. He has since been involved with several speaking engagements and seminars detailing his life experiences.

Mr. President, I ask that the poem be printed in the RECORD.

The poem follows:

WHO ARE THE VETERANS OF WORLD WAR TWO?

Who are the veterans of World War Two?
People proud of the red, white and blue.

When the war broke out we got right in
Knowing somehow we'd eventually win.

The average age was twenty-six
But there certainly was a full range mix.

Some were the old guys at thirty-five
Fighting to keep our country alive.

A few of us were kids, still in our teens
Sincere and eager and full of dreams.

Joined the Air Force, Army, Marines and Navy too
There was an important job we had to do.

We took all the training and it was rough
But that's what taught us how to be tough.

Yes, we were tough when we had to be
But only out of necessity.

The rest of the time we were gentle and kind
Just winning the war was first in our mind.

We fought all over the world day by day
And every night found time to pray.

We fought in Europe with all our might
We knew that we had to make things right.

The battles were fierce in the Africa campaign
And even there we did sustain.

We fought throughout the Pacific Islands
From jungle swamps up to the highlands.

We fought in China, Burma and India as well
Now that was a real living hell.

We thought about our loved ones way back home
And sometimes felt so terribly alone.

We cared for our buddies quite a bit
And it tore us apart when they got hit.

Casualties occurred in many different ways
Sometimes it put us in kind of a daze.

It was difficult seeing wounded in terrible pain
And no way to help was hard to explain.

But worse was to see friends lie dying
It was all we could do to keep from crying.

Whether killed in a plane, a ship or tank
It was then we thought the whole world stank.

But that was the way it had to be
And we kept on fighting till the world was free.

Yes, we did our duty and did it with pride
Some of us lived while others died.

Then came the year of '45
The war was over and we were alive.

First Victory in Europe, then VJ Day
Thank You, God, we knelt to pray.

Then we came home to start once more
Hoping there'd not be another war.

We went to college or learned a skill
Thinking never again we'd have to kill.

We married, had children and that was nice
But like everything else we had paid a price.

We struggled as we tried to build a career
And many a night shed a silent tear.

Some attitudes changed it was hard to understand
Why certain people didn't appreciate this land.

When other wars started and some people fled
We remembered the ones who fought and bled.

Then along came those who defiled our flag
They spit on it burned it and called it a rag.

They called it ''free expression,'' That it was their right
Something given to them without struggle or fight.

They insulted the veterans who came home lame
For their outrageous actions they ought to feel shame.

And some people still try to get a free ride
It's through self achievement that we earn our pride.

Now our children are grown and out on there own
And once again we're alone.

If we're lucky we still have a loving wife
It's really been an interesting life.

We've seen the world change and its hard to explain
Why there are wars, turmoil and pain.

When will people heed the message from above
And learn to live in peace and love.

Yes, World War II was long ago
Will the veterans forget it, the answer is no.

For some old guys in the war, their journey is done
They lived a good life and the battles were won.

We who were kids, then still in our teens
Are now in our sixties and accomplished our dreams.

We attend military reunions, reminisce with the guys
And occasionally a thought brings tears to our eyes.

We look around, observe and it's easy to see
There aren't as many of us left as there used to be.

But if a terrible war came, heaven forbid
We'd probably do the same thing as we once did.

We'd join in the fray with all our might
And do what we could to make things right.

For we still love this country, the red white and blue
And that by God, is the best we can do.●

IN PRAISE OF SUMMER INTERNS

● Mr. MOYNIHAN. Mr. President, I rise in recognition of my summer intern staff.

These fine young men and women volunteered their time and energy this summer, and did a most outstanding job. Mr. President, in recognition of a job well done, I ask that a list of their names be printed in the RECORD:

The list follows:

Daniel Anziska, Matthew Cross, Cheryl Glickler, Stacey Goldberg, Jessica Lappin, Michael McGinn, Jim Papa, Daniel Preister, Elizabeth Ross, Jeffrey Rotenberg, Jessica Ruthizer, Peter Sims, Rina Schiff, and Zachery Stillerman.●

GOOD OL' BOYS' ROUNDUP

● Mr. ABRAHAM. Mr. President, I would like to take a few moments to comment on the so-called Good ol' Boys' Roundup that was recently the subject of a Senate Judiciary Committee hearing. During that hearing, I and other committee members heard testimony about reprehensible acts of racism that took place at the roundup.

In my view, incidents like the roundup paint all law enforcement officials—not just the ATF and the FBI—with the coarse brush of racism and discrimination. I do remain confident that the attitudes and biases displayed at the roundup are not, in fact, representative of the views of law enforcement officials generally. But incidents like the roundup cannot help but erode citizens' confidence in what the 14th amendment calls the equal protection of the laws.

When citizens have occasion to wonder whether the law is being enforced evenhandedly, they sometimes cannot help but look with suspicion upon the actions of the officers involved in a particular case. As a result, trials in criminal cases often focus more on the actions of the police than on those of the defendant. Adhering to the maximum that the best defense is a good offense, defense attorneys in criminal cases, in effect, put the police on trial, just as the prosecutor puts the defendant on trial. The upshot, then, is that racist events like the roundup erode the effectiveness not only of the agencies whose officers were involved, but also of police departments across the country.

Mr. President, we must, therefore, redouble our efforts to ensure that racism is not present in the law enforcement community. Officers who engage in racist activities should be severely disciplined. Moreover, officers who do not themselves take part in racist activities must understand that they cannot passively stand by while others engage into racist behavior, without regard to whether they are on or off duty. The no-tolerance policy for racism must extend from the highest to the lowest ranks of our law enforcement community. Only by this kind of vigilance, Mr. President, can we ensure that the promise of the 14th amendment is kept.●

FRANCIS HIPP: SOUTH CAROLINA'S CIVIC LEADER

● Mr. HOLLINGS. Mr. President, I rise today to remember a true friend and South Carolina patriot—Francis M. Hipp. Last week at age 84, my friend

and colleague passed away in Greenville.

Francis Hipp, a native of Newberry, and his brothers took over Liberty Life Insurance Co. from their father in 1943. Over the next three decades, he pushed the company, now named Liberty Corp., to spectacular business heights as it blossomed into a major insurer and broadcaster.

But the innovative and intelligent way that Francis ran his company is not what I most remember him for. That memory is reserved for the kind, caring way that he volunteered to help his State.

Francis Hipp was a civic leader extraordinare. He played a key role in moving South Carolina from a agricultural and textile State into a diversified national and international business powerhouse. In 1959 when I became Governor, I appointed Francis to head the newly reorganized State Development Board. Under his leadership, Francis jump-started economic growth in the Palmetto State.

Francis Hipp is the reason for today's prosperity in South Carolina. What we needed in the early 1960's was a successful businessman who could talk to successful businessmen. Francis traveled tirelessly telling the South Carolina story. He brought investment. He brought industry. He brought the jobs.

Mr. President, without the devotion, hard work and caring of Francis Hipp, South Carolina would not have today's successful business environment. It is with a profound sense of loss that we mourn his passing. With Francis' death, South Carolina has lost its greatest civic leader.●

THE 75TH ANNIVERSARY OF WOMEN SUFFRAGE

● Mrs. BOXER. Mr. President, this month, across our Nation, Americans are coming together to celebrate the 75th anniversary of one of the most important events in our history—the passage of the 19th amendment to the U.S. Constitution, guaranteeing women the right to vote.

As we commemorate this momentous anniversary, we pay tribute to the remarkable women of the suffrage movement, whose determination and courage have inspired and empowered countless Americans. These visionary leaders—Susan B. Anthony, Elizabeth Cady Stanton, Julia Ward Howe, Lucy Stone, and so many more—endured discrimination and scorn as they fought to extend a basic right to American women.

On August 26, 1920, the 19th amendment to the Constitution of the United States took effect. It is hard to imagine today that the passage of this amendment, with its modest declaration of equality, was so hard-fought and divisive. It reads simply:

> The right of citizens of the United States to vote shall not be denied or abridged by the United States or any state on account of sex.

But to the women of America, these simple words represented profound change and the culmination of a 72-year battle for the right to vote.

On this occasion, we are reminded of the tremendous strides made by women in the last century. Just 75 years ago, women could not vote. Today, women are actively involved in our political system, organizing campaigns, running as candidates, and voting on policy in city councils and State legislatures across the country and in the U.S. Congress. Indeed, two women now represent California in the U.S. Senate. What remarkable change in such a short time. And in every other area of our society, women have proven themselves to be gifted and able leaders.

But at this special time, we are also reminded of the many challenges that lie ahead. Currently, women earn only 76 cents for every dollar earned by men. A ''glass ceiling'' still prevents many women from occupying top management positions in the work force. And our elected Government still does not reflect the tremendous diversity of our society.

As we observe this anniversary, we must renew our commitment to creating equality for women at every level of our society. And we must always remember—every time we exercise our right to vote—the great gift bestowed on us by the brave and selfless women of the suffrage movement.●

TRIBUTE TO DR. ROBERT H. MCCABE

● Mr. GRAHAM. One of the foundations of our democracy is our education system, which has the high calling of passing knowledge for one generation to the next, of preparing our young people for the future and teaching us about the past.

Mr. President, in the United States, our great tradition of public education is personified by Dr. Robert H. McCabe, president of Miami-Dade Community College.

After more than three decades of service to the college, Bob McCabe will retire, leaving a legacy that would inspire Socrates and Jefferson. A fundamental principle of our education system is that knowledge shall not be bounded by race or class or religion, that in a truly free society all people have access to learning.

For some, that principle is an academic precept. For Bob McCabe, it is a lifelong passion. He lives that principle every day.

Miami-Dade Community College is the latest of its kind in America, a nationally recognized institution which makes a consistent vital contribution to our future.

Thousands of Floridians—productive, employed, having an immeasurable positive impact on America—got their start in higher education at Miami-Dade Community College. For them, the community college was a door to the future, and Bob McCabe made sure that door was open to everyone.

As a native of Florida, as a former member of the Florida Legislature, as a past Governor of Florida and now a U.S. Senator representing Florida, I have a profound pride for our State's system of community colleges. These schools. located throughout our State, give real meaning to the sometimes fleeting goal of ''access to higher education.'' Community colleges are close to the students they serve and affordable.

Community colleges are in the community and of the community. Bob McCabe is a tribute to that inter-connection between education and community, making multiple contributions to a greater south Florida. He helped establish the New World School of Arts and the New World Symphony, and worked with Miami's ''We Will Rebuild'' after Hurricane Andrew in 1992.

Bob McCabe's dedication to higher education earned him the 1988 Distinguished Graduate Award from the University of Miami and a MacArthur Fellowship in 1992. This year, he received the prestigious American Association of Community Colleges Leadership Award for his outstanding work on behalf of community colleges.

For an active person with a creative mind like Bob McCabe's, retirement is perhaps a misnomer. As we mark this milestone in his career, we salute his leadership knowing the our community and our Nation will reap the benefits from his efforts into the next century.●

THE ROUGH AND READY ENGINE CO., NO. 5

● Mr. CHAFEE. Mr. President, it is with great pleasure that I rise today to pay tribute to the Rough and Ready Engine Co., No. 5 of Warren, RI on the occasion of its 50th annual clambake, which will occur on August 6, 1995.

Declared ''Rough and Ready Clambake Day'' by the Warren Town Council, this day commemorates both the professional and charitable work of the Roughs, as they have been fondly nicknamed by the town. Part of the fire company's charter ''* * * To assist in the extinguishing of fires, the protection of life and property and to enhance the general welfare of the community * * *'' is also the Roughs' motto.

The Rough and Ready Clambake commemorates 50 years of charitable work with the State of Rhode Island. In 1994 and 1995, over 10 organizations and charitable institutions within the community have benefited from donations totaling over $3,000. The Roughs have sponsored a Little League baseball team and a youth soccer team. Three residents of Warren were given the opportunity to attend Camp Stonetower, a camp for children with mental disabilities. During the Christmas season, the Roughs annually prepare dinner baskets for distribution through local churches to those in need within the community.

I ask my colleagues in the Senate to join with me and all Rhode Islanders in commending the members of the Rough

and Ready Engine Co., No. 5 for their many acts of generosity and good will within their community, and in wishing them continued health and prosperity.●

AMENDMENT NO. 1854 TO THE RYAN WHITE CARE ACT.

● Mr. LIEBERMAN. Mr. President, I rise in support of the Ryan White CARE Act. The purpose of the act is to provide health care services in a cost effective way to people with HIV and AIDS. The Ryan White CARE Act is working in my State and throughout the Nation. I am very concerned about any amendment that would undermine the effectiveness of this program. Senate HELMS' amendment 1854 would prohibit the use of Federal funding to ''promote or encourage, directly or indirectly, homosexual activities or injection drug use.'' Senator HELMS' amendment could be broadly applied and therefore potentially undermine one of the most cost effective Federal programs we have.

Under the Helms amendment, it would be difficult to determine what services provided by a clinic would be considered to ''promote or encourage homosexual activities or injection drug use.'' In particular, prevention programs that discuss sexual behaviors that contribute to the spread of AIDS might be judged to promote homosexual activities. Prevention programs that discuss and advocate clean needles for drug addicts might be judged to promote injection drug use. Although the Ryan White Act does not pay for preventive services, clinics that deliver Ryan White-funded health services often have prevention programs. If these clinics which provide comprehensive care to people with AIDS are considered to indirectly promote homosexuality, then these programs could lose funding. That means denying life-saving medical services for people with HIV and AIDS.

Mr. President, doctors, nurses and other health professionals cannot talk about a sexually transmitted disease without also talking about the sexual behaviors that will prevent its spread. It is unclear if this amendment would allow professionals serving the HIV-infected population to talk about sexual behaviors. The ambiguous language of this amendment could damage the protection of public health.

Again, let me remind my colleagues that the purpose of this bill is to provide health care to individuals suffering from a terrible, terminal disease. The bill reflects not a moral consensus about homosexuality but a shared compassion for people with AIDS and a commitment to the public's health.

Finally, the Ryan White CARE Act makes economic sense. Cost-effective delivery of care keeps AIDS patients out of costly emergency rooms. The public funds provided by Ryan White have been leveraged in my State with private dollars to provide a network of cost-effective services to the HIV-infected population. If we shut off Federal funds to community-based providers because there is a question of whether or not the nature of their services indirectly promotes homosexuality, then we will undermine efforts to limit the spread of AIDS and will shift the burden of caring for people with AIDS on to our already over-burdened public hospitals.●

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

CONGRATULATIONS TO RED RIVER ARMY DEPOT COMMUNITY

● Mr. GRAMM. Mr. President, I want to commend the efforts of the people of northeast Texas and southwest Arkansas for the excellent job they did making the case to save Red River Army Depot. As you know, in each of the last three base closure rounds, the Defense Department recommendations have been approved by the Base Closure Commission 85 percent of the time. The fact that Red River Army Depot overcame those odds is a testament to the dedicated efforts of everyone in the community, and particularly those members of the Red River Defense Committee: Deldon Brewer, Judge James Carlow, Linda Crawford, Dr. Phillip Duvall, Hubert Easley, Bob Embrey, John Henson, Dr. K.C. Hillis, Edward Holly, Bill Hubbard, Hoyt Johnson, R.E. ''Swede'' Lee, Dennis Lewis, John ''Wimpy'' McCoy, Fred Milton, Robert Mountz, Dee Reese, Eldridge Robertson, Don Ruggels, George Shackelford, Horace Shipp, James Stokes, Scotty Taylor, and Steve Wiggs. Even in a community as unified, dedicated, and active as theirs, these individual efforts stood out.

Mr. President, the Red River Defense Committee saved Red River because they had the facts on their side and they worked together as a team. Each committee member volunteered countless hours to work on the Red River briefing, often traveling to Washington to gather information or meet with the Base Closure Commission. They organized massive public demonstrations of support, raised money, and took precious time away from their families and jobs to dedicate themselves to saving the depot. On this Saturday, August 5, 1995, they, their families, and as many citizens as can fit in the Four States Fair Entertainment Center will celebrate their well-deserved victory. As they do, I would once again like to offer my congratulations on a job well done.●

WAIVING PROVISIONS OF THE LEGISLATIVE REORGANIZATION ACT OF 1970

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of House Concurrent Resolution 89 just received from the House.

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

The clerk will report.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 89) waiving provisions of the Legislative Reorganization Act of 1970 requiring adjournment of Congress by July 31.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the concurrent resolution?

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. DOMENICI. I ask unanimous consent that the concurrent resolution be agreed to, the motion to reconsider be laid on the table, and any statements relating to the concurrent resolution appear at appropriate place in the RECORD.

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

So the concurrent resolution (H. Con. Res. 89) was agreed to.

MEASURE INDEFINITELY POSTPONED—S. 617

Mr. DOMENICI. Mr. President, I ask unanimous consent that calendar No. 39, S. 617, be indefinitely postponed.

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

ORDERS FOR WEDNESDAY, AUGUST 2, 1995

Mr. DOMENICI. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until the hour of 9 a.m. on Wednesday, August 2, 1995; that following the prayer, the Journal of the proceedings be deemed approved to date, the time for the two leaders be reserved for their use later in the day, and that the Senate immediately turn to the consideration of S. 1026, the Department of Defense authorization bill.

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

PROGRAM

Mr. DOMENICI. For the information of all Senators, the Senate will begin the DOD authorization bill at 9 a.m. Amendments are expected to the bill. Therefore, Members can expect rollcall votes throughout Wednesday's session of the U.S. Senate.

RECESS UNTIL 9 A.M. TOMORROW

Mr. DOMENICI. If there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in recess under the previous order.

There being no objection, the Senate, at 8:43 p.m., recessed until Wednesday, August 2, 1995, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate August 1, 1995:

MISSISSIPPI RIVER COMMISSION

REAR ADM. JOHN CARTER ALBRIGHT, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, TO BE A MEMBER OF THE MISSISSIPPI RIVER COMMISSION, VICE REAR ADM. WESLEY V. HULL.

THE JUDICIARY

BRUCE W. GREER, OF FLORIDA, TO BE U.S. DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF FLORIDA, VICE JAMES W. KEHOE, RETIRED.