testing so that we do not waste money buying systems that do not work, that give us a false sense of security.

I am proud to say, Mr. President, that with this amendment, the weapon developers in the BMDO office and the Pentagon's testers have worked together to reach an agreement on the proposed language.

This is indeed a remarkable accomplishment that the entire U.S. Senate and the Congress should applaud.

This is exactly the type of productive cooperation that Senator GRASSLEY, Senator ROTH, and I envisioned when we wrote the legislation creating the independent testing office back in 1983: Developers and testers working together for a common goal. Unfortunately, for many years, the developers have refused to allow operational testers to monitor their progress. Too often in the Pentagon, the word ''test'' is considered a four-letter word.

This is exactly the scenario we should avoid with our interceptor programs.

We have already spent well over $5 billion on theater missile defense interceptors. In this bill, an additional $2 billion is authorized for these programs. And the total costs are projected to exceed $22 billion.

As we continue spending more and more on ballistic missile defenses, let us not forget the most basic and most important element of these programs—making sure they work.

I wish to once again thank Gen. Malcolm O'Neill for his cooperation on this amendment. Also, special thanks to Mr. Phil Coyle, the President's testing czar, for his outstanding leadership, and for his help in seeing that the Pentagon practices Fly Before You Buy by testing new weapons before they are produced.

Mr. President, I thank the managers of this bill for accepting this amendment.

I yield the floor.

Mr. COATS addressed the Chair.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. May I inquire if we are now prepared for morning business?

MORNING BUSINESS

The PRESIDING OFFICER. We are in morning business.

Mr. COATS. I thank the Chair.

(The remarks of Mr. COATS and Mr. PACKWOOD pertaining to the introduction of S. 1201 through S. 1218 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

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

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

The bill clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

JAWSAT

Mr. HATCH. Mr. President, I want to bring special attention to a cooperative satellite development program between the U.S. Air Force Academy and Weber State University located in Ogden, UT. Both institutions, I hasten to emphasize, Mr. President, specialize in undergraduate teaching and undergraduate research.

The Joint Air Force Academy-Weber State Program is known as ''JAWSAT.'' The Air Force Academy satellite will be built by Weber State, which is the first undergraduate institution in the world to design, build, and launch satellites. Weber State began building satellites in 1990, and has launched them in low-earth orbits. The WEBERSAT is the product of the Weber State University Center for aerospace technology. The satellite continues to orbit Earth, providing invaluable learning experiences for the student managers at Weber State. Currently, WEBERSAT provides the students at the campus command center with such benefits as color photographs of the Earth, data acquired by a high spectrometer on the satellite, and information on micrometeor impacts that is derived from sensor equipment also aboard WEBERSAT.

It was a natural choice for the Air Force Academy to tap into Weber State's expertise for building and deploying a satellite to train our future Air Force leaders in satellite use and management. We, in this body, in the midst of a debate on Defense authorizations and appropriations, recognize the critical importance of satellite technology in defense systems employment. I especially commend both Houses of Congress for supporting JAWSATS.

Mr. President, this program is an example of the new directions that our universities are taking in bringing undergraduate training, education, and research to the highest possible levels of achievement. I thank my colleagues for their support of JAWSAT.

SMALL BUSINESS AND SUPERFUND REFORM

Mr. PRESSLER. Mr. President, I wanted to bring to my colleagues' attention the concerns of several prominent South Dakotans regarding the Superfund Program.

Like many of my colleagues, during the August recess, I spend considerable time back in South Dakota talking to my constituents. While in South Dakota, one issue came up on a number of occasions: Superfund reform. This issue is important to small business men and women throughout South Dakota. In fact, several South Dakota small business leaders just launched a new coalition, South Dakotans for Superfund reform. Recently, the coalition leadership's comments on Superfund, and an op-ed from Rob Wheeler of Lemmon, SD, were published in local newspapers in the State. I ask that these articles be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. PRESSLER. We all agree that the current Superfund Program does not work. It is one of the most expensive environmental programs on the books. Despite the vast amounts of taxpayer dollars that are poured into the Superfund, the program has a very low success rate. One of the prime causes of this low success rate is a confusing and costly liability system. This system is unfair to small businesses and encourages excessive and costly litigation.

I am encouraged by the draft proposal drawn up by my esteemed colleague from New Hampshire, Senator SMITH. As chairman of the Superfund, Waste Control, and Risk Management Subcommittee, he has assumed the daunting task of rewriting the existing Superfund law. I look forward to working with him to create a new Superfund law based on fairness and common sense. We should not insist on a system that calls on small businesses that complied with past laws and regulations to shoulder the burden of cleaning up our hazardous waste sites.

I believe these newspaper articles represent not only the concerns of South Dakota small business leaders, but of all small business men and women across the country. They are the innovators who collectively make our economic engine run. For that reason, we must take these concerns to heart as we reexamine the Superfund Program.

EXHIBIT 1

[From the Argus Leader (Sioux Falls, SD), Sept. 5, 1995]

MESSAGE TO CLINTON CLEAR—REFORM SUPERFUND PROGRAM

(By Rob L. Wheeler)

I attended the White House Conference on Small Business in June—one of about 2,000 entrepreneurs and business owners from across the country invited to Washington by the Clinton administration.

At the end of the four-day event, the White House asked us to put together a list of the most important steps the federal government could take to really help small businesses. One of the top recommendations may come as a surprise: overhauling the Superfund program.

Superfund was created by Congress in 1980 to clean up the nation's worst hazardous waste dumps. Fifteen years have passed since then and more than 1,300 Superfund sites have been identified by the Environmental Protection Agency. Over $20 billion in government and private sector funds has been spent. But only 6 percent of those sites have been cleaned up completely.

With a record of failure like that, it's no mystery why the Superfund is nearly universally regarded—by environmentalists and business owners alike—as the single most ineffective piece of environmental legislation in history.

Why is the Superfund such a hazard for small businesses?

It starts with the Superfund's liability scheme called ''strict, retroactive, joint and several liability.'' Retroactive liability means a small business owner can be held responsible for action that took place before the law has passed. Even if you didn't act negligently, even if you followed every law and regulation completely—you're still on the hook. Joint and several liability means the company can be forced to pay 100 percent of the cost of cleaning up a Superfund site even though it was only responsible for a small fraction of the pollution.

With marching orders like that, you can guess the EPA's standard operating procedure: Find any organizations even remotely connected with a Superfund site; then drag them into court to make them pay the cleanup bill. So far, over 20,000 small businesses, hospitals, towns, and community groups—even a Girl Scout troop—have been stamped as ''polluters'' by the EPA and face potentially crippling legal liability.

All that litigation costs money—a lot of money. More than 20 percent of all Superfund dollars get spent in the courtroom, not to clean up the environment. That translates into an incredible $6.7 million in lawyers' fees and court costs per Superfund site. No wonder the EPA keeps about 500 lawyers on staff just to work on Superfund liability issues.

So our first recommendation for Superfund reform is repealing retroactive liability for waste disposal prior to 1987, when small businesses were first required to keep detailed disposal records. The conference also recommended changing ''joint and several liability'' to proportional liability, so those liable would only pay to clean up what they're responsible for.

Another recommendation was that Congress should require the EPA to use ''sound science and realistic risk assessments'' in identifying toxic sites and establishing cleanup standards. That just sounds like common sense; you'd thing that danger to health and safety would be the only criteria for selecting Superfund sites. But you'd be wrong. Today's EPA standards are so seriously flawed that according to a recent federal government study, more than half of the so-called hazardous sites on the EPA's National Priorities List don't even pose a threat to human health.

There are several other reforms on our list, but they all share a common goal: creating a new Superfund that focuses on cleaning up the environment, not harassing innocent businesses. These reforms have a good chance of passing Congress, but the Clinton administration—which asked for our recommendations to begin with—is now resisting.

Recently, a group of business and civic leaders from across the state got together to form South Dakotans for Superfund Reform—a grass-roots coalition dedicated to the type of Superfund reform we proposed to the White House. Our goal is to work with South Dakota's elected representatives in Washington to fix Superfund this year.

There are currently four Superfund sites in South Dakota, including one that has been on the EPA's list for more than 10 years. And 15 small businesses and other organizations in South Dakota have been targeted by the EPA. Unless Clinton and Congress fix Superfund, those busineses—and the jobs they provide to South Dakotans—will remain in jeopardy.

The Clinton White House should be on notice. If it's serious about helping small business, it needs to stop blocking Superfund reform. Washington conferences on small business are fine. But real action speaks a lot louder.

[From the Rapid City Journal, Aug. 24, 1995]

S.D. GROUP CRITICIZES LIABILITY RULES

(By Dan Daly)

The 1980 Superfund law was a good idea gone awry, according to a group of business people who launched a political coalition called South Dakotans for Superfund Reform.

The environmental cleanup program has become expensive, ineffective and unfair, coalition members said Wednesday.

Just 15 percent of the nation's 1,355 sites on the Superfund priority list have been cleaned up, according to the group's literature, and half of Superfund dollars go to lawyers and regulators.

But the group's main complaint was about the retroactive liability rules that place blame for pollution—and the job of paying for cleanup—on companies and landowners ''remotely associated with a hazardous waste site,'' according to the group.

''The reality is that this . . . involves innocent landowners, innocent new businesses that come onto a site unknowing about these things,'' said Carol Rae, state chairman of the coalition's steering committee. ''What we want to do is establish reasonable rules and limits on natural resources damages.

''It's not that any of us here are out to say that we do not want environmental protection or to be responsible corporate or private citizens,'' said Rae, vice president of external affairs for Chiron Corp., parent company of Magnum Diamond Corp. in Rapid City.

None of the business people at Wednesday's news conference are themselves liable for Superfund cleanup projects. In fact, only a handful of South Dakota sites have been on the Superfund list.

Their interest, said Rae, is as taxpayers and regulated businesses.

Rae, Kroetch and Rob Wheeler of Wheeler Manufacturing in Lemmon, who was also at Wednesday's news conference, served together as delegates to the recent White House Conference on Small Business.

Rae said the conference delegates identified some 2,000 issues important to small business. Changes in Superfund laws, she said, ranked fifth on the list.

She and seven of the group's steering committee members held a news conference in Rapid City Wednesday to outline their position. Members ranged from Richard Krull, manager of the Merillat Industries particle board plant in Rapid City, to Art Kroetch, president of Scotchman Industries in Philip.

The group itself was organized by Steve Knuth of Sioux Falls, who is working for the National Coalition for Superfund Reform. Knuth formed a similar group earlier this year to push for changes in product liability laws.

[From the Argus Leader (Sioux Falls, SD), Aug. 25, 1995]

SUPERFUND REFORMERS START GROUP IN S.D.

South Dakotans who want Congress to change the nation's hazardous waste cleanup program, called Superfund, have organized to promote reform.

South Dakotans for Superfund Reform represents people of various business and community backgrounds with ''the desire to see an end to Superfund's unfair and punitive liability system,'' said committee chair Carol Rae of Rapid City.

The group announced its plans Thursday at a Sioux Falls news conference.

Congress enacted the Superfund law in 1980. Since then, the Environmental Protection Agency has placed more than 1,300 sites on its National Priorities List, but has cleaned fewer than 15 percent of them. More than $25 billion in public and private money has been spent on the program—nearly half mainly on lawyers and bureaucracy, Rae said.

A TRIBUTE TO CAL RIPKEN, JR.

Mr. PRESSLER. Mr. President, I join with all Americans to applaud the tremendous achievement of Baltimore Orioles shortstop, Cal Ripken, Jr. Tonight, Cal will play in his 2,131st consecutive major league baseball game, eclipsing the previous record set by the immortal Yankee great, Lou Gehrig, in 1939.

I commend Cal not just for the singular distinction of being baseball's all-time iron man, but the way he achieved it: with class and with dignity. His approach to baseball is the approach hard-working Americans take to their professions—each and every day he goes out and tries to do his best not just for himself but for his coworkers, his team. He doesn't try to be flashy or flamboyant. He quietly and consistently goes out and gets the job done. And for nearly 13 seasons without missing a game, he has done just that—he got the job done.

Cal also recognizes that being a baseball player also means being a role model to millions of youngsters. Cal plays his life off the field the same way he plays on the field—with tireless energy and quiet excellence. He devotes time to numerous charities in his community. He spends countless hours signing autographs and working with young people on how to be both good ballplayers and good citizens. Most important, Cal Ripken is a husband and father of two children. When asked about how important this day is to him, Cal was said to have replied that it was indeed a big day because he was driving his daughter, Rachel, to her first day at school.

I commend Cal Ripken, Jr., and wish him well. Tonight, he will make history as baseball's most consistent, hardworking ballplayer. For myself and on behalf of all South Dakotans, I applaud him for that. I also applaud him for demonstrating that same consistency, that same hardworking spirit off the field as well.

THE BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, the skyrocketing Federal debt, now soaring toward $5 trillion, has been fueled for a generation now by bureaucratic hot air—and it's sort of like the weather, everybody talks about it but almost nobody did much about it until immediately after the elections in November 1994.

But when the new 104th Congress convened this past January, the U.S. House of Representatives quickly approved a balanced budget amendment to the U.S. Constitution. On the Senate side, all but one of the 54 Republicans supported the balanced budget amendment—that was the good news.

The bad news was that only 13 Democrats supported it and that killed it for