

Last year, over 25,000 low-income Vermonters received a total of \$7.5 million in assistance. The average amount was \$75 a month for the 5 winter months. The average AFDC recipient only has \$43 a month left over after paying the energy bill. Without LIHEAP assistance, many recipients will not be able to afford to pay their heating bills this winter, and many would be forced to choose between heat and food.

As I stated earlier, LIHEAP is a block grant. Each State decides for itself how to structure its program and how to get the resources to those that need it. It is also a program that has no history at all of any fraud or abuse. Without LIHEAP energy providers, many of whom are small, unregulated businesses, may have to choose between not getting paid for the energy they provide and cutting off their neediest customers.

Mr. President, winter is upon us. People are freezing. We must free up LIHEAP funds so that low-income Americans will be able to heat their homes this winter. We must remove the spend out rate limitation.

EXHIBIT 1

U.S. SENATE,

Washington, D.C., December 5, 1995.

Hon. MARK HATFIELD,
Appropriations Committee, The Capitol,
Washington, DC.

DEAR CHAIRMAN HATFIELD: We would like to call your attention to a serious problem with the interim funding for the Low Income Home Energy Assistance Program (LIHEAP). We believe that if we are to continue funding programs under the FY96 Labor/HHS Appropriations bill through a Continuing Resolution (CR), states must be allowed to draw down LIHEAP funds at a higher rate which takes into account their historical spending practices and which is sufficient to ensure the program's viability. Temperatures have dropped below freezing and there is snow on the ground in many parts of the country, but the language in both CRs that limits state draw downs to a proportional annual rate does not provide states sufficient funds to operate programs and meet the heating needs of their low income families.

In past years, states have drawn down a majority of their LIHEAP funds during the fall. This allows states to purchase fuel at lower rates, maintain continuity of service, avoid shut offs, and plan for the upcoming winter. Furthermore, nearly 90 percent of LIHEAP funds are used for heating assistance during the coldest months. The CR language requires that LIHEAP funds be spent out over a twelve month period. While this may leave funds for heating assistance in June, many low income families may not be able to heat their homes this winter.

We believe it is critical to safeguard this program which protects the elderly, the disabled, the working poor, and children. When it gets cold, these vulnerable Americans should not be forced to choose between heating and eating. Continuing delays in funding and limits on the payout rate will hamper states' ability to help the 5.6 million LIHEAP households survive the winter. We ask your assistance in ensuring that the bulk of LIHEAP funds can be spent during the cold weather months at a rate sufficient to meet the needs of low income families this winter. Thank you.

Sincerely,

Jim Jeffords, Ted Kennedy, Herb Kohl,
Bill Cohen, Paul D. Wellstone, Daniel

P. Moynihan, Patrick Leahy, Olympia Snowe, Carl Levin, Christopher J. Dodd, John F. Kerry, Larry Pressler, Wendell Ford, Rick Santorum, Claiborne Pell, Alfonse D'Amato, Spencer Abraham, Carol Moseley-Braun, Byron L. Dorgan, John H. CHAFEE, Paul Simon, Dick Lugar, J. Lieberman, Frank R. Lautenberg, Tom Daschle, Bob Kerrey, Tom Harkin, John Glenn, Jeff Bingaman, Max Baucus, Bob Smith, Paul Sarbanes, Dale Bumpers, Jay Rockefeller, Jim Exon, Howell Heflin, Russ Feingold, Daniel K. Akaka, Harry Reid, Dan Coats, Richard H. Bryan, David Pryor, Joe Biden, Patty Murray, Mitch McConnell, Ben Nighthorse Campbell, Judd Gregg, Mike DeWine, Bill Bradley, Barbara A. Mikulski, Kent Conrad, Chuck Robb, D.K. Inouye, Chuck Grassley.

STRADDLING STOCKS AGREEMENT

Mr. PELL. Mr. President, on December 4, 1995, Madeleine Albright, our Ambassador to the United Nations, signed on behalf of the United States the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 Relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks. As the Ambassador said in her speech at the time, this Agreement offers a tremendous advancement in our global efforts to better conserve and manage living marine resources. I ask unanimous consent that Ambassador Albright's speech be printed in the RECORD at the conclusion of my remarks. This Agreement was the result of 3 long years of negotiations and will best serve the interests of the United States by putting an end to the lawlessness of high seas fisheries.

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

(See exhibit 1.)

Mr. PELL. Mr. President, the United States has long held the view that fishing activities should be carried out in a sustainable fashion, and with due regard to appropriate conservation and management measures. The Straddling Stocks Agreement ensures that the precautionary measures we have already adopted will be respected and implemented by our international partners. The United States has clearly led the way in this respect and it was of the utmost importance to ensure that our efforts would not be undermined by the destructive practices of other States.

This Agreement is only the latest step in our ongoing efforts to establish a mosaic of international legal agreements that will set up a strong regime for the management of our marine living resources. Foremost among these is the Convention on the Law of the Sea, transmitted to the Senate on October 6, 1994 (Treaty Document 103-39). More than a year later, this historic treaty is still pending before the Committee on Foreign Relations. I am hopeful that the Committee will be able to con-

sider this Convention early next year. The principles embodied in the Straddling Stocks Agreement are not only consistent with the Law of the Sea, but it is to be applied concurrently with that Convention.

Mr. President, in the past year, I have repeatedly addressed the Senate to highlight the ways in which the Law of the Sea Convention has been improved, and now meets our fisheries interests, our national security interests, and our economic interests. This hard-fought treaty was the result of more than 20 years of negotiations, in which both Democratic and Republican Administrations participated actively. As a result, all the concerns that the United States had expressed when the Convention was first open for signature in 1982 have now been addressed. An agreement modifying the deep sea-bed mining provisions of the Convention was concluded and signed by the United States in 1994. Similarly, the Straddling Stocks Agreement addresses some of the high seas fishing issues that had been left open by the Convention.

I expect the administration will forward the Straddling Stocks Agreement to the Senate early next year. In order to optimize the effects of the Straddling Stocks Agreement, it is urgent that the United States also become a party to the Law of the Sea Convention. The Straddling Stocks Agreement specifies that the settlement of disputes will be carried out by the Law of the Sea Tribunal, which will be established in Hamburg shortly. Fortunately, the judges on this Tribunal have not been designated yet, but the United States must be a party to the Convention if an American judge is to be designated.

This is but one of the many reasons why the United States should ratify and become a party to the Law of the Sea Convention. We now have another incentive to take urgent action on this issue and I trust that all my colleagues who have shown such an interest in the Straddling Stocks Agreement will join me in my efforts to see the Straddling Stocks Agreement and the Law of the Sea Convention ratified promptly.

EXHIBIT 1

STATEMENT OF AMBASSADOR MADELEINE K.
ALBRIGHT

Mr. Chairman, distinguished ministers, fellow ambassadors and delegates, and ladies and gentlemen.

This is a memorable occasion for all members of the international community who have labored to conserve fishery resources and strengthen the law of the sea. On this historic day, the United States, joined by other members of the international community, will sign the Agreement, adopted by consensus by the UN Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks. This Conference concluded its work after three years of intense negotiations and outstanding international cooperation. The United States is pleased to have participated in this effort. We are convinced that this Agreement offers a tremendous advancement in our global efforts to better conserve and manage living marine resources.

As both a coastal State and a State whose vessels fish on the high seas, we are keenly aware of the need for a balanced approach in the Agreement, one that recognizes the legitimate concerns of both groups. The United States believes that the Agreement strikes a reasonable balance between conservation and fishing concerns, and between the interests of coastal States and States whose vessels fish on the high seas. We support the Agreement because it establishes new and effective rules to conserve and manage marine fisheries and provides for States to resolve their disputes through compulsory binding dispute settlement procedures. The Agreement, if widely ratified and properly implemented, will both improve the health of our ocean ecosystems and ensure a lasting supply of fish to feed the world's population.

The United States wishes to acknowledge the skill, leadership and energy of Ambassador Satya Nandan for crafting the Agreement. We are truly indebted to you.

This Agreement is particularly noteworthy because it directly contributes to a broader global effort to promote international cooperation, reduce conflict and achieve more effectively the sustainable use of living marine resources. The Agreement is consistent with and builds upon the United Nations Convention on the Law of the Sea which entered into force last year. It complements the 1993 Agreement to Promote Compliance With International Conservation and Management Measures by Fishing Vessels on the High Seas, which itself is an integral component of the International Code of Conduct for Responsible Fisheries which was adopted last month in Rome. Together, these instruments provide a strong basis to move forward in achieving sustainable use of living marine resources in the world's oceans and seas.

Looking to the future, we see many exciting challenges before us. Our first task is to bring this Agreement into force as soon as possible. We hope that all nations that sign the Agreement today will soon deposit their instruments of ratification. We urge those nations which are not able to sign the Agreement today to do so as soon as possible. Also ahead are the challenges of implementing effectively the provisions of the Agreement in various regional and subregional organizations and arrangements throughout the world. The status of the world's fish stocks demands that implementation of the Agreement begin immediately wherever straddling and highly migratory fish stocks are harvested.

In closing, Mr. Chairman, the Fish Stocks Agreement is a laudable accomplishment. The tasks before us are not only possible, but absolutely necessary. At stake are important issues involving biological integrity of marine ecosystems and food security. The United States is confident that we will succeed. Let us hope that our imagination and strength are as vast as the oceans we so cherish.

LIHEAP

Mr. ABRAHAM. Mr. President, in some parts of Michigan over 5 feet of snow have already fallen and the wind chill has brought the temperature to 50 below zero. Understanding the importance of helping the poor and elderly pay their heating bills during these cold months, I rise to support the Low-Income Home Energy Assistance Program [LIHEAP] and urge members of the Appropriations Committee to continue to support funding for this program.

Under the current continuing resolution, funding for LIHEAP is limited to the proportional annual rate of the duration of the Continuing Resolution. That is, if the Continuing Resolution lasts 32 days, only thirty-two three hundred and sixty sixths of LIHEAP funds can be spent. While this formula may work well for most other programs, for obvious reasons the vast majority of funding for LIHEAP is spent during the winter months. Therefore, the current Continuing Resolution formula leaves States with an extreme shortfall in their efforts to help the poor and elderly through the coldest months of the year.

Since LIHEAP is funded through the Labor, HHS, and Education appropriations bill which has not yet been debated on the Senate floor, the funding for this program necessarily must come through Continuing Resolutions. Should this continue to be the case, I urge those negotiating the Continuing Resolution to abandon the daily average formula they have been using and allow the bulk of LIHEAP funds to be spent during the cold, winter months.

Mr. BIDEN. Mr. President I rise in opposition to this bill, which I feel represents yet another attack on our Nation's resources and our environmental protection laws.

Our greatest legacy to our children and our grandchildren is the world which we leave to them. Simply put, this bill shortchanges future generations of Americans.

I want to commend my colleagues, particularly Senator GORTON and Senator BYRD, who have made some progress toward improving this bill.

First, and foremost, I want to acknowledge that the outcry from the taxpayers of this country has been heard: After months of wrangling, this bill finally restores the moratorium on the processing of mining claims, contained in last year's bill.

Without this freeze, gigantic, foreign-owned mining companies would be permitted to purchase Federal land, loaded with gold, silver, and other precious metals, for as little as \$2.50, due to an outdated 1872 law still in effect.

Only \$2.50 for an acre of land and all the gold underneath it is an outrageous ripoff for the taxpayers of this country.

Though the bill's language will still permit the processing of hundreds of applications which are now pending, this freeze will prevent even more companies from receiving this golden giveaway.

I also support the funding contained in this bill for the North American wetlands conservation fund.

This valuable public-private partnership, has enabled Federal and State wildlife officials, and conservationists in my home State of Delaware, to develop dozens of wetlands and wildlife habitat protection plans. It is cost-effective, matching funds are required, and it deserves our support.

Despite these few bright spots, much in this bill troubles me.

This legislation cuts our efforts to move away from fossil fuels, toward cleaner, renewable fuels, such as solar energy. Energy efficiency standards are also relaxed. The end result: a continuation of our growing dependence on foreign oil.

This conference report also prohibits listing additional species as threatened or endangered and prohibits designating and protecting critical wildlife habitat.

Delaware has 9 animal species, and 16 plant species, which are candidates for Endangered Species Act listing, and I am concerned that this provision will hasten their extinction.

An unsustainable amount of logging will also be permitted in the Tongass National Forest, a great temperate rainforest in southeastern Alaska.

With Christmas fast approaching I can understand a certain amount of sentiment for expedited logging. But we are not talking about a few Christmas trees here.

Under this bill, up to 418 million board feet of timber will be sold in 1996 and 1997—an allowable logging level which is 44 percent higher than the cutting average over the previous 10 years. This plan is locked in, and no changes are permitted.

The conference report also contains a legislative rider which allows the construction of a telescope on Mt. Graham, near Tucson, AZ, despite the fact that this development will likely harm an endangered species.

Putting the merits of the proposal aside, an appropriations bill is not the right location for reforming the Endangered Species Act.

Lastly, this bill expands the number of recreational activities permitted in the new Mojave preserve in California. If you plan to go hiking in the Mojave this summer, be forewarned, the Park Service may be forced to open this wilderness to motorized vehicles and aircraft.

In sum, Mr. President, this bill falls far short of adequately protecting our natural resources. Under this legislation, our dependency on foreign oil grows, endangered species are threatened, our environmental laws are disregarded, and Americans are left poorer.

President Clinton has announced his intention to veto this legislation, and I urge my colleagues to oppose it.

THE BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, the impression will not go away: The \$4.98 trillion Federal debt stands today as a sort of grotesque parallel to television's energizer bunny that appears and appears and appears in precisely the same way that the Federal debt keeps going up and up and up.

Politicians talk a good game—and talk is the operative word—about reducing the Federal deficit and bringing the Federal debt under control. But watch how they vote.