

with him in trying to find that ground, and I think important progress has been made.

But it will be useful to find out, quite frankly, in the various actions that are taken by the majority in this Congress about how they are holding the 250,000 workers, Federal workers hostage to these negotiations. They are innocent bystanders trying to do a good day's work in servicing people in this country and yet they are the ones who are left out and left behind through no fault of their own, many of them with long and distinguished careers and a commitment to public service. They effectively are being told, no, we are going to hold them hostage until they are going to finally yield to our position.

That I think is one that the country does not find to be satisfactory. What they want is action; that is what is needed at this time, but action that is going to preserve the best of our values and priorities. And those priorities are expressed in respecting the elderly people who have made this country the great country it is.

And the principal reason for that is very simple. It is a recognition that when people get on into their golden years, their incomes are going to go down and their health needs are going to go up. It is true today. It was true in 1965 and 1964 when Democratic administrations battled for it. It is true today.

To put those seniors at risk is not in the interest of this Nation, and the budget can be balanced without doing that. We do not have to sacrifice the interests of working families by escalating their tax obligations through increased taxes in the EITC. We do not have to put at risk further the children of this Nation with the cutbacks in support programs for Head Start, the programs that reach out to the schools, that help with math and science. We do not have to cut back for the sons and daughters of working families that want to go on to their universities and schools across this country. We should not kill their hopes and dreams. We know that every dollar that is cut in education will be repaid three or four times with additional kinds of social service. We know that the best investment that this country made was in the cold war GI bill. For every dollar invested in the education of those veterans that came from all parts of the country, men and women alike, was \$8 returned to the Treasury—a pretty sound investment. Nonetheless, the budget of the other side cuts those programs.

All we are saying is, sure, we can reach the common ground, but we also have to reach it in preserving the kind of priorities that the American family holds dear.

We have in the Chamber this evening, I see my friend and colleague, Senator WELLSTONE, who was really the leader in the Senate in making sure that scarce resources were advanced out to

the senior citizens and needy families all over this country. I can say to him and to President Clinton that New Englanders, whether they are in Maine, New Hampshire, Vermont, Massachusetts, throughout New England, so many families tonight know they are going to have a better, warmer Christmas because of the release by the President, letting forth the low-income fuel assistance, which is of such desperate importance.

How tragic it was to be reminded just the other day, once again, in our forums that we have held on some of these cutbacks of the children. The schoolteachers testified a noticeable body-weight reduction in children happens every single year as the temperature decreases. You can almost measure the impact on children in many of the schools in the neediest parts of the country, in rural and urban areas. The weight goes down. The children are not being fed. The choice is being made at home between food on the table and heat for those children.

In the testimony by some of those wonderful teachers in a number of different schools they talked about how at this time of the year, when the cold comes, they are followed up and down the corridors, small children grabbing their hands and asking whether they have something to eat and if that individual teacher has more. They say, can you give us something more because I have a brother or sister home.

That is happening. That is happening. And we went to briefings today in terms of where the nutrition program is going. It is going down, not up. It is going to make the problem more intense, not less.

So for those who have slick, easy, quick answers for these issues, I hope they will think hard and long about these judgments and these decisions.

Finally, Mr. President, as one, like 99 others, who cares deeply about this arrangement, I am troubled by the fact that we are not having really the fair allocation of belt tightening across this country as we will see over the period of the 7 years—\$400 million which is in there today, in the budget in terms of tax expenditures. Others call that corporate welfare. That will go up \$4.4 trillion over the next 7 years—\$4.4 trillion—and the various proposals that are going to be advanced before us are going to index that so that every single tax loophole can be preserved over that period of time.

Sure, we are going to try to find \$30 or \$40 billion, and that is certainly a worthwhile effort, but we are talking about \$4.4 trillion. We are quite prepared to index all those tax revenues, including the billionaire's tax loophole. Those are the billionaires that renounce their citizenship so they can avoid paying taxes.

We voted on that on two different occasions with over 90 Democrats and Republicans. Pull that out of the balance. Pull that out of the budget. The door is hardly closed in that conference when

they put it right back in. You wonder how we are going to do the public's business on some of this. There is no indication that they are prepared to drop that provision, no suggestion that they are prepared to try to do something about Medicare; that they are trying to do something about children; that they are trying to do something about these priorities.

So we understand the complexities and the difficulties that the President has, and he is working through those and doing it with the interests and the needs of the American people in mind. But it is one that bears careful watching and defies an easy and simple solution.

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#### NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1996—CONFERENCE REPORT

The Senate continued with the consideration of the bill.

Mr. KENNEDY. Mr. President, it is with great disappointment that I oppose the conference report on the Defense Authorization Act for fiscal year 1996. There are many good provisions in this bill that deserve the support of the Senate. But they are outweighed by other provisions which, if enacted, would damage American security, waste taxpayers dollars, and treat our servicemen and women unfairly.

I voted against this bill when it passed the Senate in September. We then began a conference with the House that I hoped would produce a better bill. The conference lasted over 3 months, and now it has produced an even worse bill.

One of the most serious defects in the bill is its provisions on ballistic missile defense, which would call upon the United States to violate the ABM Treaty.

A compromise on this issue was painstakingly worked out by Senators WARNER, COHEN, NUNN, and LEVIN, with broad Senate support and the approval of the administration. This was a carefully crafted compromise, and as we began the conference, Secretary Perry made clear that any substantial deviation which violates U.S. commitments under the ABM Treaty would be unacceptable. Yet the conference provision abandons that compromise.

It threatens United States security because it undermines the ABM Treaty, and because it is also likely to prevent Russian implementation of the START I Treaty, and ratification of the START II Treaty.

These treaties would reduce the number of Russian strategic nuclear weapons threatening the United States from 10,000 to 3,500. This reduction would increase U.S. security from nuclear attack to a much greater degree than the illusory security offered by the multi-billion-dollar missile defense system mandated by this legislation.

I am also concerned about several additional issues related to the shipbuilding provisions in the bill. We have examined these provisions in detail in

our Seapower Subcommittee, and I believe they will cause uncertainty, inefficiency, and unnecessary expenditures in the Department's shipbuilding program.

The provisions on the development and procurement of submarines reject a sensible submarine program formulated by the Senate for the next generation new attack submarine. Instead, the bill requires the Navy to submit a new plan for submarine development and construction to build four submarines. Each one, according to the bill, is to be "more capable and more affordable" than its predecessor without further definition.

Our experience on the Seapower Subcommittee makes clear that it is a difficult feat to build a new system that is both more capable and more affordable than the preceding system. This bill calls for a plan to do that four times in 4 years with attack submarines, a very mature technology.

The bill language does not call for the Navy's report to consider the costs and risks associated with such a plan. We gain nothing if we end up with a plan for cheaper and more capable submarines, if they involve risky technologies that fail to work or, even worse, endanger the lives of our submarine personnel by reducing safety standards.

This provision also establishes a new, independent congressional panel on submarine development. On the Senate Armed Services Committee, the Seapower Subcommittee, chaired by Senator COHEN, oversees submarine development. There is no need for another panel, for more bureaucracy, for further review of an issue that is already handled very well by the Armed Services Committee.

In addition, this bill contains language that earmarks contracts for the construction of Aegis destroyers and sealift ships at specified shipyards. These provisions force the Navy to award contracts without the benefit of competition, without the ability to decide the merits of each case at the time of the award.

If there are good reasons, such as industrial base concerns for designating particular ship contracts for particular shipyards, the Navy will come to Congress and tell us what they are. But Congress should not take this action on its own without clear and compelling justification.

Mr. President, also included in this bill is the authorization of \$20 million for Cyclone patrol boats. These craft were not authorized in either the House or the Senate bill. The Special Operations Forces, which use these ships, did not request them either. There is no need for them, and this authorization should not have been included.

Further, the bill prohibits the Defense Department from buying foreign produced roll-on/roll-off ships for the Ready Reserve Force. Meeting the force's requirement of five ships using

upgraded foreign-built hulls will cost a total of \$150 million. The cost of using domestically produced hulls will be between \$1 and \$1.5 billion, well beyond the amount budgeted for this purpose.

Given this massive cost differential, the choice is not merely between buying used, foreign-built ships and new, U.S.-built ships. It is also likely to be a choice between meeting our well-established lift requirements and accepting a continuing strategic sealift shortfall.

I am also concerned about the provision in this bill that relates to the health and well being of our men and women in uniform. One objectionable provision in this bill calls for the mandatory separation of service members found to be HIV-positive. This provision is an especially flagrant example of discrimination against a group of loyal service members.

The Defense Department has made clear its opposition to this requirement. It has repeatedly expressed support for its current policy, which allows service members with any disease or disability to continue to serve as long as they can fulfill their duties and pose no danger to themselves or their fellow service work members. The military has full authority to separate or retire individuals who are unfit for duty.

Individuals with other debilitating diseases, such as hepatitis, cancer, diabetes, asthma, or acute heart disease, are not automatically discharged from the service. This bill singles out only those who are HIV-positive, and there is no justification for that discrimination.

We raised this issue with the Senate conferees and asked for a vote on whether to insist on the Senate position opposing this provision but we were denied that opportunity to do so on this and many other issues.

This bill is supposed to address the defense needs of the United States. Discharging qualified service men and women from our Armed Forces simply because they are HIV-positive serves no national defense need. The Defense Department has certified this point. This blatantly discriminatory provision has no place in this bill.

The conference report also includes a provision that prohibits service women based overseas from obtaining abortions with their own private funds in U.S. military medical facilities. We have always provided this access to our service women to ensure that they have the same quality health care available to those on duty in the United States.

This prohibition discriminates against women serving their country by preventing them from exercising their constitutionally protected right to choose when they are stationed overseas. This added restriction endangers their health, since alternative local facilities in other nations are often inadequate or unavailable.

Under the bill's provision, a woman stationed overseas facing an unin-

tended pregnancy may be forced to delay the procedure for several weeks, until she can travel to a location where adequate care is available. For each month an abortion is delayed, the risk to health increases.

As we continue to struggle over balancing the budget and meeting important national priorities, this bill provides \$7 billion more for defense spending than requested by the administration for the current fiscal year.

At a time when families are going without heat in the winter because of cuts in the LIHEAP program, when aid to education is being cut, when Medicaid and Medicare are being cut in order to provide a tax break for wealthy Americans, it makes no sense to force billions of dollars more on the Pentagon than it wants or needs.

It is a bad bill. I urge the Senate to defeat it, send it back to conference, and ask the conferees to remedy these numerous and serious defects.

Mr. President, I yield the floor.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that I be allowed to speak for 10 minutes as in morning business.

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

Mr. WELLSTONE. Thank you, Mr. President. I shall only speak for 10 minutes.

#### THE BUDGET AND ENERGY ASSISTANCE FOR THE POOR AND ELDERLY

Mr. WELLSTONE. I wanted to respond to some of my colleagues that had spoken earlier, and I will try to do this in a very substantive way. When colleagues speak and then they have to leave because they have other engagements, I think what you need to do is respond but in a very civil way, because you do not really have an opportunity for the debate when we are not all on the floor at the same time.

Let me first of all thank Senator KENNEDY from Massachusetts for his kind remarks about the Low-Income Home Energy Assistance Program. I would like to thank the administration as well for releasing these funds on Sunday.

Many people called from Minnesota today. Mr. President, this is a good example of a program that really affects people's lives. It is not a lot of money nationwide for the whole country. It is about \$1 billion. And for Minnesota—it is a cold weather State, I say to my colleague who is presiding from North Carolina, a little colder than North Carolina right now, though I think the Presiding Officer has some pretty chilly weather.

The problem is that for all too many people in my State, elderly, families with children, there were people who just could not afford the heat. And