

that no other government investment can match the unique value of the Coast Guard.

Despite this heavy workload, however, the Coast Guard has aggressively sought to streamline its organization and reduce its overall budget. In the past 3 years, Adm. Robert E. Kramek, the Commandant of the Coast Guard, has reduced the service's work force by 4,000 positions and lowered its annual budget by \$400 million—all without reducing any services to the general public. While many agencies have failed to offer meaningful contributions to our efforts to balance the Federal budget, the Coast Guard has been a leader in fiscal responsibility.

Mr. President, I again commend Senator STEVENS and Representative SHUSTER for their dedication to reauthorizing the USCG. I would also like to recognize two staff members whose focused efforts were integral to the success of this reauthorization, Tom Melius of Senator STEVENS' staff and Rebecca Dye of Representative COBLE's staff. Their hard work has certainly paid off. This legislation will ensure that the Coast Guard will continue to do an excellent job of protecting our Nation's maritime highways for years to come.

#### THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Tuesday, October 1, the Federal debt stood at \$5,234,730,786,626.50.

Five years ago, October 1, 1991, the Federal debt stood at \$3,674,303,000,000.

Ten years ago, October 1, 1986, the Federal debt stood at \$2,125,302,000,000.

Fifteen years ago, October 1, 1981, the Federal debt stood at \$997,984,000,000.

Twenty-five years ago, October 1, 1971, the Federal debt stood at \$412,058,000,000 which reflects an increase of nearly \$5 trillion (\$4,822,672,786,626.50) during the past 25 years.

#### MAINTAINING OUR B-52 FLEET

Mr. DORGAN. Mr. President, I rise to comment on important steps taken in this year's defense appropriations bill to maintain our full fleet of 94 B-52H bombers. Many North Dakotans, particularly those who live and work at Minot Air Force Base, are very interested in the future of these aircraft.

My colleagues will understand the importance of these bombers when they recall that it was B-52's that recently struck at Saddam Hussein in retaliation for his violation of the Kurdish safe haven in northern Iraq. Those bombers flew from Guam, were refueled by KC-135 tankers, and launched 13 AGM-86 cruise missiles at air defense, command and communications targets in southern Iraq. Press reports suggested that the B-52's long-range capability was needed because no Middle Eastern country would allow the United States to use its bases or airspace in order to launch this air strike.

#### AUTHORIZATION ACT

My colleagues will also recall that the Congress recognized the importance of these bombers in the defense authorization act by including language that prohibits "retiring or dismantling, or preparing to retire or dismantle" any B-52H bombers.

The authorization bill also included an amendment offered by Senator CONRAD and myself that requires that the current fleet of B-52 bombers be maintained in active status and that the Secretary of Defense treat all B-52's identically when carrying out upgrades.

Lastly, the Armed Services Committees of the House and Senate agreed to authorize additional funding for B-52 modernizations, operations and maintenance, and personnel.

#### DEFENSE APPROPRIATIONS BILL

The fiscal year 1997 defense appropriations bill, which the Senate has just passed, fulfills the promise of the authorization act. The conference report includes \$4.4 million for military personnel, \$47.9 million for operations and maintenance and \$11.5 million for procurement. This additional funding is vital if we are to keep all 94 B-52's modernized and flying. This number is the full fleet of our only bomber that can deliver both conventional and nuclear payloads.

I am pleased that the Congress has again recognized the wisdom of not trying to prejudge force structure studies now underway at the Pentagon. It makes no sense to retire B-52 bombers when the Deep Attack Weapons Mix Study and the next Quadrennial Defense Review may recommend that we keep them in the air.

#### STUDY OF NEW ENGINES

Lastly, report language accompanying this bill requires the Air Force to report to the Congress by March 15, 1997 on a proposal to put new, commercially-available engines on the B-52's. Some projections suggest that the new engines would save the Air Force 40 percent of the B-52's current fuel costs, would increase the plane's range and loitering capability, and would improve engine reliability and ease of maintenance. Over the planes' projected remaining life (through 2036), the new engines could save the Air Force \$6.4 billion. These savings would likely be enough to pay for the costs of operating and maintaining the 28 B-52's that the Pentagon has sought to retire.

I applaud the defense appropriations conferees for recognizing the potential benefits of this innovative plan. And I look forward to reviewing the Air Force's analysis of this proposal.

Mr. President, in closing I would like to thank Senator STEVENS of Alaska and Senator INOUE of Hawaii, the distinguished chairman and ranking mem-

ber of the Defense Appropriations Subcommittee, for their recognition of the value of our B-52 fleet. I look forward to working with them to keep 94 B-52's flying for many years to come.

#### IRS WORKERS AND THE OMNIBUS APPROPRIATIONS BILL

Mr. DORGAN. Mr. President, I rise to comment briefly on an aspect of the omnibus fiscal year 1997 appropriations bill that the Senate just passed.

My Senate colleagues will recall that the Internal Revenue Service has proposed a field office reorganization that would cut 2,490 employees, many of them from front-line taxpayer assistance jobs. These employees are now in field offices, where they provide needed services to taxpayers in North Dakota and other rural States. The IRS proposes to hire 1,500 new employees in its regional headquarters to do some of the same work now carried out at the field office level.

This IRS proposal puzzles me for a number of reasons.

First, we all know that taxpayers too often have trouble getting straight answers out of the IRS. The proposed reorganization would make it even more difficult for North Dakotans to have access to advice and assistance on how to comply with Federal tax law. I often hear from constituents who are frustrated at their inability to get sound tax advice from this agency. A 1-800 number, which may or may not be answered, is no substitute for the ability to walk into an IRS field office and receive advice in person.

Second, if the IRS is trying to save money, it could start by examining its personnel policies on the rotation of managers. My State staff tells me that no other Federal agency changes its management staff as constantly as does the IRS. Sometimes the North Dakota State director stays for only a year or so before moving on to the regional office in Saint Paul, or elsewhere. Besides harming institutional memory about tax matters in North Dakota, this rapid turnover means that the IRS must spend more on moving expenses. The IRS also has an arrangement with local real estate firms to buy managers' homes so that those leaving North Dakota do not suffer any loss as they leave. I am told that the IRS district that includes North and South Dakota and Minnesota has spent \$300,000 on managerial moves in the past few years. None of the front-line employees who may be fired will be eligible for this sort of moving assistance.

Third, by moving jobs from North Dakota to St. Paul, the IRS will actually be increasing its payroll costs. A salary of \$30,000 will go much further in a small city than in a large metropolitan area. The IRS is therefore likely to be able to attract more qualified people in my State than in the Twin Cities with the same salary level.

Given my concern with this IRS proposal, I am pleased that the omnibus

appropriations bill contains a provision that would delay the reorganization plan until March 1997, at the earliest. In addition, before implementing its reorganization, the IRS will have to submit a report to the Congress justifying its plan on cost-benefit grounds.

This provision is not a perfect solution to this problem. I would have preferred the original language offered by Senator KERREY of Nebraska to the freestanding Treasury-Postal appropriations bill. That language would have delayed the reorganization until the National Commission on Restructuring the Internal Revenue Service had a chance to issue its final report.

Nevertheless, this provision buys us time to try to understand the proposed reorganization and to see whether the IRS can justify its plan. I look forward to working with the distinguished minority leader, Senator DASCHLE, and the ranking member of the Treasury-Postal Appropriations Subcommittee, Senator KERREY, to ensure that the IRS does not abandon rural States in a misguided attempt to achieve phantom savings.

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

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#### FEDERAL FIREARMS DISABILITIES PROVISION OF THE OMNIBUS APPROPRIATIONS BILL

Mr. SIMON. Mr. President, upon the passage of the omnibus appropriations package, I would like to take a moment to discuss a provision that will prohibit the expenditure of funds for the Bureau of Alcohol, Tobacco and Firearms' [ATF] disability relief program.

The background behind this simple provision is as follows. Under current Federal law, someone who has been convicted of a crime punishable by more than 1 year is ineligible, or disabled, from possessing a firearm—a sensible idea. However, Congress created a loophole in 1965 whereby convicted felons could apply to ATF to have their firearm privileges restored, at an estimated taxpayer cost of \$10,000 per waiver granted.

We have fought to end this program and have succeeded in stripping the program's funding in annual appropriations bills since 1992.

This year, we faced an additional challenge in our efforts to keep guns out of the hands of convicted felons. A recent court case in Pennsylvania misinterpreted our intentions and opened the door for these convicted felons to apply for judicial review of their disability relief applications.

In this case, *Rice versus United States*, the Third Circuit Court of Appeals found that the current funding prohibition does not make clear congressional intent to bar all avenues of relief for convicted felons. By their reasoning, since ATF is unable to consider applications for relief, felons are entitled to ask the courts to review their applications.

This misguided decision could flood the courts with felons seeking the restoration of their gun rights, effectively shifting from ATF to the courts the burden of considering these applications. Instead of wasting taxpayer money and the time of ATF agents, which could be much better spent on important law enforcement efforts, such as the investigation of church arsons, we would now be wasting court resources and distracting the courts from consideration of serious criminal cases.

Fortunately, another decision by the fifth circuit in *U.S. versus McGill* found that congressional intent to prohibit any Federal relief—either through ATF or the courts—is clear. The fifth circuit concluded that convicted felons are therefore not eligible for judicial review of their relief applications.

Given this conflict in the circuit courts, it is important that we once again clarify our original and sustaining intention. The goal of this provision has always been to prohibit convicted felons from getting their guns back—whether through ATF or the courts. It was never our intention to shift the burden to the courts.

Congressman DURBIN and his colleagues succeeded in their efforts to include language in the House appropriations bill to make clear that convicted felons may not use the courts in their efforts to get their guns back. I applaud the House committee for its wise vote on this issue.

During the same markup, Congressman DURBIN's efforts were undermined by a related exemption offered by Congressman OBEY. This exemption would have allowed those individuals convicted of nonviolent felonies the ability to appeal for judicial review of their relief application.

According to Congressman OBEY's amendment, the opportunity to appeal to the courts would have been closed to those felons convicted of violent crimes, firearms violations, or drug-related crimes. All other felons would have been allowed to apply to the courts for review of their relief applications.

Mr. OBEY's exemption was clearly inconsistent with the original intent of this provision for three simple reasons:

First, one need only consider people like Al Capone and countless other violent criminals who were convicted of lesser, nonviolent felonies, to understand how dangerous this Capone amendment will be to public safety. Our intent when we first passed this provision—and every year thereafter—has been to prohibit anyone who was convicted of a crime punishable by more than 1 year from restoring their gun privileges via the ATF procedure or a judicial review.

Second, as Dewey Stokes, the former president of the Fraternal Order of Police noted, most criminals do not commit murder as their first crime. Rather, most criminals start by committing

nonviolent crimes which escalate into violent crimes. An ATF analysis shows that between 1985 and 1992, 69 nonviolent felons were granted firearms relief and subsequently re-arrested for violent crimes such as attempted murder, first degree sexual assault, child molestation, kidnaping/abduction, and drug trafficking.

Third, there is no reason in the world for the taxpayers' money and court resources to be wasted by allowing the review of any convicted felons' application to get their guns back. It made no sense for ATF to take agents away from their important law enforcement work, and it makes even less sense for the courts, which have no experience or expertise in this area, to be burdened with this unnecessary job. Let me make this point perfectly clear: It was never our intent, nor is it now, for the courts to review a convicted felon's application for firearm privilege restoration.

I am pleased that the conference committee understood our original intention and did not allow the Obey provision to stand. As it stands, the omnibus appropriations law is consistent with our lasting desire to stop arming felons.

Mr. LAUTENBERG. I thank the Senator for clearly laying out the facts. As the coauthor of this provision, I share his interest and concern about this issue. I am also pleased that the conference committee understood our intent regarding the Federal firearms relief program. I agree with his analysis completely and intend to closely follow this situation in the coming year to see if any further legislation is necessary to clarify our intent. I would also like to take this opportunity to let my colleague know how much I enjoyed working on this issue with him as well as so many other matters. I want to thank him for his commitment to this issue, and for the excellent work of Susan Kaplan and Amy Isbell of his staff, and I want to ensure him that although he will not be here next year to continue his work in the Senate on this matter, I fully intend to carry on the fight for us both.

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#### TRIBUTE TO SENATOR CLAIBORNE PELL

Mr. HOLLINGS. Mr. President, as others have noted, this is a season when we are used to witnessing the departure of some of our colleagues who have chosen to end their careers here in the Senate to pursue other interests. And again, as others have noted, this particular iteration of these departures is notable, not only because of the numbers of our friends who are going on to other pursuits, but more importantly because of the quality of their contributions while they were here, which we now face doing without. Our departing colleagues have distinguished themselves as statesmen and patriots, one and all. But even among giants, there are always those who stand even a little taller.