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Senate

The Senate met at 9:45 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

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

We can know the One who knows. Father, the very idea gives us inspiration and enthusiasm as we begin the work of this day. Our work has to do with thinking clearly about the issues before us. We feel fresh excitement about the day ahead when we contemplate the amazing fact that You who know everything and always will what is best for us, are willing to think through our thinking brains so we can discover truly creative solutions to our perplexities.

Form in our minds the mental picture of a successful agreement on the budget between the Senate, the House of Representatives, and the President. Now we thank You in advance that You will help us achieve this image of oneness and progress for Your glory.

We also are moved by the fact that You are Sovereign over the minds of people with whom we may have differed in the past. We open our minds to the possibility that You may choose to expand our understanding of issues through the insights You give them. We all are humbled by the fact that we all need knowledge from You, the One who knows and affirms our effort for oneness. We join with one another in confessing our need for You to guide our thinking and lead us to solutions that are maximum. Through our Lord and Saviour. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able acting majority leader, the distinguished Senator from Colorado, is recognized.

SCHEDULE

Mr. CAMPBELL. Mr. President, on behalf of the majority leader, today the Senate will resume consideration of S. 1023, the Treasury, general Government appropriations bill, with 10 minutes of debate remaining on the bill. At 10 a.m., a series of votes, possibly three, will occur on the remaining pending amendments to the Treasury, general Government appropriations bill, including a vote on final passage of S. 1023. Following the disposition of S. 1023, the Senate will resume consideration of the VA–HUD appropriations bill. Therefore additional votes will occur during today's session of the Senate.

As a reminder, the Senate will recess from the hours of 12:30 to 2:15 today for the weekly policy luncheons to meet.

On behalf of the leader, I thank my colleagues for their attention.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. INHOFE). Under the previous order, the leadership time is reserved.

TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 1998

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 1023, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1023) making appropriations for the Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1998, and for other purposes.

The Senate resumed consideration of the bill.

Pending:

Campbell (for DeWine) amendment No. 936, to prohibit the use of funds to pay for an abortion or pay for the administrative expenses in connection with certain health plans that provide coverage for abortions.

Kohl (for Bingaman) amendment No. 937, to strike provisions prohibiting the use of appropriated funds for the sole source procurement of energy conservation measures.

Mr. CAMPBELL. Mr. President, I ask unanimous consent there be 2 minutes of debate equally divided prior to each of the votes in this series.

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

Mr. CAMPBELL. Mr. President, Senator BINGAMAN and Senator STEVENS have not yet arrived at the floor so, until they do, 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. 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.

PRIVILEGE OF THE FLOOR

Mr. WELLSTONE. Mr. President, I ask unanimous consent that Sam Rikkers, who is an intern with me, be granted the privilege of the floor during today's session of the Senate.

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

Mr. WELLSTONE. Mr. President, I thank the Chair 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. BINGAMAN. 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. BINGAMAN. Mr. President, I ask the floor manager, I have one amendment that is going to be voted on in about 15 or 20 minutes, I understand. Is it appropriate to speak on that at this point?

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

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Mr. CAMPBELL. I ask the Senator, is this the Bingaman amendment he had offered, amendment No. 937.

Mr. BINGAMAN. This is the Bingaman-Murkowski amendment.

AMENDMENT NO. 937

Mr. CAMPBELL. Mr. President, I ask unanimous consent the Senate now consider amendment No. 937, offered by the Senator from New Mexico [Mr. BINGAMAN].

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

The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, let me just speak briefly on this amendment. We are still in morning business, as I understand it; is that correct?

The PRESIDING OFFICER. That is not correct. The Chair advises the Senator from New Mexico we are now in consideration of S. 1023.

Mr. BINGAMAN. OK. Let me speak for a few minutes about this amendment.

Mr. CAMPBELL. Mr. President, if I could ask for just a moment?

Mr. BINGAMAN. I yield to the Senator from Colorado.

Mr. CAMPBELL. Will the Chair tell us the pending business and the division of the time on this amendment?

The PRESIDING OFFICER. The Senator from Colorado has 4 minutes 39 seconds; the Senator from New Mexico 3 minutes 25 seconds.

Mr. CAMPBELL. Was there a unanimous-consent request dividing the time, 2 minutes equally divided?

The PRESIDING OFFICER. Yes, there were 10 minutes equally divided. This is the time remaining.

Mr. CAMPBELL. Yes. I thank the Chair and thank the Senator.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, let me briefly describe what the amendment is. The amendment which I am offering along with Senator MURKOWSKI, the chairman of the Energy Committee, would strike section 630 out of the Treasury-Postal appropriations bill which is pending before the Senate. The reason we are trying to strike section 630 is that it would impede Federal agencies from using energy conservation programs that are now being offered to all customers by electric utility companies. This section would override both the Energy Policy Act of 1992 and the National Defense Authorization Act of 1993. There is nothing anticompetitive about eliminating section 630. Many energy conservation measures, such as agreements to use certain amounts of energy at certain times of the day, can only be made—those types of agreements can only be made with the local utility.

We are in a period where we are moving toward a restructured electric utility industry, but we are not there yet. In most parts of this country today, customers still deal with one electric utility. So the opportunity to enter into these energy conservation measures is with that one electric utility. If there is only one source offering a particular service—in this case the providing of electricity—there is no point in outlawing a sole-source procurement, as section 630 would do.

Existing law tells Federal agencies to use energy conservation services offered by local utilities if those same services are offered to other customers in that same location. This amendment overrides section 630 of the bill, which we are dealing with here and which we are trying to eliminate. It would override these mandates and would have the following negative consequences.

First of all, there are 58 existing contracts between the General Services Administration and utilities that will be adversely affected by this provision, according to the Department of Energy. Second, the Department of Defense will be forced to scrap its model energy conservation agreement that it has with members of the utility industry.

Since the law allows sole-source contracts, and since the sole source is sometimes the only option for the Government, section 630 is not about making agencies comply with the law; it is about the Senate intervening on one side of an electric industry dispute without having all of the facts. Energy conservation law is obviously complex. We should not be trying to change this law in an appropriations bill. Before we change the law, we need to hear from all of the affected parties.

The chairman of the Energy Committee, who is cosponsoring my amendment, has agreed to hold hearings on the concerns raised by the chairman of the Appropriations Committee. Given that good-faith offer to investigate and resolve these concerns, I believe the Senate should support our amendment and take out section 630 until we have all the facts.

Mr. MURKOWSKI. Mr. President, I rise in support of the amendment from the Senator from New Mexico to strike section 630 of this legislation. Section 630 addresses substantive issues regarding the energy efficiency requirements for Federal agencies under the Energy Policy Act of 1992. That act had many provisions designed to improve the energy efficiency of Federal facilities. Two are at issue here. First, there are so-called energy savings performance contracts [ESPC's]. These are a mechanism for use of private sector funds to finance Federal energy efficiency improvements. These are competitively bid. In addition, there are utility programs. EPAct also provided for Federal participation in utility demand management programs that are authorized by the State regulators.

The ESPC's haven't been used as much as they could be. The ESPC's required new regulations, which DOE took a long time to issue. The contracting process was complicated and cumbersome. However, DOE is now entering into regional contracts for all Federal facilities, which is expected to speed up the contracting process. In the meantime, Federal agencies have been participating in utility demand management programs to reduce energy use.

The language of section 630 is very broad—it prohibits participation in all utility demand management programs. Even more troublesome, it prohibits payment under existing contracts. This, despite the fact that there may be some services that only utilities can provide—an example is a meeting system that provides real-time pricing information. But today, I do not wish to debate whether or not this is the right thing to do. This change in a law that is within the jurisdiction of the Energy Committee.

The promoters of the amendment have claimed that obtaining energy efficiency measures through sole source contracting—through utility demand management programs—is already against the law. This is not so. Section 152 of EPAct amended section 545 of National Energy Conservation Act to include the following language:

(c) UTILITY INCENTIVE PROGRAMS.—(1) Agencies are authorized and encouraged to participate in programs to increase energy efficiency and for water conservation or the management of electricity demand conducted by gas, water, or electric utilities and generally available to customers of such utilities.

(2) Each agency may accept any financial incentive, goods, or services generally available from any such utility, to increase energy efficiency or to conserve water or manage electric demand.

(3) Each agency is encouraged to enter into negotiations with electric, water, and gas utilities to design cost-effective demand management and conservation incentive programs to address the unique needs of facilities utilized by such agency.

According to a letter I have received from the Department of Defense, the ''Department uses a combination of contracting authorities to achieve energy efficiency. It is [the Department's belief that [the Department's] current approach provides better results for the U.S. Government than would be the case'' if section 630 were enacted into law. The Department concludes that ''this provision would have the effect of reducing the amount of work defense installations are able to contract to all sectors of the energy community, and therefore, significantly reducing the savings we achieve.

There are many issues raised by the Government's implementation of the provision of EPAct. However, these provisions are the jurisdiction of the Energy Committee. The concerns that the Department of Defense, and others, have raised with section 630 show that this is a complex issue that should be the subject of a hearing and deliberate legislative by the authorizing committee. An appropriations bill is not the appropriate forum to address these concerns.

I ask my colleagues support for the Bingaman amendment.

I ask unanimous consent that the text of the letter I received from Defense Deputy Under Secretary Goodman be printed in the RECORD.

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

OFFICE OF THE UNDER SECRETARY OF DEFENSE,
Washington, DC.

Subject: Section 630, Senate Treasury and Postal Service appropriations bill.

Senator FRANK H. MURKOWSKI,
U.S. Senate,
Washington, DC.

This is in response to the telephone request from a member of your staff for a Defense position on the proposed section 630 to the Senate Treasury and Postal Appropriation bill. Section 630 would preclude any Federal agency from obtaining energy conservation services on a sole source basis.

The Department of Defense is concerned that this provision would have the effect of reducing the amount of work defense installations are able to contract to all sectors of the energy community, and therefore, significantly reducing the savings we achieve.

The Department of Defense is the single largest energy user in the country and is committed to achieving the energy efficiency improvement goals of the Energy Policy Act and President Clinton's Executive Order 12902. If those goals are achieved, we will realize a billion dollar reduction in our annual energy bill by 2005 and implement the most cost-effective environmental improvement result possible through pollution prevention.

The Department uses a combination of contracting authorities to achieve energy efficiency. These authorities allow us either competitively to contract or sole-source for the technical and capital resources we need. There are two important cases in which the Department may want to contract sole-source for energy conservation services, both in the interest of achieving best value for the United States Government. In the first case, we may contract sole source if the firm has proprietary information or a significant technological innovation—for instance, if a company has produced a new type of fuel cell or control system that is unique or proprietary. In the second case, under the recent agreement with the Edison Electric Institute, we can access a franchised utility company's energy conservation service program (which must be a sole-source contract because these are State-sanctioned sole-source programs). Under our agreement with the Edison Electric Institute, the franchise utility companies are required to subcontract competitively the actual conservation work. The Department therefore derives the benefits of competition even though the prime contract was not competitive.

It is our belief that our current approach provides better results for the United States Government than would be the case if our current authority to contract sole-source, where justified, were eliminated. Our current system allows more work to be done by the energy savings performance contractor and Architect/Engineer communities. Because this system allows us to take advantage of situations where the greatest savings derive from a sole source provider, it also increases our ability to undertake energy conservation efforts and therefore achieve greater savings.

We recommend that section 630 be deleted from the Treasury and Postal Service Appropriation Bill.

We have not had an opportunity to have the Office of Management and Budget review this to make sure that it comports with Administration policy.

JOHN B. GOODMAN,
Deputy Under Secretary of Defense.

The PRESIDING OFFICER. The time of the Senator from New Mexico has expired.

Mr. BINGAMAN. Mr. President, I 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. CAMPBELL. Mr. President, my colleague is not yet here, so I suggest the absence of a quorum and ask unanimous consent that no time be charged against Senator STEVENS during that quorum call.

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

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. STEVENS. 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. STEVENS. Mr. President, the provision in this bill requires compliance with existing law. Our information is that the cost of modernization of these facilities to the Federal Government is approximately $4 billion. Unless existing law is complied with, it will cost us $1 billion more than it would if we had true competition. The figures show it would cost $3 billion if they complied with the law; it would cost $4 billion if they continue to flout and ignore the law.

The Bingaman amendment would take out of the bill the requirement no funds can be spent except in compliance with existing law. I do not understand a refusal to accept the fact that that is the law. If the committee of jurisdiction doesn't like the law, they should come to the floor with suggestions to amend it. But we should, supporting expenditures of Federal funds, require compliance with the law that mandates competition in this area.

I move to table the amendment.

Mr. President, I 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.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, I ask, is there additional time preserved?

The PRESIDING OFFICER. All time of the Senator from New Mexico has expired.

Mr. BINGAMAN. Was there 2 minutes before each vote that was provided for in the unanimous-consent agreement?

The PRESIDING OFFICER. The Chair advises the Senator from New Mexico that there was. However, we have already had 10 minutes on this debate, so the Chair declares the time has expired.

Mr. BINGAMAN. I thank the Chair.

The PRESIDING OFFICER. The question is on agreeing to the motion to table the amendment. The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. FORD. I announce that the Senator from West Virginia [Mr. ROCKEFELLER] is necessarily absent.

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

The result was announced, yeas 35, nays 64, as follows:

[Rollcall Vote No. 189 Leg.]

YEAS—35

Abraham	Glenn	McConnell
Allard	Gorton	Murray
Bennett	Gramm	Roberts
Campbell	Grassley	Roth
Chafee	Gregg	Santorum
Cleland	Hutchison	Sessions
Coats	Kohl	Shelby
Collins	Kyl	Snowe
Coverdell	Lautenberg	Stevens
D'Amato	Lieberman	Thompson
Feingold	Mack	Wellstone
Frist	McCain	

NAYS—64

Akaka	Enzi	Levin
Ashcroft	Faircloth	Lott
Baucus	Feinstein	Lugar
Biden	Ford	Mikulski
Bingaman	Graham	Moseley-Braun
Bond	Grams	Moynihan
Boxer	Hagel	Murkowski
Breaux	Harkin	Nickles
Brownback	Hatch	Reed
Bryan	Helms	Reid
Bumpers	Hollings	Robb
Burns	Hutchinson	Sarbanes
Byrd	Inhofe	Smith (NH)
Cochran	Inouye	Smith (OR)
Conrad	Jeffords	Specter
Craig	Johnson	Thomas
Daschle	Kempthorne	Thurmond
DeWine	Kennedy	Torricelli
Dodd	Kerrey	Warner
Domenici	Kerry	Wyden
Dorgan	Landrieu	
Durbin	Leahy	

NOT VOTING—1

Rockefeller

The motion to lay on the table the amendment (No. 937) was rejected.

Mr. STEVENS. Mr. President, I ask unanimous consent that the yeas and nays on the Bingaman amendment be vitiated.

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

The question is on agreeing to the Bingaman amendment.

The amendment (No. 937) was agreed to.

Mr. BINGAMAN. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 936

The PRESIDING OFFICER. The question occurs now on amendment No. 936.

The Senator from Ohio has 1 minute.

Mr. DEWINE addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. DEWINE. Mr. President, let me take just 1 minute to explain this amendment.

This amendment is a very simple one. A ''yes'' vote means that we continue the current law. A ''yes'' vote on the amendment would continue in force the current prohibition on the taxpayer subsidy of abortions for Federal workers. It would permit Federal

employee health plans to cover abortion only in the cases of rape, incest and threats to the life of the mother.

This has been the law for most of the last 14 years, from 1984 to 1993, and from 1995 until the present. A ''yes'' vote continues current law.

Mr. President, in 1996 the Federal Government paid an average of 74 percent of the cost of a Federal employee's health premium. That is taxpayer money. And the Senate has twice voted to be sure tax dollars were not used to fund abortions.

In 1995, this body endorsed this policy by a vote of 50 to 44. In 1996, we approved it again by a vote of 53 to 45. It is good policy. It ought to remain in force, consistent with the well-being of the American people.

I urge a ''yes'' vote.

Mrs. BOXER addressed the Chair.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Thank you, Mr. President.

I rise in opposition to the amendment which is aimed at curbing the legal rights of women who work for the Federal Government to obtain abortion services through their health insurance. I strongly urge my colleagues to vote against this amendment offered by Senator DEWINE.

Who is impacted by the DeWine amendment? There are 1.2 million women of reproductive age who rely on the Federal Employees Health Benefits Program for their medical coverage. They will be stopped from using their own insurance to exercise their right to obtain a perfectly legal abortion.

Women who are employed by the Federal Government work hard. They personally pay for their health premiums out of their own pockets. And, when it comes to health care coverage, they deserve the same health benefits as women who work in the private sector.

To me the question is clear: Should women Federal employees or their dependents be treated the same as other women in the work force or should they be singled out, punished, have their rights taken away from them and be treated differently?

In 1993, a majority of the Senate voted to restore the coverage of abortion services, and Federal employees were once again given equality with other women. Unfortunately, this Republican Congress overturned those rights. The Senate Appropriations Committee bill now before us provides funding for the Federal Employees Health Benefits Program. We should ensure that this funding remains in the bill.

Anti-choice forces are chipping away at the right of women in this country to obtain safe, legal abortions by making a women's ability to exercise that choice dependent upon the amount of her paycheck and the employer who signs it.

If there were an amendment to stop a man who happens to work for the Federal Government from getting a perfectly legal medical procedure, one that might protect his health, there would be an uproar on this floor. People would say, how dare you do that to the men of this country? Why not treat the men who work for the Federal Government the same way we treat men who work in the private sector?

The bottom line is—this is a tough personal, private matter, and I really think it is time we trusted women to make that choice. Who are we to say that a woman who happens to work for the Federal Government or her dependents should not have this right?

Let's ensure that all Federal employees have the rights, the protections, and the health care coverage they deserve.

The DeWine amendment singles out female Federal employees and denies them a medical benefit available to all other working women. It is wrong.

I yield the remainder of my time to Senator MURRAY.

Mrs. MURRAY addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I rise in strong opposition to the DeWine amendment (No. 936) to the Treasury, Postal Service appropriations bill for fiscal year 1998. This amendment is nothing more than another attempt to attack basic reproductive health services for Federal employees and their dependents. This has become an annual tradition during consideration of appropriations bills.

What always surprises me about this amendment is the arguments used in defense of denying Federal employees access to the same reproductive health and choices afforded most private sector employees. We are told that this is a matter of not allowing for the use of Federal funds for abortion related services. But, this is not argument does not make sense when one considers that most Federal employees contribute to their own health insurance through premiums, deductibles, and copayments. In addition, health insurance benefits are a form of compensation for services rendered. They are not viewed as a direct Federal payment, but rather a cost of labor. If we believe that Federal health insurance benefits are not a form of compensation, but rather a direct Federal payment to employees, then we should be looking to refund women who selected health insurance based on the reproductive services provided. If it was a direct Federal payment, why would the insurance companies be reluctant to reimburse all female Federal employees the cost of these services?

If one were to take this argument to the next level, then supporters of this amendment should be looking to forbid any Federal employee from using their salary to pay for abortion related services. Maybe we should have whole list of things that Federal employees cannot use their own salaries to support. But, we know that offering this type of amendment would expose the true motivation behind this continued attack on a woman's right to a safe and legal abortion.

That is what we should be discussing; the continued erosion of access to safe and legal abortion services. Instead of these piecemeal attempts, perhaps we should have a full and open debate on banning a woman's right to chose. That is what this amendment is all about. It is not Federal funding, but rather another attempt to further restrict and control access to safe reproductive health services. Using Federal funding simply allows those who oppose a woman's right to chose the chance to hide behind a baseless argument.

I feel confident that few Members in the U.S. Senate would be comfortable telling all women that they are no longer protected and can no longer be guaranteed access to a safe, affordable abortion regardless of the circumstances. Few Senators would want to tell their constituents that the issue is not for them to decide, but rather the decision has been made by the U.S. Senate. So instead, the strategy is to hide behind issues like the use of Federal funds, or Federal facilities.

Putting aside the issue of abortion for a moment, as guardians of the FEHBP and Federal employees, we must ask if it is right to deny a Federal employee access to a safe and affordable abortion. Currently, there are approximately 1.2 million women of reproductive age who rely on the FEHBP for their medical care. These women, by simply choosing a career in public service, agree to be discriminated against every day when it comes to health insurance coverage.

Approximately, two thirds of private fee-for-service plans and 70 percent of HMO's provide abortion coverage. Many of these same plans participate in the FEHBP and must offer a different level of benefits for Federal employees. They are legally allowed to discriminate against women who are also Federal employees. In no other situation would Congress stand for this form of discrimination within a plan that participates in the FEHBP. But, today we are voting to do just that.

I am always surprised by the lack of understanding of the real problems facing real people, shown by some of my colleagues. Supporters of this amendment state that a woman can still get an abortion, but she simply cannot receive health insurance coverage for this care. This may sound reasonable until one considers that costs for this type of care can be anywhere from $400 to several thousand dollars depending upon the severity of the problem. For many female Federal employees, who are in most cases the lowest paid, this is a lot of money. It might as well be $10,000. In addition, what guarantee is there that the care will be adequate and meet the standard of care for all FEHBP participants? Unfortunately, there are no guarantees.

This could also create additional costs and problems for insurance plans. We all know that an unsafe abortion can be life threatening. We can also assume that there is followup care required to ensure the overall health of the woman. Who is responsible for this care? Who is financially responsible for the effects of unsafe abortion or in a situation where the woman could not afford the followup care required? Some of my colleagues seem to think that an abortion is a decision made with little or no thought, they must also assume that the procedure is done with little or no thought. I can assure you, no woman makes this decision lightly and like all surgical procedures there is always some risk.

I strongly oppose this discriminatory attempt to deny 1.2 million Federal employees and their dependents access to safe, affordable health care coverage and urge my colleagues to think very carefully about voting to continue this discrimination.

This is not about the use of Federal funds. We all know that not one Federal employee received a refund when Congress acted to eliminate this coverage. For most insurance plans, abortion related services are a part of a package of reproductive health benefits—they do not single out abortion. This amendment is simply about denying some women access to safe, affordable and comprehensive reproductive health care benefits.

Mr. President, time and again, Members come to the floor to talk about how they support women's health. Once again, we are going to take reproductive health of women away from women.

This is about the health of women. It is denying Federal employees the ability to make choices about their own reproductive health.

I urge you to vote ''no'' on the DeWine amendment.

Ms. MOSELEY-BRAUN addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois.

Ms. MOSELEY-BRAUN. Very briefly, this is a gratuitous slap at women's citizen rights. We are equal citizens. We should not be singled out for this kind of treatment.

I urge a ''no'' vote.

Mr. NICKLES. Mr. President, from 1984 through 1993, language was included as part of the Treasury/Postal Service appropriations bills which prohibited taxpayer money from going to fund abortions through Federal employee health benefits plans. In 1993, President Clinton pushed a change in that policy through Congress. For 2 years, people who were unalterably opposed to abortion were forced to pay for an estimated 17,000 abortions each year for any reason. In 1995, Congress restored the policy of restricting abortion funding and has continued to maintain that policy. The narrow question before us today is whether Americans who stand in defense of life should be forced to pay for its destruction with their taxes. I do not believe they should and thus strongly support my colleague from Ohio's amendment.

Whether they choose to call themselves pro-choice or pro-life, the American people overwhelmingly reject public financing of abortion. A CBS/New York Times poll conducted in April 1993, about health care reform issues asked adults what should be included in a basic, Government-subsidized health care plan. Only 23 percent thought abortion should be covered. Some 72 percent said abortion should not be included a benefit in a Government-sponsored health plan.

A Wirthlin poll conducted in May 1992, found that 55 percent of Americans opposed using tax dollars to pay for abortions for women who cannot afford to pay for them. I would speculated that the number would be even higher if the question reflected the issue we are considering here, which is Government-subsidized abortions for women who can afford them.

Employers determine the benefits employees get. Taxpayers are the employers of Federal employees and a large majority of taxpayers do not want their tax dollars to pay for abortions. In 1995 the Federal Government contributed, on average, 72 percent of the money toward the purchase of health insurance for its employees. Thus, taxpayers provided a majority share of the funds to purchase health insurance for the Federal civilian work force.

The abortion funding restriction in this amendment addresses the same core issue as the Hyde amendments: Should the Federal Government be in the business of funding abortion? Should taxpayers be forced to underwrite the cost of abortions for Federal employees?

This amendment does not in any way hinder an individual's free exercise of their choice in regard to abortion services. What it does do is prevent such an individual's choice from being subsidized by funds taken from taxpayers who object to an unfettered exercise of the choice to abort an unborn child.

No matter what private arrangements individuals wish to make regarding abortion and insurance. Most American do not wish to see abortion services included among a federally guaranteed package of health care benefits. Despite its articulation of a constitutional right to privacy regarding abortion, the Supreme Court ruled in 1980 that abortion funding restrictions are constitutionally permissible. There is a clear distinction between supporting the private choice of abortion and requiring citizens through their tax dollars or federally mandated health premiums, to pay for such a service.

I hope that this overwhelming evidence will lead my colleagues to understand the imperative nature of this issue, and I urge them to vote in favor of this necessary amendment.

Ms. MIKULSKI. Mr. President, I rise in strong opposition to the amendment offered by Senator DEWINE.

The bill reported by the Senate Appropriations Committee would enable Federal employees, whose health insurance is provided under the Federal Employees Health Benefits Plan, to receive coverage for abortion services.

The DeWine amendment would prohibit coverage for abortion, except in cases of life endangerment, rape, or incest. It would continue a ban which has prevented Federal employees from receiving a health care service which is widely available for private sector employees.

I oppose this amendment for two reasons. First of all, it is it is an assault on the earned benefits of Federal employees. Second, it is part of a continuing assault on women's reproductive rights and would endanger women's health.

In the 104th Congress we saw vote after vote designed to roll back the clock on women's reproductive rights. In the last Congress, there were 53 votes in both the House and Senate on abortion-related issues. It's clear that this unprecedented assault on a woman's right to decide for herself whether or not to have a child is continuing in this Congress.

Well, I support the right to choose. And I support Federal employees. And that is why I strenuously oppose this amendment.

Let me speak first about our Federal employees. Some 280,000 Federal employees live in the State of Maryland. I am proud to represent them. They are the people who make sure that the Social Security checks go out on time. They make sure that our Nation's veterans receive their disability checks. At NIH, they are doing vital research on finding cures and better treatments for diseases like cancer, Parkinson's and Alzheimers. There is no American whose life is not touched in some way by the hard work of a Federal employee. They deserve our thanks and our support.

Instead, Federal employees have suffered one assault after another in the last year or two. They have faced tremendous employment insecurity, as Government has downsized, and eliminated over 200,000 Federal jobs. Their COLA's and their retirement benefits have been threatened. They have faced the indignity and economic hardship of three Government shutdowns. Federal employees have been vilified as what is wrong with Government, when they should be thanked and valued for the tremendous service they provide to our country and to all Americans.

I view this amendment as yet another assault on these faithful public servants. It goes directly after the earned benefits of Federal employees. Health insurance is part of the compensation package to which all Federal employees are entitled. The costs of insurance coverage are shared by the Federal Government and the employee.

I know that proponents of continuing the ban on abortion coverage for Federal employees say that they are only trying to prevent taxpayer funding of abortion. But that is not what this debate is about.

This is about prohibiting the compensation package of Federal employees from being used for a legal and sometimes vital medical service. Health insurance is part of the Federal employees pay.

If we were to extend the logic of the argument of those who favor the ban, we would prohibit Federal employees from obtaining abortions using their own paychecks. After all, those funds also come from the taxpayers.

But no one is seriously suggesting that Federal employees ought not to have the right to do whatever they want with their own paychecks. And we should not be placing unfair restrictions on the type of health insurance Federal employees can purchase under the Federal Employee Health Benefit Plan.

About 1.2 million women of reproductive age depend on the FEHBP for their medical care. We know that access to reproductive health services is essential to women's health. We know that restrictions that make it more difficult for women to obtain early abortions increase the likelihood that women will put their health at risk by being forced to continue a high-risk pregnancy.

If we continue the ban on abortion services, and provide exemptions only in cases of life endangerment, rape, or incest, the 1.2 million women of reproductive health age who depend on the FEHBP will not have access to abortion even when their health is seriously threatened. We will be replacing the informed judgment of medical care givers with that of politicians.

Decisions on abortion should be made by the woman in close consultation with her physician. These decisions should be made on the basis of medical judgment, not on the basis of political judgments. Only a woman and her physician can weigh her unique circumstances and make the decision that is right for that particular woman's life and health.

It is wrong for the Congress to try to issue a blanket prohibition on insuring a legal medical procedure with no allowance for the particular set of circumstances that an individual woman may face. I deeply believe that women's health will suffer if we do so.

I believe it is time to quit attacking Federal employees and their benefits. I believe we need to quit treating Federal employees as second class citizens. I believe Federal employees should be able to receive the same quality and range of health care services as their private sector counterparts.

Because I believe in the right to choose and because I support Federal employees, I urge my colleagues to join me in defeating the DeWine amendment.

The PRESIDING OFFICER. All time has expired.

The question occurs on agreeing to amendment No. 936. The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

Mr. FORD. I announce that the Senator from West Virginia [Mr. ROCKEFELLER] is necessarily absent.

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

The result was announced—yeas 54, nays 45, as follows:

[Rollcall Vote No. 190 Leg.]

YEAS—54

Abraham	Enzi	Lugar
Allard	Faircloth	Mack
Ashcroft	Ford	McCain
Bennett	Frist	McConnell
Biden	Gorton	Murkowski
Bond	Gramm	Nickles
Breaux	Grams	Reid
Brownback	Grassley	Roberts
Burns	Gregg	Roth
Coats	Hagel	Santorum
Cochran	Hatch	Sessions
Conrad	Helms	Shelby
Coverdell	Hutchinson	Smith (NH)
Craig	Hutchison	Smith (OR)
D'Amato	Inhofe	Thomas
DeWine	Kempthorne	Thompson
Domenici	Kyl	Thurmond
Dorgan	Lott	Warner

NAYS—45

Akaka	Feinstein	Levin
Baucus	Glenn	Lieberman
Bingaman	Graham	Mikulski
Boxer	Harkin	Moseley-Braun
Bryan	Hollings	Moynihan
Bumpers	Inouye	Murray
Byrd	Jeffords	Reed
Campbell	Johnson	Robb
Chafee	Kennedy	Sarbanes
Cleland	Kerrey	Snowe
Collins	Kerry	Specter
Daschle	Kohl	Stevens
Dodd	Landrieu	Torricelli
Durbin	Lautenberg	Wellstone
Feingold	Leahy	Wyden

NOT VOTING—1

Rockefeller

The amendment (No. 936) was agreed to.

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

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

The motion to lay on the table was agreed to.

IRS MODERNIZATION

Mr. BYRD. As my colleagues will recall, the IRS has a large computer facility in my home State, in the city of Martinsburg. This facility should be an integral part of future IRS modernization efforts. Therefore, I have a question for the distinguished chairman of the subcommittee about this matter.

In its report, the committee supported the IRS' modernization blueprint. With respect to private sector involvement, the committee said:

> In 1997, Congress directed the IRS to turn over a majority of its tax systems modernization work to the private sector. The committee is pleased that the IRS is planning to develop and implement the modernization plan through new partnerships with the private sector.

Having said this, however, the committee included no funds in the bill for this purpose. My question is this: does the subcommittee chairman intend to recommend funding for the modernization program when a contract is let?

Mr. CAMPBELL. I thank the distinguished Senator from West Virginia for his interest in this important program. While the committee chose not to fund modernization for fiscal year 1998, I support appropriation of funds at that time in the future when the contract is awarded. I am pleased to put this on the record. Otherwise, those in the private sector spending extensive funds helping develop the concept of performance—based contracts, reviewing the ''Request for Comment,'' and lending their expertise to the IRS so that the ''Request for Proposal,'' when issued, is in the best possible shape, may stop doing so because of uncertainties about Congress' commitment to fund the procurement.

Mr. BYRD. Mr. President, I rise in support of S. 1023, the fiscal year 1998 Treasury and general Government appropriation bill, and commend the chairman and ranking member of the subcommittee, Senator CAMPBELL and Senator KOHL, for their very fine efforts in managing this bill. This is the first year that these distinguished Members have had an opportunity to manage this important bill which provides over $25 billion for the operation of the Department of Treasury and general Government activities.

The bill is $456 million less than the amount requested in the President's budget. The Members are to be commended for their efforts to keep a tight rein on funding and trim back wherever possible. The bill is consistent with the 602(b) allocations for both budget authority and outlays for the subcommittee.

Again, I congratulate Senators CAMPBELL and KOHL for their effective work. I also commend the work of the subcommittee staff: Barbara Retzlaff and Liz Blevins for the minority and Pat Raymond, Tammy Perrin, Lula Edwards for the majority.

Mr. CAMPBELL. Mr. President, are there any further amendments to S. 1023?

The PRESIDING OFFICER. The Chair advises the Senator from Colorado that there are no further amendments.

Mr. CAMPBELL. Mr. President, I ask unanimous consent that S. 1023 not be engrossed and that it remain at the desk pending receipt of the House companion measure.

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

The PRESIDING OFFICER. The bill will be read the third time.

The bill was read the third time.

Mr. CAMPBELL. Mr. President, I 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. CAMPBELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. CAMPBELL. Mr. President, the staff and Senator KOHL have worked

very hard on this bill. We have tried to accommodate all of the Members' suggestions. It is probably not a perfect bill, but we think it is a good bill. We ask that Senators support its passage.

The PRESIDING OFFICER. The question is on passage of the bill. The yeas and nays have been ordered and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. FORD. I announce that the Senator from West Virginia [Mr. ROCKEFELLER] is necessarily absent.

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

The result was announced—yeas 99, nays 0, as follows:

[Rollcall Vote No. 191 Leg.]

YEAS—99

Abraham	Faircloth	Lieberman
Akaka	Feingold	Lott
Allard	Feinstein	Lugar
Ashcroft	Ford	Mack
Baucus	Frist	McCain
Bennett	Glenn	McConnell
Biden	Gorton	Mikulski
Bingaman	Graham	Moseley-Braun
Bond	Gramm	Moynihan
Boxer	Grams	Murkowski
Breaux	Grassley	Murray
Brownback	Gregg	Nickles
Bryan	Hagel	Reed
Bumpers	Harkin	Reid
Burns	Hatch	Robb
Byrd	Helms	Roberts
Campbell	Hollings	Roth
Chafee	Hutchinson	Santorum
Cleland	Hutchison	Sarbanes
Coats	Inhofe	Sessions
Cochran	Inouye	Shelby
Collins	Jeffords	Smith (NH)
Conrad	Johnson	Smith (OR)
Coverdell	Kempthorne	Snowe
Craig	Kennedy	Specter
D'Amato	Kerrey	Stevens
Daschle	Kerry	Thomas
DeWine	Kohl	Thompson
Dodd	Kyl	Thurmond
Domenici	Landrieu	Torricelli
Dorgan	Lautenberg	Warner
Durbin	Leahy	Wellstone
Enzi	Levin	Wyden

NOT VOTING—1

Rockefeller

The bill (S. 1023), as amended, was passed, as follows:

S. 1023

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1998, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

For necessary expenses of the Departmental Offices including operation and maintenance of the Treasury Building and Annex; hire of passenger motor vehicles; maintenance, repairs, and improvements of, and purchase of commercial insurance policies for, real properties leased or owned overseas, when necessary for the performance of official business; not to exceed $2,900,000 for official travel expenses; not to exceed $150,000 for official reception and representation expenses; not to exceed $258,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Secretary of the Treasury and to be accounted for solely on his certificate; $114,794,000: *Provided,* That section 113(2) of the Fiscal Year 1997 Department of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, Public Law 104–208 (110 Stat. 3009–22) is amended by striking ''12 months'' and inserting in lieu thereof ''2 years'': *Provided further,* That the Office of Foreign Assets Control shall be funded at no less than $6,745,000: *Provided further,* That chapter 9 of the fiscal year 1997 Supplemental Appropriations Act for Recovery from Natural Disasters, and for Overseas Peacekeeping Efforts, including those in Bosnia, Public Law 105–18 (111 Stat. 195–96) is amended by inserting after the ''County of Denver'' in each instance ''the County of Arapahoe''.

OFFICE OF PROFESSIONAL RESPONSIBILITY

SALARIES AND EXPENSES

For necessary expenses of the Office of Professional Responsibility, including purchase and hire of passenger motor vehicles, $1,250,000.

AUTOMATION ENHANCEMENT

(INCLUDING TRANSFER OF FUNDS)

For the development and acquisition of automatic data processing equipment, software, and services for the Department of the Treasury, $29,389,000, of which $15,000,000 shall be available to the United States Customs Service for the Automated Commercial Environment project, of which $5,600,000 shall be available to Departmental Offices for the International Trade Data System, and of which $8,789,000 shall be available to Departmental Offices to modernize its information technology infrastructure and for business solution software: *Provided,* That these funds shall remain available until September 30, 1999: *Provided further,* That these funds shall be transferred to accounts and in amounts as necessary to satisfy the requirements of the Department's offices, bureaus, and other organizations: *Provided further,* That this transfer authority shall be in addition to any other transfer authority provided in this Act: *Provided further,* That none of the funds shall be used to support or supplement Internal Revenue Service appropriations for Information Systems: *Provided further,* That of the $27,000,000 provided under this heading in Public Law 104–208, $12,000,000 shall remain available until September 30, 1999: *Provided further,* That none of the funds for the International Trade Data System may be obligated until the Department has submitted a report on their system development plan to the Committees on Appropriations: *Provided further,* That the funds appropriated for the Automated Commercial Environment project may not be obligated prior to September 1, 1998: *Provided further,* That the funds appropriated for the Automated Commercial Environment project may not be obligated until the Commissioner of Customs has submitted, and the Committees on Appropriations of the House and Senate have approved, a systems architecture plan and a milestone schedule for the development and implementation of all projects included in the systems architecture plan.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, not to exceed $2,000,000 for official travel expenses; including hire of passenger motor vehicles; and not to exceed $100,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General of the Treasury; $29,719,000, of which $16,695 shall be transferred to the ''Departmental Offices'' appropriation for the reimbursement of Secret Service personnel in accordance with section 116 of this Act.

TREASURY BUILDING AND ANNEX REPAIR AND RESTORATION

(INCLUDING TRANSFER OF FUNDS)

For the repair, alteration, and improvement of the Treasury Building and Annex, $10,484,000, to remain available until September 30, 1999.

FINANCIAL CRIMES ENFORCEMENT NETWORK

SALARIES AND EXPENSES

For necessary expenses of the Financial Crimes Enforcement Network, including hire of passenger motor vehicles; travel expenses of non-Federal law enforcement personnel to attend meetings concerned with financial intelligence activities, law enforcement, and financial regulation; not to exceed $14,000 for official reception and representation expenses; and for assistance to Federal law enforcement agencies, with or without reimbursement; $22,835,000: *Provided,* That funds appropriated in this account may be used to procure personal services contracts.

VIOLENT CRIME REDUCTION PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For activities authorized by Public Law 103–322, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund, as follows:

(a) As authorized by section 190001(e), $119,995,000; of which $24,023,000 shall be available to the Bureau of Alcohol, Tobacco and Firearms, including $3,000,000 for administering the Gang Resistance Education and Training program, $6,000,000 for firearms trafficking initiatives (including the Youth Crime Gun Initiative, Project LEAD, and the National Tracing Center), $5,200,000 for CEASEFIRE/IBIS, $8,215,000 for vehicles, and $1,608,000 for collection of information on arson and explosives; of which $18,619,000 shall be available for the Federal Law Enforcement Training Center for construction of additional facilities; of which $3,000,000 shall be available to the Financial Crimes Enforcement Network, including $2,000,000 for the money laundering threat initiative and $1,000,000 for the Secure Outreach/Encrypted Transmission Program; of which $21,178,000 shall be available to the United States Secret Service, including $15,664,000 for expenses related to White House Security, $3,000,000 for investigations of counterfeiting, and $2,514,000 for forensic and related support of investigations of missing and exploited children; of which $44,635,000 shall be available for the United States Customs Service, including $15,000,000 for high energy container x-ray systems and automated targeting systems, $5,735,000 for laboratory modernization, $10,000,000 for vehicle replacement, $7,800,000 for automated license plate readers, $1,100,000 for construction of canopies for inspection of outbound vehicles along the Southwest border, and $5,000,000 to acquire vehicle and container inspection systems; and of which $8,500,000 shall be available to funds appropriated to the President, including $5,500,000 to the Counterdrug Technology Assessment Center for a program to transfer technology to State and local law enforcement agencies, and $3,000,000 for the Rocky Mountain HIDTA;

(b) As authorized by section 32401, $10,000,000 to the Bureau of Alcohol, Tobacco and Firearms for disbursement through grants, cooperative agreements, or contracts to local governments for Gang Resistance Education and Training: *Provided,* That notwithstanding sections 32401 and 310001, such

funds shall be allocated to State and local law enforcement and prevention organizations;

(c) As authorized by section 180103, $1,000,000 to the Federal Law Enforcement Training Center for specialized training for rural law enforcement officers.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Law Enforcement Training Center, as a bureau of the Department of the Treasury, including materials and support costs of Federal law enforcement basic training; purchase (not to exceed 52 for police-type use, without regard to the general purchase price limitation) and hire of passenger motor vehicles; for expenses for student athletic and related activities; uniforms without regard to the general purchase price limitation for the current fiscal year; the conducting of and participating in firearms matches and presentation of awards; for public awareness and enhancing community support of law enforcement training; not to exceed $9,500 for official reception and representation expenses; room and board for student interns; and services as authorized by 5 U.S.C. 3109; $64,663,000, of which $2,819,000 shall be available for fiber optics replacement; of which up to $13,034,000 for materials and support costs of Federal law enforcement basic training shall remain available until September 30, 2000: *Provided*, That the Center is authorized to accept and use gifts of property, both real and personal, and to accept services, for authorized purposes, including funding of a gift of intrinsic value which shall be awarded annually by the Director of the Center to the outstanding student who graduated from a basic training program at the Center during the previous fiscal year, which shall be funded only by gifts received through the Center's gift authority: *Provided further*, That notwithstanding any other provision of law, students attending training at any Federal Law Enforcement Training Center site shall reside in on-Center or Center-provided housing, insofar as available and in accordance with Center policy: *Provided further*, That funds appropriated in this account shall be available, at the discretion of the Director, for: training United States Postal Service law enforcement personnel and Postal police officers; State and local government law enforcement training on a space-available basis; training of foreign law enforcement officials on a space-available basis with reimbursement of actual costs to this appropriation; training of private sector security officials on a space-available basis with reimbursement of actual costs to this appropriation; and travel expenses of non-Federal personnel to attend course development meetings and training at the Center: *Provided further*, That the Center is authorized to obligate funds in anticipation of reimbursements from agencies receiving training at the Federal Law Enforcement Training Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available at the end of the fiscal year: *Provided further*, That the Federal Law Enforcement Training Center is authorized to provide short term medical services for students undergoing training at the Center.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For expansion of the Federal Law Enforcement Training Center, for ongoing maintenance, facility improvements, and related expenses, $13,930,000, to remain available until expended.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

For expenses necessary for the detection and investigation of individuals involved in organized crime drug trafficking, including cooperative efforts with State and local law enforcement, $73,794,000, of which $7,827,000 shall remain available until expended.

FINANCIAL MANAGEMENT SERVICE

SALARIES AND EXPENSES

For necessary expenses of the Financial Management Service, $202,490,000, of which not to exceed $13,235,000 shall remain available until September 30, 2000 for information systems modernization initiatives. Beginning in fiscal year 1998 and thereafter, there are appropriated such sums as may be necessary to reimburse Federal Reserve Banks in their capacity as depositaries and fiscal agents for the United States for all services required or directed by the Secretary of the Treasury to be performed by such banks on behalf of the Treasury or other Federal agencies.

BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

SALARIES AND EXPENSES

For necessary expenses of the Bureau of Alcohol, Tobacco and Firearms, including purchase of not to exceed 650 vehicles for police-type use for replacement only and hire of passenger motor vehicles; hire of aircraft; services of expert witnesses at such rates as may be determined by the Director; for payment of per diem and/or subsistence allowances to employees where an assignment to the National Response Team during the investigation of a bombing or arson incident requires an employee to work 16 hours or more per day or to remain overnight at his or her post of duty; not to exceed $12,500 for official reception and representation expenses; for training of State and local law enforcement agencies with or without reimbursement, including training in connection with the training and acquisition of canines for explosives and fire accelerants detection; and provision of laboratory assistance to State and local agencies, with or without reimbursement; $473,490,000; of which $1,000,000 may be used for the Youth Gun Crime Initiative; of which not to exceed $1,000,000 shall be available for the payment of attorneys' fees as provided by 18 U.S.C. 924(d)(2); and of which $1,000,000 shall be available for the equipping of any vessel, vehicle, equipment, or aircraft available for official use by a State or local law enforcement agency if the conveyance will be used in drug-related joint law enforcement operations with the Bureau of Alcohol, Tobacco and Firearms and for the payment of overtime salaries, travel, fuel, training, equipment, and other similar costs of State and local law enforcement officers that are incurred in joint operations with the Bureau of Alcohol, Tobacco and Firearms: *Provided*, That no funds made available by this or any other Act may be used to transfer the functions, missions, or activities of the Bureau of Alcohol, Tobacco and Firearms to other agencies or Departments in the fiscal year ending on September 30, 1998: *Provided further*, That no funds appropriated herein shall be available for salaries or administrative expenses in connection with consolidating or centralizing, within the Department of the Treasury, the records, or any portion thereof, of acquisition and disposition of firearms maintained by Federal firearms licensees: *Provided further*, That no funds appropriated herein shall be used to pay administrative expenses or the compensation of any officer or employee of the United States to implement an amendment or amendments to 27 CFR 178.118 or to change the definition of ''Curios or relics'' in 27 CFR 178.11 or remove any item from ATF Publication 5300.11 as it existed on January 1, 1994: *Provided further*, That none of the funds appropriated herein shall be available to investigate or act upon applications for relief from Federal firearms disabilities under 18 U.S.C. 925(c): *Provided further*, That such funds shall be available to investigate and act upon applications filed by corporations for relief from Federal firearms disabilities under 18 U.S.C. 925(c): *Provided further*, That no funds in this Act may be used to provide ballistics imaging equipment to any State or local authority who has obtained similar equipment through a Federal grant or subsidy unless the State or local authority agrees to return that equipment or to repay that grant or subsidy to the Federal Government: *Provided further*, That prior to implementation of separation plans as authorized by section 663 of Public Law 104–863, approval will be sought from the House Committee on Government Reform and Oversight and the Senate Committee on Governmental Affairs: *Provided further*, That no funds under this Act may be used to electronically retrieve information gathered pursuant to 18 U.S.C. 923(g)(4) by name or any personal identification code.

LABORATORY FACILITIES

For necessary expenses for construction of a new facility or facilities to house the Bureau of Alcohol, Tobacco and Firearms National Laboratory Center and the Fire Investigation Research and Development Center, not to exceed 185,000 occupiable square feet, $55,022,000 to remain available until expended: *Provided*, That these funds shall not be available until an authorized prospectus for the Laboratory Facilities is approved by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works.

UNITED STATES CUSTOMS SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Customs Service, including purchase of up to 1,050 motor vehicles of which 985 are for replacement only and of which 1,030 are for police-type use and commercial operations; hire of motor vehicles; contracting with individuals for personal services abroad; not to exceed $30,000 for official reception and representation expenses; and awards of compensation to informers, as authorized by any Act enforced by the United States Customs Service; $1,551,028,000, of which such sums as become available in the Customs User Fee Account, except sums subject to section 13031(f)(3) of the Consolidated Omnibus Reconciliation Act of 1985, as amended (19 U.S.C. 58c(f)(3)), shall be derived from that Account; of the total, not to exceed $150,000 shall be available for payment for rental space in connection with preclearance operations, and not to exceed $4,000,000 shall be available until expended for research, not to exceed $1,500,000 shall be available until expended for conducting special operations pursuant to 19 U.S.C. 2081, and up to $6,000,000 shall be available until expended for the procurement of automation infrastructure items, including hardware, software, and installation: *Provided*, That uniforms may be purchased without regard to the general purchase price limitation for the current fiscal year: *Provided further*, That prior to implementation of separation plans as authorized by section 663 of Public Law 104–863, approval will be sought from the House Committee on Government Reform and Oversight and the Senate Committee on Governmental Affairs: *Provided further*, That $2,500,000 shall be available to fund the Globe Trade and Research Program at the Montana World Trade Center: *Provided further*, That notwithstanding any other provision of law, the fiscal year aggregate overtime limitation prescribed in subsection 5(c)(1) of the Act of February 13, 1911 (19 U.S.C. 261 and 267) shall be $30,000.

OPERATIONS, MAINTENANCE AND PROCUREMENT, AIR AND MARINE INTERDICTION PROGRAMS

For expenses, not otherwise provided for, necessary for the operation and maintenance of marine vessels, aircraft, and other related equipment of the Air and Marine Programs, including operational training and mission-related travel, and rental payments for facilities occupied by the air or marine interdiction and demand reduction programs, the operations of which include: the interdiction of narcotics and other goods; the provision of support to Customs and other Federal, State, and local agencies in the enforcement or administration of laws enforced by the Customs Service; and, at the discretion of the Commissioner of Customs, the provision of assistance to Federal, State, and local agencies in other law enforcement and emergency humanitarian efforts; $92,758,000, which shall remain available until expended: *Provided,* That no aircraft or other related equipment, with the exception of aircraft which is one of a kind and has been identified as excess to Customs requirements and aircraft which has been damaged beyond repair, shall be transferred to any other Federal agency, Department, or office outside of the Department of the Treasury, during fiscal year 1998 without the prior approval of the House and Senate Committees on Appropriations.

CUSTOMS SERVICES AT SMALL AIRPORTS

(TO BE DERIVED FROM FEES COLLECTED)

Such sums as may be necessary for expenses for the provision of Customs services at certain small airports or other facilities when authorized by law and designated by the Secretary of the Treasury, including expenditures for the salary and expenses of individuals employed to provide such services, to be derived from fees collected by the Secretary pursuant to section 236 of Public Law 98–573 for each of these airports or other facilities when authorized by law and designated by the Secretary, and to remain available until expended.

HARBOR MAINTENANCE FEE COLLECTION

For administrative expenses related to the collection of the Harbor Maintenance Fee, pursuant to Public Law 103–182, $3,000,000, to be derived from the Harbor Maintenance Trust Fund and to be transferred to and merged with the Customs ''Salaries and Expenses'' account for such purposes.

BUREAU OF THE PUBLIC DEBT

ADMINISTERING THE PUBLIC DEBT

For necessary expenses connected with any public-debt issues of the United States, $173,826,000, of which not to exceed $2,500 shall be available for official reception and representation expenses, and of which $2,000,000 shall remain available until September 30, 2000 for information systems modernization initiatives: *Provided,* That the sum appropriated herein from the General Fund for fiscal year 1998 shall be reduced by not more than $4,400,000 as definitive security issue fees and Treasury Direct Investor Account Maintenance fees are collected, so as to result in a final fiscal year 1998 appropriation from the General Fund estimated at $169,426,000, and in addition, $20,000, to be derived from the Oil Spill Liability Trust Fund to reimburse the Bureau for administrative and personnel expenses for financial management of the Fund, as authorized by section 102 of Public Law 101–380: *Provided further,* That notwithstanding any other provisions of law, effective upon enactment, the Bureau of the Public Debt shall be fully and directly reimbursed by the funds described in Public Law 101–136, title I, section 104, 103 Stat. 789 for costs and services performed by the Bureau in the administration of such funds.

INTERNAL REVENUE SERVICE

PROCESSING, ASSISTANCE, AND MANAGEMENT

For necessary expenses of the Internal Revenue Service, not otherwise provided for; including processing tax returns; revenue accounting; providing tax law and account assistance to taxpayers by telephone and correspondence; matching information returns and tax returns; management services; rent and utilities; and inspection; including purchase (not to exceed 150 for replacement only for police-type use) and hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner; $2,943,174,000, of which up to $3,700,000 shall be for the Tax Counseling for the Elderly Program, and of which not to exceed $25,000 shall be for official reception and representation expenses.

TAX LAW ENFORCEMENT

For necessary expenses of the Internal Revenue Service for determining and establishing tax liabilities; tax and enforcement litigation; technical rulings; examining employee plans and exempt organizations; investigation and enforcement activities; securing unfiled tax returns; collecting unpaid accounts; statistics of income and compliance research; the purchase (for police-type use, not to exceed 850) and hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $3,153,722,000. Of the funds appropriated under this heading in Public Law 104–208, $26,000,000 and in addition, $6,000,000 in Public Law 104–52 are available in fiscal year 1998 for the Year 2000 Century Date Change.

INFORMATION SYSTEMS

For necessary expenses for data processing and telecommunications support for Internal Revenue Service activities, including developmental information systems and operational information systems; the hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $1,272,487,000, which shall be available until September 30, 1999: *Provided,* That under the heading ''Information Systems'' in Public Law 104–208 (110 Stat. 3009), the following is deleted: ''of which no less than $130,075,000 shall be available for Tax Systems Modernization (TSM) development and deployment'': *Provided further,* That the IRS will submit a reprogramming request, of which no less than $102,500,000 is available for Year 2000 conversion.

INFORMATION TECHNOLOGY INVESTMENTS

For necessary expenses for the capital asset acquisition of information technology systems as they relate to the century date change and data center consolidation; $325,000,000, which shall remain available until September 30, 2000: *Provided,* That none of the funds are available for obligation until September 1, 1998: *Provided further,* That the systems acquired are in compliance with acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government.

ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE SERVICE

SEC. 101. Not to exceed 5 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred to any other Internal Revenue Service appropriation upon the advance approval of the House and Senate Committees on Appropriations.

SEC. 102. The Internal Revenue Service shall maintain a training program to ensure that Internal Revenue Service employees are trained in taxpayers' rights, in dealing courteously with the taxpayers, and in cross-cultural relations.

SEC. 103. The funds provided in this Act for the Internal Revenue Service shall be used to provide, as a minimum, the fiscal year 1995 level of service, staffing, and funding for Taxpayer Services.

SEC. 104. None of the funds appropriated by this title shall be used in connection with the collection of any underpayment of any tax imposed by the Internal Revenue Code of 1986 unless the conduct of officers and employees of the Internal Revenue Service in connection with such collection, including any private sector employees under contract to the Internal Revenue Service, complies with subsection (a) of section 805 (relating to communications in connection with debt collection), and section 806 (relating to harassment or abuse), of the Fair Debt Collection Practices Act (15 U.S.C. 1692.)

SEC. 105. The Internal Revenue Service shall institute and enforce policies and procedures which will safeguard the confidentiality of taxpayer information.

SEC. 106. Funds made available by this or any other Act to the Internal Revenue Service shall be available for improved facilities and increased manpower to provide sufficient and effective 1–800 help line for taxpayers. The Commissioner shall continue to make the improvement of the IRS 1–800 help line service a priority and allocate resources necessary to increase phone lines and staff to improve the IRS 1–800 help line service.

SEC. 107. Hereafter, no field support reorganization of the Internal Revenue Service shall be undertaken in Aberdeen, South Dakota until the Internal Revenue Service toll-free help phone line assistance program reaches at least an 80 percent service level. The Commissioner shall submit to Congress a report and the GAO shall certify to Congress that the 80 percent service level has been met.

SEC. 108. Notwithstanding any other provision of law, no reorganization of the field office structure of the Internal Revenue Service Criminal Investigation division will result in a reduction of criminal investigators in Wisconsin from the 1996 level.

SEC. 109. None of the funds appropriated under this Act or any Act hereinafter enacted may be used by the Secretary of the Treasury to collect a tax liability by levy upon a limited entry commercial fishing permit issued by a State unless the Secretary first determines in writing and by clear and convincing evidence that such levy will facilitate the full collection of such tax liability.

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Secret Service, including purchase (not to exceed 705 vehicles for police-type use, of which 675 shall be for replacement only), and hire of passenger motor vehicles; hire of aircraft; training and assistance requested by State and local governments, which may be provided without reimbursement; services of expert witnesses at such rates as may be determined by the Director; rental of buildings in the District of Columbia, and fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control, as may be necessary to perform protective functions; for payment of per diem and/or subsistence allowances to employees where a protective assignment during the actual day or days of the visit of a protectee require an employee to work 16 hours per day or to remain overnight at his or her post of duty; the conducting of and participating in firearms matches; presentation of awards; for

travel of Secret Service employees on protective missions without regard to the limitations on such expenditures in this or any other Act if approval is obtained in advance from the House and Senate Committees on Appropriations; for repairs, alterations, and minor construction at the James J. Rowley Secret Service Training Center; for research and development; for making grants to conduct behavioral research in support of protective research and operations; not to exceed $20,000 for official reception and representation expenses; for sponsorship of a conference for the Women in Federal Law Enforcement, to be held during fiscal year 1998; not to exceed $50,000 to provide technical assistance and equipment to foreign law enforcement organizations in counterfeit investigations; for payment in advance for commercial accommodations as may be necessary to perform protective functions; and for uniforms without regard to the general purchase price limitation for the current fiscal year; not to exceed $6,568,000 for continued White House security enhancements; not to exceed $1,623,000 for fixed site and security maintenance; not to exceed $2,830,000 for LAN replacement; not to exceed $1,000,000 for year 2000 date conversion; not to exceed $6,100,000 for FLEWUG/SNET which shall remain available until expended; not to exceed $6,700,000 for vehicle replacement; and not to exceed $1,460,000 to provide technical assistance and to assess the effectiveness of new technology intended to combat identity-based crimes; $570,809,000.

ACQUISITION, CONSTRUCTION, IMPROVEMENT, AND RELATED EXPENSES

For necessary expenses of construction, repair, alteration, and improvement of facilities, $9,176,000, to remain available until expended for the Secret Service's Headquarters Building and the James J. Rowley Training Center.

GENERAL PROVISIONS—DEPARTMENT OF THE TREASURY

SEC. 111. Any obligation or expenditure by the Secretary in connection with law enforcement activities of a Federal agency or a Department of the Treasury law enforcement organization in accordance with 31 U.S.C. 9703(g)(4)(B) from unobligated balances remaining in the Fund on September 30, 1998, shall be made in compliance with the reprogramming guidelines contained in the Senate report accompanying this Act.

SEC. 112. Appropriations to the Treasury Department in this Act shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning; purchase of insurance for official motor vehicles operated in foreign countries; purchase of motor vehicles without regard to the general purchase price limitations for vehicles purchased and used overseas for the current fiscal year; entering into contracts with the Department of State for the furnishing of health and medical services to employees and their dependents serving in foreign countries; and services authorized by 5 U.S.C. 3109.

SEC. 113. The funds provided to the Bureau of Alcohol, Tobacco and Firearms for fiscal year 1998 in this Act for the enforcement of the Federal Alcohol Administration Act shall be expended in a manner so as not to diminish enforcement efforts with respect to section 105 of the Federal Alcohol Administration Act.

SEC. 114. Not to exceed 2 percent of any appropriations in this Act made available to the Federal Law Enforcement Training Center, Financial Crimes Enforcement Network, Bureau of Alcohol, Tobacco and Firearms, U.S. Customs Service, and U.S. Secret Service may be transferred between such appropriations. No transfer may increase or decrease any such appropriation by more than 2 percent and notice of any such transfer shall be approved by the Committees on Appropriations of the House and Senate.

SEC. 115. Not to exceed 2 percent of any appropriations in this Act made available to the Departmental Offices, Office of Inspector General, Financial Management Service, and Bureau of the Public Debt, may be transferred between such appropriations. No transfer may increase or decrease any such appropriation by more than 2 percent and notice of any such transfer shall be transmitted in advance to the Committees on Appropriations of the House and Senate.

SEC. 116. The Secretary of the Treasury shall pay from amounts transferred to the ''Departmental Offices'' appropriation, up to $16,695 to reimburse Secret Service personnel for any attorney fees and costs they incurred with respect to investigation by the Department of the Treasury Inspector General concerning testimony provided to Congress: *Provided*, That the Secretary of the Treasury shall pay an individual in full upon submission by the individual of documentation verifying the attorney fees and costs: *Provided further*, That the liability of the United States shall not be inferred from enactment of or payment under this provision: *Provided further*, That the Secretary of the Treasury shall not pay any claim filed under this section that is filed later than 120 days after the date of enactment of this Act: *Provided further*, That payment under this provision, when accepted, shall be in full satisfaction of all claims of, or on behalf of, the individual Secret Service agent who was the subject of said investigation.

SEC. 117. (a)(1) Effective beginning on the date determined under paragraph (2), the compensation and other emoluments attached to the Office of Secretary of the Treasury shall be those that would then apply if Public Law 103–2 (107 Stat. 4; 31 U.S.C. 301 note) had never been enacted.

(2) Paragraph (1) shall become effective on the later of—

(A) the day after the date on which the individual holding the Office of Secretary of the Treasury on January 1, 1997, ceases to hold that office; or

(B) the date of the enactment of this Act.

(3) Nothing in this subsection shall be considered to affect the compensation or emoluments due to any individual in connection with any period preceding the date determined under paragraph (2).

(b) Subsection (b) of the first section of the public law referred to in subsection (a)(1) of this section shall not apply in the case of any appointment the consent of the Senate to which occurs on or after the date of the enactment of this Act.

(c) This section shall not be limited (for purposes of determining whether a provision of this section applies or continues to apply) to fiscal year 1998.

RATES OF BASIC PAY FOR THE UNITED STATES SECRET SERVICE UNIFORMED DIVISION.

SEC. 118. (a) NEW RATES OF BASIC PAY.—Section 501 of the District of Columbia Police and Firemen's Salary Act of 1958, (District of Columbia Code, section 4–416), is amended—

(1) in subsection (b)(1), by striking ''Interior'' and all that follows through ''Treasury,'' and inserting ''Interior'';

(2) by redesignating subsection (c) as subsection (b)(3);

(3) in subsection (b)(3) (as redesignated)—

(A) by striking ''or to officers and members of the United States Secret Service Uniformed Division''; and

(B) by striking ''subsection (b) of this section'' and inserting ''this subsection''; and

(4) by adding after subsection (b) the following new subsection:

''(c)(1) The annual rates of basic compensation of officers and members of the United States Secret Service Uniformed Division, serving in classes corresponding or similar to those in the salary schedule in section 101 (District of Columbia Code, section 4–406), shall be fixed in accordance with the following schedule of rates:

''SALARY SCHEDULE

Salary class and title	Service steps								
	1	2	3	4	5	6	7	8	9
Class 1: Private	29,215	30,088	31,559	33,009	35,331	37,681	39,128	40,593	42,052
Class 4: Sergeant	39,769	41,747	43,728	45,718	47,715	49,713			
Class 5: Lieutenant	45,148	47,411	49,663	51,924	54,180				
Class 7: Captain	52,523	55,155	57,788	60,388					
Class 8: Inspector	60,886	63,918	66,977	70,029					
Class 9: Deputy Chief	71,433	76,260	81,113	85,950					
Class 10: Assistant Chief	84,694	90,324	95,967						
Class 11: Chief of the United States Secret Service Uniformed Division	98,383	104,923							

''(2) Effective at the beginning of the first applicable pay period commencing on or after the first day of the month in which an adjustment takes effect under section 5303 of title 5, United States Code (or any subsequent similar provision of law), in the rates of pay under the General Schedule (or any pay system that may supersede such schedule), the annual rates of basic compensation of officers and members of the United States Secret Service Uniformed Division shall be adjusted by the Secretary of the Treasury by an amount equal to the percentage of such annual rate of pay which corresponds to the overall percentage of the adjustment made in the rates of pay under the General Schedule.

''(3) Locality-based comparability payments authorized under section 5304 of title 5, United States Code, shall be applicable to the basic pay under this section, except locality-based comparability payments may not be paid at a rate which, when added to the rate of basic pay otherwise payable to the officer or member, would cause the total

to exceed the rate of basic pay payable for level IV of the Executive Schedule.

''(4) Pay may not be paid, by reason of any provision of this subsection (disregarding any comparability payment payable under Federal law), at a rate in excess of the rate of basic pay payable for level V of the Executive Schedule contained in subchapter II of chapter 53 of title 5, United States Code.

''(5) Any reference in any law to the salary schedule in section 101 (District of Columbia Code, section 4–406) with respect to officers and members of the United States Secret Service Uniformed Division shall be considered to be a reference to the salary schedule in paragraph (1) of this subsection as adjusted in accordance with this subsection.

''(6)(A) Except as otherwise permitted by or under law, no allowance, differential, bonus, award, or other similar cash payment under this title or under title 5, United States Code, may be paid to an officer or member of the United States Secret Service Uniformed Division in a calendar year if, or to the extent that, when added to the total basic pay paid or payable to such officer or member for service performed in such calendar year as an officer or member, such payment would cause the total to exceed the annual rate of basic pay payable for level I of the Executive Schedule, as of the end of such calendar year.

''(B) This paragraph shall not apply to any payment under the following provisions of title 5, United States Code:

''(i) Subchapter III or VII of chapter 55, or section 5596.

''(ii) Chapter 57 (other than section 5753, 5754, or 5755).

''(iii) Chapter 59 (other than section 5928).

''(7)(A) Any amount which is not paid to an officer or member of the United States Secret Service Uniformed Division in a calendar year because of the limitation under paragraph (6) shall be paid to such officer or member in a lump sum at the beginning of the following calendar year.

''(B) Any amount paid under this paragraph in a calendar year shall be taken into account for purposes of applying the limitations under paragraph (6) with respect to such calendar year.

''(8) The Office of Personnel Management shall prescribe regulations as may be necessary (consistent with section 5582 of title 5, United States Code) concerning how a lump-sum payment under paragraph (7) shall be made with respect to any employee who dies before an amount payable to such employee under paragraph (7) is made.''.

(b) CONVERSION TO NEW SALARY SCHEDULE.—

(1)(A) Effective on the first day of the first pay period beginning after the date of enactment of this section, the Secretary of the Treasury shall fix the rates of basic pay for members of the United States Secret Service Uniformed Division in accordance with this paragraph.

(B) Subject to subparagraph (C), each officer and member receiving basic compensation, immediately prior to the effective date of this section, at one of the scheduled rates in the salary schedule in section 101 of the District of Columbia Police and Firemen's Salary Act of 1958, as adjusted by law and as in effect prior to the effective date of this section, shall be placed in and receive basic compensation at the corresponding scheduled service step of the salary schedule under subsection (a)(4).

(C)(i) The Assistant Chief and the Chief of the United States Secret Service Uniformed Division shall be placed in and receive basic compensation in salary class 10 and salary class 11, respectively, in the appropriate service step in the new salary class in accordance with section 304 of the District of Columbia Police and Firemen's Salary Act 1958 (District of Columbia Code, section 4–413).

(ii) Each member whose position is to be converted to the salary schedule under section 501(c) of the District of Columbia Police and Firemen's Salary Act of 1958 (District of Columbia Code, section 4–416(c)) as amended by this section, in accordance with subsection (a) of this section, and who, prior to the effective date of this section has earned, but has not been credited with, an increase in his or her rate of pay shall be afforded that increase before such member is placed in the corresponding service step in the salary schedule under section 501(c).

(2) Except in the cases of the Assistant Chief and the Chief of the United States Secret Service Uniformed Division, the conversion of positions and individuals to appropriate classes of the salary schedule under section 501(c) of the District of Columbia Police and Firemen's Salary Act of 1958 (District of Columbia Code, section 4–416(c)) as amended by this section, and the initial adjustments of rates of basic pay of those positions and individuals, in accordance with paragraph (1) of this subsection, shall not be considered to be transfers or promotions within the meaning of section 304 of the District of Columbia Police and Firemen's Salary Act of 1958 (District of Columbia Code, section 4–413).

(3) Each member whose position is converted to the salary schedule under section 501(c) of the District of Columbia Police and Firemen's Salary Act of 1958 (District of Columbia Code, section 4–416(c)) as amended by this section, in accordance with subsection (a) of this section, shall be granted credit for purposes of such member's first service step adjustment under the salary schedule in such section 510(c) for all satisfactory service performed by the member since the member's last increase in basic pay prior to the adjustment under that section.

(c) LIMITATION ON PAY PERIOD EARNINGS.—The Act of August 15, 1950 (64 Stat. 477), (District of Columbia Code, section 4–1104), is amended—

(1) in subsection (h), by striking ''any officer or member'' each place it appears and inserting ''an officer or member of the Metropolitan Police force, of the Fire Department of the District of Columbia, or of the United States Park Police'';

(2) by redesignating subsection (h)(3) as subsection (i); and

(3) by inserting after paragraph (2) the following new paragraph:

''(3)(A) no premium pay provided by this section shall be paid to, and no compensatory time is authorized for, any officer or member of the United States Secret Service Uniformed Division whose rate of basic pay, combined with any applicable locality-based comparability payment, equals or exceeds the lesser of—

''(i) 150 percent of the minimum rate payable for grade GS–15 of the General Schedule (including any applicable locality-based comparability payment under section 5304 of title 5, United States Code or any similar provision of law, and any applicable special rate of pay under section 5305 of title 5, United States Code or any similar provision of law); or

''(ii) the rate payable for level V of the Executive Schedule contained in subchapter II of chapter 53 of title 5, United States Code.

''(B) In the case of any officer or member of the United States Secret Service Uniformed Division whose rate of basic pay, combined with any applicable locality-based comparability payment, is less than the lesser of—

''(i) 150 percent of the minimum rate payable for grade GS–15 of the General Schedule (including any applicable locality-based comparability payment under section 5304 of title 5, United States Code or any similar provision of law, and any applicable special rate of pay under section 5305 of title 5, United States Code or any similar provision of law); or

''(ii) the rate payable for level V of the Executive Schedule contained in subchapter II of chapter 53 of title 5, United States Code,

such premium pay may be paid only to the extent that such payment would not cause such officer or member's aggregate rate of compensation to exceed such lesser amount with respect to any pay period.''.

(d) SAVINGS PROVISION.—On the effective date of this section, any existing special salary rates authorized for members of the United States Secret Service Uniformed Division under section 5305 of title 5, United States Code (or any previous similar provision of law) and any special rates of pay or special pay adjustments under section 403, 404, or 405 of the Federal Law Enforcement Pay Reform Act of 1990 applicable to members of the United States Secret Service Uniformed Division shall be rendered inapplicable.

(e) CONFORMING AMENDMENT.—The Federal Law Enforcement Pay Reform Act of 1990 (104 Stat. 1466) is amended by striking subsections (b)(1) and (c)(1) of section 405.

(f) EFFECTIVE DATE.—The provisions of this section shall become effective on the first day of the first pay period beginning after the date of enactment of this Act.

SEC. 119. Section 117 of the Treasury, Postal Service, and General Government Appropriations Act, 1997 (as contained in section 101(f) of division A of Public Law 104–208) is hereby repealed.

SEC. 120. Notwithstanding any other provision of law, the Secretary of the Treasury shall establish the port of Kodiak, Alaska as a port of entry and United States Customs Service personnel in Anchorage, Alaska shall serve such port of entry. There are authorized to be appropriated such sums as necessary to cover the costs associated with the performance of customs functions using such United States Customs Service personnel.

SEC. 121. None of the funds made available by this Act may be used by the Inspector General to contract for advisory and assistance services that has the meaning given such term in section 1105(g) of title 31, United States Code.

TITLE II—POSTAL SERVICE

PAYMENTS TO THE POSTAL SERVICE FUND

PAYMENT TO THE POSTAL SERVICE FUND

For payment to the Postal Service Fund for revenue forgone on free and reduced rate mail, pursuant to subsections (c) and (d) of section 2401 of title 39, United States Code, $86,274,000: *Provided,* That mail for overseas voting and mail for the blind shall continue to be free: *Provided further,* That 6-day delivery and rural delivery of mail shall continue at not less than the 1983 level: *Provided further,* That none of the funds made available to the Postal Service by this Act shall be used to implement any rule, regulation, or policy of charging any officer or employee of any State or local child support enforcement agency, or any individual participating in a State or local program of child support enforcement, a fee for information requested or provided concerning an address of a postal customer: *Provided further,* That none of the funds provided in this Act shall be used to consolidate or close small rural and other small post offices in the fiscal year ending on September 30, 1998.

PAYMENT TO THE POSTAL SERVICE FUND FOR NONFUNDED LIABILITIES

For payment to the Postal Service Fund for meeting the liabilities of the former Post

Office Department to the Employees' Compensation Fund pursuant to 39 United States Code 2004, $34,850,000.

TITLE III—EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

COMPENSATION OF THE PRESIDENT AND THE WHITE HOUSE OFFICE

COMPENSATION OF THE PRESIDENT

For compensation of the President, including an expense allowance at the rate of $50,000 per annum as authorized by 3 U.S.C. 102; $250,000: *Provided,* That none of the funds made available for official expenses shall be expended for any other purpose and any unused amount shall revert to the Treasury pursuant to section 1552 of title 31, United States Code: *Provided further,* That none of the funds made available for official expenses shall be considered as taxable to the President.

SALARIES AND EXPENSES

For necessary expenses for the White House as authorized by law, including not to exceed $3,850,000 for services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105; including subsistence expenses as authorized by 3 U.S.C. 105, which shall be expended and accounted for as provided in that section; hire of passenger motor vehicles, newspapers, periodicals, teletype news service, and travel (not to exceed $100,000 to be expended and accounted for as provided by 3 U.S.C. 103); not to exceed $19,000 for official entertainment expenses, to be available for allocation within the Executive Office of the President; $51,199,000: *Provided,* That $873,000 of the funds appropriated may not be obligated until the Director of the Office of Administration has submitted, and the Committees on Appropriations of the House and Senate have approved, a systems architecture plan, a milestone schedule for the development and implementation of all projects included in the systems architecture plan, and an estimate of the funds required to support the fiscal year 1998 capital investments associated with that plan: *Provided further,* That $9,800,000 of the funds appropriated shall be available for reimbursements to the White House Communications Agency in accordance with Public Law 104–201.

EXECUTIVE RESIDENCE AT THE WHITE HOUSE

OPERATING EXPENSES

For the care, maintenance, repair and alteration, refurnishing, improvement, heating and lighting, including electric power and fixtures, of the Executive Residence at the White House and official entertainment expenses of the President, $8,045,000, to be expended and accounted for as provided by 3 U.S.C. 105, 109–110, 112–114.

WHITE HOUSE REPAIR AND RESTORATION

For the repair, alteration, and improvement of the Executive Residence at the White House, $200,000, to remain available until expended for renovation and relocation of the White House laundry, to be expended and accounted for as provided by 3 U.S.C. 105, 109–110, 112–114.

SPECIAL ASSISTANCE TO THE PRESIDENT AND THE OFFICIAL RESIDENCE OF THE VICE PRESIDENT

SALARIES AND EXPENSES

For necessary expenses to enable the Vice President to provide assistance to the President in connection with specially assigned functions, services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 106, including subsistence expenses as authorized by 3 U.S.C. 106, which shall be expended and accounted for as provided in that section; and hire of passenger motor vehicles; $3,378,000: *Provided,* That $69,800 of the funds appropriated may not be obligated until the Director of the Office of Administration has submitted, and the Committees on Appropriations of the House and Senate have approved, a systems architecture plan, a milestone schedule for the development and implementation of all projects included in the systems architecture plan, and an estimate of the funds required to support the fiscal year 1998 capital investments associated with that plan.

OPERATING EXPENSES

For the care, operation, refurnishing, improvement, heating and lighting, including electric power and fixtures, of the official residence of the Vice President, the hire of passenger motor vehicles, and not to exceed $90,000 for official entertainment expenses of the Vice President, to be accounted for solely on his certificate; $334,000: *Provided,* That advances or repayments or transfers from this appropriation may be made to any department or agency for expenses of carrying out such activities.

COUNCIL OF ECONOMIC ADVISERS

SALARIES AND EXPENSES

For necessary expenses of the Council in carrying out its functions under the Employment Act of 1946 (15 U.S.C. 1021), $3,542,000.

OFFICE OF POLICY DEVELOPMENT

SALARIES AND EXPENSES

For necessary expenses of the Office of Policy Development, including services as authorized by 5 U.S.C. 3109, and 3 U.S.C. 107; $3,983,000.

NATIONAL SECURITY COUNCIL

SALARIES AND EXPENSES

For necessary expenses of the National Security Council, including services as authorized by 5 U.S.C. 3109, $6,648,000.

OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Administration, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, and hire of passenger motor vehicles $28,883,000, of which $2,000,000 shall remain available until expended for a capital investment plan which provides for the modernization of the information technology infrastructure: *Provided,* That $2,000,000 of the funds appropriated may not be obligated until the Director of the Office of Administration has submitted, and the Committees on Appropriations of the House and Senate have approved, a systems architecture plan, a milestone schedule for the development and implementation of all projects included in the system architecture plan, and an estimate of the funds required to support the fiscal year 1998 capital investments associated with that plan.

OFFICE OF MANAGEMENT AND BUDGET

SALARIES AND EXPENSES

For necessary expenses of the Office of Management and Budget, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, $57,240,000, of which not to exceed $5,000,000 shall be available to carry out the provisions of 44 U.S.C. chapter 35: *Provided,* That, as provided in 31 U.S.C. 1301(a), appropriations shall be applied only to the objects for which appropriations were made except as otherwise provided by law: *Provided further,* That none of the funds made available for the Office of Management and Budget by this Act may be expended for the altering of the transcript of actual testimony of witnesses, except for testimony of officials of the Office of Management and Budget, before the House and Senate Committees on Appropriations or the House and Senate Committees on Veterans' Affairs or their subcommittees.

OFFICE OF NATIONAL DRUG CONTROL POLICY

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of National Drug Control Policy; for research activities pursuant to title I of Public Law 100–690; not to exceed $8,000 for official reception and representation expenses; and for participation in joint projects or in the provision of services on matters of mutual interest with nonprofit, research, or public organizations or agencies, with or without reimbursement; $36,016,000, of which $18,000,000 shall remain available until expended, consisting of $1,000,000 for policy research and evaluation and $17,000,000 for the Counter-Drug Technology Assessment Center for counternarcotics research and development projects of which $1,000,000 shall be obligated for state conferences on model State drug laws: *Provided,* That the $17,000,000 for the Counter-Drug Technology Assessment Center shall be available for transfer to other Federal departments or agencies: *Provided further,* That the Office is authorized to accept, hold, administer, and utilize gifts, both real and personal, for the purpose of aiding or facilitating the work of the Office.

FEDERAL DRUG CONTROL PROGRAMS

HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of National Drug Control Policy's High Intensity Drug Trafficking Areas Program, $140,207,000 for drug control activities consistent with the approved strategy for each of the designated High Intensity Drug Trafficking Areas, of which no less than $71,000,000 shall be transferred to State and local entities for drug control activities, which shall be obligated within 120 days of the date of enactment of this Act and up to $69,207,000 may be transferred to Federal agencies and departments at a rate to be determined by the Director: *Provided,* That funding shall be provided for existing High Intensity Drug Trafficking Areas at no less than the fiscal year 1997 level.

SPECIAL FORFEITURE FUND

For activities to support a national media campaign for youth, and other purposes, authorized by Public Law 100–690, as amended, $145,300,000, to remain available until expended: *Provided,* That such funds may be transferred to other Federal departments and agencies to carry out such activities: *Provided further,* That of the amount provided, $110,000,000 shall be to support a national media campaign, to reduce and prevent drug use among young Americans: *Provided further,* That none of the funds provided for the national media campaign may be obligated until the Director, Office of National Drug Control Policy, submits a strategy to the Committees on Appropriations and the Judiciary of the House of Representatives and the Senate that includes (1) a certification, and guidelines to ensure that funds will supplement and not supplant current anti-drug community based coalitions; (2) a certification, and guidelines to ensure that none of the funds will be used for partisan political purposes; (3) a certification, and guidelines to ensure that no media campaigns to be funded pursuant to this campaign shall feature any elected officials, persons seeking elected office, cabinet-level officials, or other Federal officials employed pursuant to Schedule C of title 5, Code of Federal Regulations, section 213, absent notice to the Chairmen and Ranking Members of the House and Senate Committees on Appropriations and the Judiciary; (4) a detailed implementation plan to be submitted to the

Chairmen and Ranking Members of the Committees on Appropriations and the Judiciary for securing private sector contributions including but not limited to in-kind contributions; (5) a detailed implementation plan to be submitted to the Chairmen and Ranking Members of the Committees on Appropriations and the Judiciary of the qualifications necessary for any organization, entity, or individual to receive funding for or otherwise provided broadcast media time: *Provided further,* That the Director shall (1) report to Congress quarterly on the obligation of funds as well as the specific parameters of the national media campaign and (2) report to Congress within two years on the effectiveness of the national media campaign based upon the measurable outcomes provided to Congress previously: *Provided further,* That of the amount provided, $10,000,000 shall be to initiate a program of matching grants to drug-free communities, as authorized in the Drug-Free Communities Act of 1997: *Provided further,* That of the amount provided, $10,000,000 shall be used to continue and expand the methamphetamine reduction efforts: *Provided further,* That of the amount provided, $6,000,000 shall be used to establish a Federal Drug-Free Prison demonstration project: *Provided further,* That of the amount provided $9,300,000 shall be used to continue the reduction of drug use program for those involved in the criminal justice system.

TITLE IV—INDEPENDENT AGENCIES

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

SALARIES AND EXPENSES

For necessary expenses of the Committee for Purchase From People Who Are Blind or Severely Disabled established by the Act of June 23, 1971, Public Law 92–28, $1,940,000.

FEDERAL ELECTION COMMISSION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the Federal Election Campaign Act of 1971, as amended, $29,000,000, of which no less than $2,500,000 shall be available for internal automated data processing systems, and of which not to exceed $5,000 shall be available for reception and representation expenses: *Provided,* That the General Accounting Office shall conduct a management review, and technology and performance audit, of the Federal Election Commission.

FEDERAL LABOR RELATIONS AUTHORITY

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Federal Labor Relations Authority, pursuant to Reorganization Plan Numbered 2 of 1978, and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109, including hire of experts and consultants, hire of passenger motor vehicles, rental of conference rooms in the District of Columbia and elsewhere; $22,039,000: *Provided,* That public members of the Federal Service Impasses Panel may be paid travel expenses and per diem in lieu of subsistence as authorized by law (5 U.S.C. 5703) for persons employed intermittently in the Government service, and compensation as authorized by 5 U.S.C. 3109: *Provided further,* That notwithstanding 31 U.S.C. 3302, funds received from fees charged to non-Federal participants at labor-management relations conferences shall be credited to and merged with this account, to be available without further appropriation for the costs of carrying out these conferences.

GENERAL SERVICES ADMINISTRATION

FEDERAL BUILDINGS FUND

LIMITATIONS ON AVAILABILITY OF REVENUE

To carry out the purpose of the Fund established pursuant to section 210(f) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(f)), the revenues and collections deposited into the Fund shall be available for necessary expenses of real property management and related activities not otherwise provided for, including operation, maintenance, and protection of federally owned and leased buildings; rental of buildings in the District of Columbia; restoration of leased premises; moving governmental agencies (including space adjustments and telecommunications relocation expenses) in connection with the assignment, allocation and transfer of space; contractual services incident to cleaning or servicing buildings, and moving; repair and alteration of federally owned buildings including grounds, approaches and appurtenances; care and safeguarding of sites; maintenance, preservation, demolition, and equipment; acquisition of buildings and sites by purchase, condemnation, or as otherwise authorized by law; acquisition of options to purchase buildings and sites; conversion and extension of federally owned buildings; preliminary planning and design of projects by contract or otherwise; construction of new buildings (including equipment for such buildings); and payment of principal, interest, and any other obligations for public buildings acquired by installment purchase and purchase contract, in the aggregate amount of $4,885,934,000, of which (1) $350,000,000 shall remain available until expended, for repairs and alterations which includes associated design and construction services:

Repairs and alterations;

Chlorofluorocarbons Program, $50,000,000; and

Basic Repairs and Alterations, $300,000,000: *Provided,* That additional projects for which prospectuses have been fully approved may be funded under this category only if advance approval is obtained from the Committees on Appropriations of the House and Senate: *Provided further,* That the amounts provided in this or any prior Act for Repairs and Alterations may be used to fund costs associated with implementing security improvements to buildings necessary to meet the minimum standards for security in accordance with current law and in compliance with the reprogramming guidelines of the appropriate Committees of the House and Senate: *Provided further,* That funds made available in this Act or any previous Act for Repairs and Alterations shall, for prospectus projects, be limited to the amount originally made available, except each project may be increased by an amount not to exceed 10 percent when advance approval is obtained from the Committees on Appropriations of the House and Senate of a greater amount: *Provided further,* That the difference between the funds appropriated and expended on any projects in this or any prior Act, under the heading ''Repairs and Alterations'', may be transferred to Basic Repairs and Alterations or used to fund authorized increases in prospectus projects: *Provided further,* That all funds for repairs and alterations prospectus projects shall expire on September 30, 2000 and remain in the Federal Building Fund except funds for projects as to which funds for design or other funds have been obligated in whole or in part prior to such date: *Provided further,* That the amount provided in this or any prior Act for Basic Repairs and Alterations may be used to pay claims against the Government arising from any projects under the heading ''Repairs and Alterations'' or used to fund authorized increases in prospectus projects; (2) $142,542,000 for installment acquisition payments including payments on purchase contracts which shall remain available until expended; (3) $2,275,340,000 for rental of space which shall remain available until expended; (4) $1,331,789,000 for building operations which shall remain available until expended; and (5) $680,543,000 which shall remain available until expended for projects and activities previously approved under this heading in prior fiscal years: *Provided further,* That for the purposes of this authorization, buildings constructed pursuant to the purchase contract authority of the Public Buildings Amendments of 1972 (40 U.S.C. 602a), buildings occupied pursuant to installment purchase contracts, and buildings under the control of another department or agency where alterations of such buildings are required in connection with the moving of such other department or agency from buildings then, or thereafter to be, under the control of the General Services Administration shall be considered to be federally owned buildings: *Provided further,* That funds available in the Federal Buildings Fund may be expended for emergency repairs when advance approval is obtained from the Committees on Appropriations of the House and Senate: *Provided further,* That amounts necessary to provide reimbursable special services to other agencies under section 210(f)(6) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(f)(6)) and amounts to provide such reimbursable fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control as may be appropriate to enable the United States Secret Service to perform its protective functions pursuant to 18 U.S.C. 3056, as amended, shall be available from such revenues and collections: *Provided further,* That revenues and collections and any other sums accruing to this Fund during fiscal year 1998, excluding reimbursements under section 210(f)(6) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 490(f)(6)) in excess of $4,885,934,000 shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.

POLICY AND OPERATIONS

For expenses authorized by law, not otherwise provided for, for Government-wide policy and oversight activities associated with asset management activities; utilization and donation of surplus personal property; transportation; procurement and supply; Government-wide and internal responsibilities relating to automated data management, telecommunications, information resources management, and related technology activities; utilization survey, deed compliance inspection, appraisal, environmental and cultural analysis, and land use planning functions pertaining to excess and surplus real property; agency-wide policy direction; Board of Contract Appeals; accounting, records management, and other support services incident to adjudication of Indian Tribal Claims by the United States Court of Federal Claims; services as authorized by 5 U.S.C. 3109; and not to exceed $5,000 for official reception and representation expenses; $104,487,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General and services authorized by 5 U.S.C. 3109, $33,870,000: *Provided,* That not to exceed $10,000 shall be available for payment for information and detection of fraud against the Government, including payment for recovery of stolen Government property: *Provided further,* That not to exceed $2,500 shall be available for awards to employees of other Federal agencies and private citizens in recognition of efforts and initiatives resulting in enhanced Office of Inspector General effectiveness.

ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

For carrying out the provisions of the Act of August 25, 1958, as amended (3 U.S.C. 102 note), and Public Law 95–138, $2,208,000: *Provided,* That the Administrator of General Services shall transfer to the Secretary of the Treasury such sums as may be necessary to carry out the provisions of such Acts.

GENERAL PROVISIONS—GENERAL SERVICES ADMINISTRATION

SEC. 401. The appropriate appropriation or fund available to the General Services Administration shall be credited with the cost of operation, protection, maintenance, upkeep, repair, and improvement, included as part of rentals received from Government corporations pursuant to law (40 U.S.C. 129).

SEC. 402. Funds available to the General Services Administration shall be available for the hire of passenger motor vehicles.

SEC. 403. Funds in the Federal Buildings Fund made available for fiscal year 1998 for Federal Buildings Fund activities may be transferred between such activities only to the extent necessary to meet program requirements: *Provided,* That any proposed transfers shall be approved in advance by the Committees on Appropriations of the House and Senate.

SEC. 404. No funds made available by this Act shall be used to transmit a fiscal year 1999 request for United States Courthouse construction that (1) does not meet the design guide standards for construction as established and approved by the General Services Administration, the Judicial Conference of the United States, and the Office of Management and Budget; and (2) does not reflect the priorities of the Judicial Conference of the United States as set out in its approved 5-year construction plan: *Provided,* That the fiscal year 1999 request must be accompanied by a standardized courtroom utilization study of each facility to be constructed, replaced, or expanded.

SEC. 405. None of the funds provided in this Act may be used to increase the amount of occupiable square feet, provide cleaning services, security enhancements, or any other service usually provided through the Federal Buildings Fund, to any agency which does not pay the rate per square foot assessment for space and services as determined by the General Services Administration in compliance with the Public Buildings Amendments Act of 1972 (Public Law 92–313).

SEC. 406. Section 10 of the General Services Administration General Provisions, Public Law 100–440, is hereby repealed.

SEC. 407. Funds provided to other Government agencies by the Information Technology Fund, GSA, under 40 U.S.C. 757 and sections 5124(b) and 5128 of Public Law 104–106, Information Technology Management Reform Act of 1996, for performance of pilot information technology projects which have potential for Government-wide benefits and savings, may be repaid to this Fund from any savings actually incurred by these projects or other funding, to the extent feasible.

SEC. 408. The Administrator of the General Services is directed to ensure that the materials used for the facade on the United States Courthouse Annex, Savannah, Georgia project are compatible with the existing Savannah Federal Building-U.S. Courthouse facade, in order to ensure compatibility of this new facility with the Savannah historic district and to ensure that the Annex will not endanger the National Landmark status of the Savannah historic district.

SEC. 409. (a) The Act approved August 25, 1958, as amended (Public Law 85–745; 3 U.S.C. 102 note), is amended by striking section 2.

(b) Section 3214 of title 39, United States Code, is amended—

(1) in subsection (a) by striking ''(a) Subject to subsection (b), a'' and inserting ''A''; and

(2) by striking subsection (b).

SEC. 410. Section 201(b) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 481) as amended to read as follows:

''(b) The Administrator shall as far as practicable provide any of the services specified in subsection (a) of this section to any other Federal agency, mixed ownership corporation (as defined in chapter 91 of title 31, United States Code), or the District of Columbia, upon its request.''.

JOHN F. KENNEDY ASSASSINATION RECORDS REVIEW BOARD

For the necessary expenses to carry out the John F. Kennedy Assassination Records Collection Act of 1992, $1,600,000: *Provided,* That $100,000 shall be available only for the purposes of the prompt and orderly termination of the John F. Kennedy Assassination Records Review Board, to be concluded no later than September 30, 1998.

MERIT SYSTEMS PROTECTION BOARD

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out functions of the Merit Systems Protection Board pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and direct procurement of survey printing, $24,810,000, together with not to exceed $2,430,000 for administrative expenses to adjudicate retirement appeals to be transferred from the Civil Service Retirement and Disability Fund in amounts determined by the Merit Systems Protection Board.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

OPERATING EXPENSES

For necessary expenses in connection with the administration of the National Archives (including the Information Security Oversight Office) and records and related activities, as provided by law, and for expenses necessary for the review and declassification of documents, and for the hire of passenger motor vehicles, $206,479,000: *Provided,* That the Archivist of the United States is authorized to use any excess funds available from the amount borrowed for construction of the National Archives facility, for expenses necessary to provide adequate storage for holdings.

ARCHIVES FACILITIES AND PRESIDENTIAL LIBRARIES REPAIRS AND RESTORATION

For the repair, alteration, and improvement of archives facilities and presidential libraries, and to provide adequate storage for holdings, $13,650,000, to remain available until expended, of which $4,000,000 is for repairs and restoration of the Truman Library in Independence, Missouri, and of which $3,000,000 is for internal repairs to the Lyndon Baines Johnson Presidential Library located at the University of Texas at Austin.

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION

GRANTS PROGRAM

For necessary expenses for allocations and grants for historical publications and records as authorized by 44 U.S.C. 2504, as amended, $5,000,000, to remain available until expended.

OFFICE OF GOVERNMENT ETHICS

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Government Ethics pursuant to the Ethics in Government Act of 1978, as amended by Public Law 100–598, and the Ethics Reform Act of 1989, Public Law 101–194, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and not to exceed $1,500 for official reception and representation expenses; $8,265,000.

OFFICE OF PERSONNEL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses to carry out functions of the Office of Personnel Management pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109; medical examinations performed for veterans by private physicians on a fee basis; rental of conference rooms in the District of Columbia and elsewhere; hire of passenger motor vehicles; not to exceed $2,500 for official reception and representation expenses; advances for reimbursements to applicable funds of the Office of Personnel Management and the Federal Bureau of Investigation for expenses incurred under Executive Order 10422 of January 9, 1953, as amended; and payment of per diem and/or subsistence allowances to employees where Voting Rights Act activities require an employee to remain overnight at his or her post of duty; $85,350,000; and in addition $91,236,000 for administrative expenses, to be transferred from the appropriate trust funds of the Office of Personnel Management without regard to other statutes, including direct procurement of printed materials for the retirement and insurance programs: *Provided,* That the provisions of this appropriation shall not affect the authority to use applicable trust funds as provided by section 8348(a)(1)(B) of title 5, United States Code: *Provided further,* That, except as may be consistent with 5 U.S.C. 8902a(f)(1) and (i), no payment may be made from the Employees Health Benefits Fund to any physician, hospital, or other provider of health care services or supplies who is, at the time such services or supplies are provided to an individual covered under chapter 89 of title 5, United States Code, excluded, pursuant to section 1128 or 1128A of the Social Security Act (42 U.S.C. 1320a-7–1320a-7a), from participation in any program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.): *Provided further,* That no part of this appropriation shall be available for salaries and expenses of the Legal Examining Unit of the Office of Personnel Management established pursuant to Executive Order 9358 of July 1, 1943, or any successor unit of like purpose: *Provided further,* That the President's Commission on White House Fellows, established by Executive Order 11183 of October 3, 1964, may, during the fiscal year ending September 30, 1998, accept donations of money, property, and personal services in connection with the development of a publicity brochure to provide information about the White House Fellows, except that no such donations shall be accepted for travel or reimbursement of travel expenses, or for the salaries of employees of such Commission.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act, as amended, including services as authorized by 5 U.S.C. 3109, hire of passenger motor vehicles, $960,000; and in addition, not to exceed $8,645,000 for administrative expenses to audit the Office of Personnel Management's retirement and insurance programs, to be

transferred from the appropriate trust funds of the Office of Personnel Management, as determined by the Inspector General: *Provided*, That the Inspector General is authorized to rent conference rooms in the District of Columbia and elsewhere.

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES HEALTH BENEFITS

For payment of Government contributions with respect to retired employees, as authorized by chapter 89 of title 5, United States Code, and the Retired Federal Employees Health Benefits Act (74 Stat. 849), as amended, such sums as may be necessary.

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEE LIFE INSURANCE

For payment of Government contributions with respect to employees retiring after December 31, 1989, as required by chapter 87 of title 5, United States Code, such sums as may be necessary.

PAYMENT TO CIVIL SERVICE RETIREMENT AND DISABILITY FUND

For financing the unfunded liability of new and increased annuity benefits becoming effective on or after October 20, 1969, as authorized by 5 U.S.C. 8348, and annuities under special Acts to be credited to the Civil Service Retirement and Disability Fund, such sums as may be necessary: *Provided*, That annuities authorized by the Act of May 29, 1944, as amended, and the Act of August 19, 1950, as amended (33 U.S.C. 771–75), may hereafter be paid out of the Civil Service Retirement and Disability Fund.

OFFICE OF SPECIAL COUNSEL

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Special Counsel pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978 (Public Law 95–454), the Whistleblower Protection Act of 1989 (Public Law 101–12), Public Law 103–424, and the Uniformed Services Employment and Reemployment Act of 1994 (Public Law 103–353), including services as authorized by 5 U.S.C. 3109, payment of fees and expenses for witnesses, rental of conference rooms in the District of Columbia and elsewhere, and hire of passenger motor vehicles; $8,450,000.

UNITED STATES TAX COURT

SALARIES AND EXPENSES

For necessary expenses, including contract reporting and other services as authorized by 5 U.S.C. 3109, $34,293,000: *Provided*, That travel expenses of the judges shall be paid upon the written certificate of the judge.

TITLE V—GENERAL PROVISIONS

THIS ACT

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 502. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 503. None of the funds made available by this Act shall be available for any activity or for paying the salary of any Government employee where funding an activity or paying a salary to a Government employee would result in a decision, determination, rule, regulation, or policy that would prohibit the enforcement of section 307 of the Tariff Act of 1930.

SEC. 504. None of the funds made available by this Act shall be available in fiscal year 1998, for the purpose of transferring control over the Federal Law Enforcement Training Center located at Glynco, Georgia, and Artesia, New Mexico, out of the Treasury Department.

SEC. 505. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes within the United States not heretofore authorized by the Congress.

SEC. 506. No part of any appropriation contained in this Act shall be available for the payment of the salary of any officer or employee of the United States Postal Service, who—

(1) prohibits or prevents, or attempts or threatens to prohibit or prevent, any other officer or employee of the United States Postal Service from having any direct oral or written communication or contact with any Member, committee, or subcommittee of the Congress in connection with any matter pertaining to the employment of such other officer or employee or pertaining to the United States Postal Service of such other officer or employee in any way, irrespective of whether such communication or contact is at the initiative of such other officer or employee or in response to the request or inquiry of such Member, committee, or subcommittee; or

(2) removes, suspends from duty without pay, demotes, reduces in rank, seniority, status, pay, or performance of efficiency rating, denies promotion to, relocates, reassigns, transfers, disciplines, or discriminates in regard to any employment right, entitlement, or benefit, or any term or condition of employment of, any other officer or employee of the United States Postal Service, or attempts or threatens to commit any of the foregoing actions with respect to such other officer or employee, by reason of any communication or contact of such other officer or employee with any Member, committee, or subcommittee of the Congress as described in paragraph (1).

SEC. 507. The Office of Personnel Management may, during the fiscal year ending September 30, 1998, and hereafter, accept donations of supplies, services, land, and equipment for the Federal Executive Institute and Management Development Centers to assist in enhancing the quality of Federal management.

SEC. 508. No part of any appropriation contained in this Act shall be available to pay the salary for any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his period of active military or naval service and has within 90 days after his release from such service or from hospitalization continuing after discharge for a period of not more than 1 year made application for restoration to his former position and has been certified by the Office of Personnel Management as still qualified to perform the duties of his former position and has not been restored thereto.

SEC. 509. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the ''Buy American Act'').

SEC. 510. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this Act, it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this Act, the Secretary of the Treasury shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

SEC. 511. If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, such person shall be ineligible to receive any contract or subcontract made with funds provided pursuant to this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 512. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 1998 from appropriations made available for salaries and expenses for fiscal year 1998 in this Act, shall remain available through September 30, 1999, for each such account for the purposes authorized: *Provided*, That a request shall be submitted to the House and Senate Committees on Appropriations for approval prior to the expenditure of such funds: *Provided further*, That these requests shall be made in compliance with the reprogramming guidelines contained in the House and Senate reports accompanying this Act.

SEC. 513. None of the funds made available in this Act may be used by the Executive Office of the President to request from the Federal Bureau of Investigation any official background investigation report on any individual, except when it is made known to the Federal official having authority to obligate or expend such funds that—

(1) such individual has given his or her express written consent for such request not more than 6 months prior to the date of such request and during the same presidential administration; or

(2) such request is required due to extraordinary circumstances involving national security.

SEC. 514. Section 1 under the subheading ''General Provision'' under the heading ''Office of Personnel Management'' under title IV of the Treasury, Postal Service and General Government Appropriations Act, 1992 (Public Law 102–141; 105 Stat. 861; 5 U.S.C. 5941 note), as amended by section 532 of the Treasury, Postal Service and General Government Appropriations Act, 1995 (Public Law 103–329; 108 Stat. 2413), and by section 5 under the heading ''General Provisions—Office of Personnel Management'' under title IV of the Treasury, Postal Service, and General Government Appropriations Act, 1996 (Public Law 104–52; 109 Stat. 490), is further amended by striking ''1998'' both places it appears and inserting ''2000''.

SEC. 515. Notwithstanding any provision of chapter 89 of title 5, United States Code, the Office of Personnel Management shall enter into a contract with the National Association of Postmasters of the United States (hereafter referred to as the ''Association'') under section 8902 of such title, if—

(1) the Association fulfills all terms and conditions (not related to such withdrawal from participation) of a qualified carrier under such chapter;

(2) the plan offered by the Association fulfills all terms and conditions (not related to such withdrawal from participation) of an approved health benefits plan;

(3) prior to May 31, 1998, the Association submits a plan to the Office of Personnel Management for approval as an approved health benefits plan; and

(4) the Association enters into an agreement with an underwriting subcontractor licensed to issue group health insurance.

TITLE VI—GENERAL PROVISIONS

DEPARTMENTS, AGENCIES, AND CORPORATIONS

SEC. 601. Funds appropriated in this or any other Act may be used to pay travel to the United States for the immediate family of employees serving abroad in cases of death or life threatening illness of said employee.

SEC. 602. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 1998 shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from the illegal use, possession, or distribution of controlled substances (as defined in the Controlled Substances Act) by the officers and employees of such department, agency, or instrumentality.

SEC. 603. Notwithstanding 31 U.S.C. 1345, any agency, department, or instrumentality of the United States which provides or proposes to provide child care services for Federal employees may reimburse any Federal employee or any person employed to provide such services for travel, transportation, and subsistence expenses incurred for training classes, conferences, or other meetings in connection with the provision of such services: *Provided,* That any per diem allowance made pursuant to this section shall not exceed the rate specified in regulations prescribed pursuant to section 5707 of title 5, United States Code.

SEC. 604. Unless otherwise specifically provided, the maximum amount allowable during the current fiscal year in accordance with section 16 of the Act of August 2, 1946 (60 Stat. 810), for the purchase of any passenger motor vehicle (exclusive of buses, ambulances, law enforcement, and undercover surveillance vehicles), is hereby fixed at $8,100 except station wagons for which the maximum shall be $9,100: *Provided,* That these limits may be exceeded by not to exceed $3,700 for police-type vehicles, and by not to exceed $4,000 for special heavy-duty vehicles: *Provided further,* That the limits set forth in this section may not be exceeded by more than 5 percent for electric or hybrid vehicles purchased for demonstration under the provisions of the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976: *Provided further,* That the limits set forth in this section may be exceeded by the incremental cost of clean alternative fuels vehicles acquired pursuant to Public Law 101–549 over the cost of comparable conventionally fueled vehicles.

SEC. 605. Appropriations of the executive departments and independent establishments for the current fiscal year available for expenses of travel, or for the expenses of the activity concerned, are hereby made available for quarters allowances and cost-of-living allowances, in accordance with 5 U.S.C. 5922–24.

SEC. 606. Unless otherwise specified during the current fiscal year, no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in the continental United States unless such person (1) is a citizen of the United States, (2) is a person in the service of the United States on the date of enactment of this Act who, being eligible for citizenship, has filed a declaration of intention to become a citizen of the United States prior to such date and is actually residing in the United States, (3) is a person who owes allegiance to the United States, (4) is an alien from Cuba, Poland, South Vietnam, the countries of the former Soviet Union, or the Baltic countries lawfully admitted to the United States for permanent residence, (5) is a South Vietnamese, Cambodian, or Laotian refugee paroled in the United States after January 1, 1975, or (6) is a national of the People's Republic of China who qualifies for adjustment of status pursuant to the Chinese Student Protection Act of 1992: *Provided,* That for the purpose of this section, an affidavit signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his or her status have been complied with: *Provided further,* That any person making a false affidavit shall be guilty of a felony, and, upon conviction, shall be fined no more than $4,000 or imprisoned for not more than 1 year, or both: *Provided further,* That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further,* That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government. This section shall not apply to citizens of Ireland, Israel, or the Republic of the Philippines, or to nationals of those countries allied with the United States in a current defense effort, or to international broadcasters employed by the United States Information Agency, or to temporary employment of translators, or to temporary employment in the field service (not to exceed 60 days) as a result of emergencies.

SEC. 607. Appropriations available to any department or agency during the current fiscal year for necessary expenses, including maintenance or operating expenses, shall also be available for payment to the General Services Administration for charges for space and services and those expenses of renovation and alteration of buildings and facilities which constitute public improvements performed in accordance with the Public Buildings Act of 1959 (73 Stat. 749), the Public Buildings Amendments of 1972 (87 Stat. 216), or other applicable law.

SEC. 608. In addition to funds provided in this or any other Act, all Federal agencies are authorized to receive and use funds resulting from the sale of materials, including Federal records disposed of pursuant to a records schedule recovered through recycling or waste prevention programs. Such funds shall be available until expended for the following purposes:

(1) Acquisition, waste reduction and prevention, and recycling programs as described in Executive Order 12873 (October 20, 1993), including any such programs adopted prior to the effective date of the Executive Order.

(2) Other Federal agency environmental management programs, including, but not limited to, the development and implementation of hazardous waste management and pollution prevention programs.

(3) Other employee programs as authorized by law or as deemed appropriate by the head of the Federal agency.

SEC. 609. Funds made available by this or any other Act for administrative expenses in the current fiscal year of the corporations and agencies subject to chapter 91 of title 31, United States Code, shall be available, in addition to objects for which such funds are otherwise available, for rent in the District of Columbia; services in accordance with 5 U.S.C. 3109; and the objects specified under this head, all the provisions of which shall be applicable to the expenditure of such funds unless otherwise specified in the Act by which they are made available: *Provided,* That in the event any functions budgeted as administrative expenses are subsequently transferred to or paid from other funds, the limitations on administrative expenses shall be correspondingly reduced.

SEC. 610. No part of any appropriation for the current fiscal year contained in this or any other Act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate has voted not to approve the nomination of said person.

SEC. 611. No part of any appropriation contained in this or any other Act shall be available for interagency financing of boards (except Federal Executive Boards), commissions, councils, committees, or similar groups (whether or not they are interagency entities) which do not have a prior and specific statutory approval to receive financial support from more than one agency or instrumentality.

SEC. 612. Funds made available by this or any other Act to the Postal Service Fund (39 U.S.C. 2003) shall be available for employment of guards for all buildings and areas owned or occupied by the Postal Service and under the charge and control of the Postal Service, and such guards shall have, with respect to such property, the powers of special policemen provided by the first section of the Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318), and, as to property owned or occupied by the Postal Service, the Postmaster General may take the same actions as the Administrator of General Services may take under the provisions of sections 2 and 3 of the Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318a, 318b), attaching thereto penal consequences under the authority and within the limits provided in section 4 of the Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318c).

SEC. 613. None of the funds made available pursuant to the provisions of this Act shall be used to implement, administer, or enforce any regulation which has been disapproved pursuant to a resolution of disapproval duly adopted in accordance with the applicable law of the United States.

SEC. 614. (a) Notwithstanding any other provision of law, and except as otherwise provided in this section, no part of any of the funds appropriated for the fiscal year ending on September 30, 1998, by this or any other Act, may be used to pay any prevailing rate employee described in section 5342(a)(2)(A) of title 5, United States Code—

(1) during the period from the date of expiration of the limitation imposed by section 616 of the Treasury, Postal Service and General Government Appropriations Act, 1997, until the normal effective date of the applicable wage survey adjustment that is to take effect in fiscal year 1998, in an amount that exceeds the rate payable for the applicable grade and step of the applicable wage schedule in accordance with such section 616; and

(2) during the period consisting of the remainder of fiscal year 1998, in an amount that exceeds, as a result of a wage survey adjustment, the rate payable under paragraph (1) by more than the sum of—

(A) the percentage adjustment taking effect in fiscal year 1998 under section 5303 of title 5, United States Code, in the rates of pay under the General Schedule; and

(B) the difference between the overall average percentage of the locality-based comparability payments taking effect in fiscal year 1998 under section 5304 of such title (whether by adjustment or otherwise), and the overall average percentage of such payments which was effective in fiscal year 1997 under such section.

(b) Notwithstanding any other provision of law, no prevailing rate employee described in subparagraph (B) or (C) of section 5342(a)(2) of title 5, United States Code, and no employee covered by section 5348 of such title, may be paid during the periods for which

subsection (a) is in effect at a rate that exceeds the rates that would be payable under subsection (a) were subsection (a) applicable to such employee.

(c) For the purposes of this section, the rates payable to an employee who is covered by this section and who is paid from a schedule not in existence on September 30, 1997, shall be determined under regulations prescribed by the Office of Personnel Management.

(d) Notwithstanding any other provision of law, rates of premium pay for employees subject to this section may not be changed from the rates in effect on September 30, 1997, except to the extent determined by the Office of Personnel Management to be consistent with the purpose of this section.

(e) This section shall apply with respect to pay for service performed after September 30, 1997.

(f) For the purpose of administering any provision of law (including section 8431 of title 5, United States Code, and any rule or regulation that provides premium pay, retirement, life insurance, or any other employee benefit) that requires any deduction or contribution, or that imposes any requirement or limitation on the basis of a rate of salary or basic pay, the rate of salary or basic pay payable after the application of this section shall be treated as the rate of salary or basic pay.

(g) Nothing in this section shall be considered to permit or require the payment to any employee covered by this section at a rate in excess of the rate that would be payable were this section not in effect.

(h) The Office of Personnel Management may provide for exceptions to the limitations imposed by this section if the Office determines that such exceptions are necessary to ensure the recruitment or retention of qualified employees.

SEC. 615. During the period in which the head of any department or agency, or any other officer or civilian employee of the Government appointed by the President of the United States, holds office, no funds may be obligated or expended in excess of $5,000 to furnish or redecorate the office of such department head, agency head, officer, or employee, or to purchase furniture or make improvements for any such office, unless advance notice of such furnishing or redecoration is expressly approved by the Committees on Appropriations of the House and Senate. For the purposes of this section, the word ''office'' shall include the entire suite of offices assigned to the individual, as well as any other space used primarily by the individual or the use of which is directly controlled by the individual.

SEC. 616. Notwithstanding any other provision of law, no executive branch agency shall purchase, construct, and/or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the House and Senate Committees on Appropriations.

SEC. 617. Notwithstanding section 1346 of title 31, United States Code, or section 611 of this Act, funds made available for fiscal year 1998 by this or any other Act shall be available for the interagency funding of national security and emergency preparedness telecommunications initiatives which benefit multiple Federal departments, agencies, or entities, as provided by Executive Order Numbered 12472 (April 3, 1984).

SEC. 618. (a) None of the funds appropriated by this or any other Act may be obligated or expended by any Federal department, agency, or other instrumentality for the salaries or expenses of any employee appointed to a position of a confidential or policy-determining character excepted from the competitive service pursuant to section 3302 of title 5, United States Code, without a certification to the Office of Personnel Management from the head of the Federal department, agency, or other instrumentality employing the Schedule C appointee that the Schedule C position was not created solely or primarily in order to detail the employee to the White House.

(b) The provisions of this section shall not apply to Federal employees or members of the armed services detailed to or from—

(1) the Central Intelligence Agency;

(2) the National Security Agency;

(3) the Defense Intelligence Agency;

(4) the offices within the Department of Defense for the collection of specialized national foreign intelligence through reconnaissance programs;

(5) the Bureau of Intelligence and Research of the Department of State;

(6) any agency, office, or unit of the Army, Navy, Air Force, and Marine Corps, the Federal Bureau of Investigation and the Drug Enforcement Administration of the Department of Justice, the Department of Transportation, the Department of the Treasury, and the Department of Energy performing intelligence functions; and

(7) the Director of Central Intelligence.

SEC. 619. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 1998 shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from discrimination and sexual harassment and that all of its workplaces are not in violation of title VII of the Civil Rights Act of 1964, as amended, the Age Discrimination in Employment Act of 1967, and the Rehabilitation Act of 1973.

SEC. 620. No part of any appropriation contained in this Act may be used to pay for the expenses of travel of employees, including employees of the Executive Office of the President, not directly responsible for the discharge of official governmental tasks and duties: *Provided*, That this restriction shall not apply to the family of the President, Members of Congress or their spouses, Heads of State of a foreign country or their designees, persons providing assistance to the President for official purposes, or other individuals so designated by the President.

SEC. 621. Notwithstanding any provision of law, the President, or his designee, must certify to Congress, annually, that no person or persons with direct or indirect responsibility for administering the Executive Office of the President's Drug-Free Workplace Plan are themselves subject to a program of individual random drug testing.

SEC. 622. (a) None of the funds made available in this Act or any other Act may be obligated or expended for any employee training when it is made known to the Federal official having authority to obligate or expend such funds that such employee training—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or ''new age'' belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988;

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace; or

(6) includes content related to human immunodeficiency virus/acquired immune deficiency syndrome (HIV/AIDS) other than that necessary to make employees more aware of the medical ramifications of HIV/AIDS and the workplace rights of HIV-positive employees.

(b) Nothing in this section shall prohibit, restrict, or otherwise preclude an agency from conducting training bearing directly upon the performance of official duties.

SEC. 623. No funds appropriated in this or any other Act for fiscal year 1998 may be used to implement or enforce the agreements in Standard Forms 312 and 4355 of the Government or any other nondisclosure policy, form, or agreement if such policy, form, or agreement does not contain the following provisions: ''These restrictions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by Executive Order 12356; section 7211 of title 5, United States Code (governing disclosures to Congress); section 1034 of title 10, United States Code, as amended by the Military Whistleblower Protection Act (governing disclosure to Congress by members of the military); section 2302(b)(8) of title 5, United States Code, as amended by the Whistleblower Protection Act (governing disclosures of illegality, waste, fraud, abuse or public health or safety threats); the Intelligence Identities Protection Act of 1982 (50 U.S.C. 421 et seq.) (governing disclosures that could expose confidential Government agents); and the statutes which protect against disclosure that may compromise the national security, including sections 641, 793, 794, 798, and 952 of title 18, United States Code, and section 4(b) of the Subversive Activities Act of 1950 (50 U.S.C. section 783(b)). The definitions, requirements, obligations, rights, sanctions, and liabilities created by said Executive Order and listed statutes are incorporated into this agreement and are controlling.'': *Provided*, That notwithstanding the preceding paragraph, a nondisclosure policy form or agreement that is to be executed by a person connected with the conduct of an intelligence or intelligence-related activity, other than an employee or officer of the United States Government, may contain provisions appropriate to the particular activity for which such document is to be used. Such form or agreement shall, at a minimum, require that the person will not disclose any classified information received in the course of such activity unless specifically authorized to do so by the United States Government. Such nondisclosure forms shall also make it clear that they do not bar disclosures to Congress or to an authorized official of an executive agency or the Department of Justice that are essential to reporting a substantial violation of law.

SEC. 624. No part of any funds appropriated in this or any other Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.

SEC. 625. (a) IN GENERAL.—No later than September 30, 1998, the Director of the Office of Management and Budget shall submit to the Congress a report that provides—

(1) estimates of the total annual costs and benefits of Federal regulatory programs, including quantitative and nonquantitative measures of regulatory costs and benefits;

(2) estimates of the costs and benefits (including quantitative and nonquantitative measures) of each rule that is likely to have a gross annual effect on the economy of $100,000,000 or more in increased costs;

(3) an assessment of the direct and indirect impacts of Federal rules on the private sector, State and local government, and the Federal Government; and

(4) recommendations from the Director and a description of significant public comments to reform or eliminate any Federal regulatory program or program element that is inefficient, ineffective, or is not a sound use of the Nation's resources.

(b) NOTICE.—The Director shall provide public notice and an opportunity to comment on the report under subsection (a) before the report is issued in final form.

SEC. 626. None of the funds appropriated by this Act or any other Act, may be used by an agency to provide a Federal employee's home address to any labor organization except when it is made known to the Federal official having authority to obligate or expend such funds that the employee has authorized such disclosure or that such disclosure has been ordered by a court of competent jurisdiction.

SEC. 627. None of the funds made available in this Act or any other Act may be used to provide any non-public information such as mailing or telephone lists to any person or any organization outside of the Federal Government without the approval of the House and Senate Committees on Appropriations.

SEC. 628. No part of any appropriation contained in this or any other Act shall be used for publicity or propaganda purposes within the United States not heretofore authorized by the Congress.

SEC. 629. None of the funds appropriated in this or any other Act shall be used to acquire information technologies which do not comply with part 39.106 (Year 2000 compliance) of the Federal Acquisition Regulation, unless an agency's Chief Information Officer determines that non-compliance with part 39.106 is necessary to the function and operation of the requesting agency or the acquisition is required by a signed contract with the agency in effect before the date of enactment of this Act. Any waiver granted by the Chief Information Officer shall be reported to the Office of Management and Budget, and copies shall be provided to Congress.

SEC. 630. Section 5118(d)(2) of title 31, United States Code, is amended by striking ''This paragraph shall'' and all that follows through the end of the paragraph.

SEC. 631. The Director of the Office of Management and Budget shall create and implement no later than October 1, 1997 a budget object classification which shall record obligations for the expenses of employee relocation. All obligations incident to an employee's relocation authorized under either chapter 57 of title 5, United States Code, or section 901, title I, Public Law 96–465, as amended, shall be classified to such object classification.

SEC. 632. Notwithstanding any other provision of law, no part of any appropriation contained in this Act for any fiscal year shall be available for paying Sunday premium pay to any employee unless such employee actually performed work during the time corresponding to such premium pay.

SEC. 633. (a) SPECIAL POSTAGE STAMPS.—In order to afford the public a convenient way to contribute to funding for breast-cancer research, the United States Postal Service shall establish a special rate of postage for first-class mail under this section.

(b) HIGHER RATE.—The rate of postage established under this section—

(1) shall be 1 cent higher than the rate that would otherwise apply;

(2) may be established without regard to any procedures under chapter 36 of title 39, United States Code, and notwithstanding any other provision of law; and

(3) shall be offered as an alternative to the rate that would otherwise apply.

The use of the rate of postage established under this section shall be voluntary on the part of postal patrons.

(c) USE OF FUNDS.—

(1) IN GENERAL.—

(A) PAYMENTS.—The amounts attributable to the 1-cent differential established under this section shall be paid by the United States Postal Service to the Department of Health and Human Services.

(B) USE.—Amounts paid under subparagraph (A) shall be used for breast-cancer research and related activities to carry out the purposes of this section.

(C) FREQUENCY OF PAYMENTS.—Payments under subparagraph (A) shall be paid to the Department of Health and Human Services no less than twice in each calendar year.

(2) AMOUNTS ATTRIBUTABLE TO THE 1-CENT DIFFERENTIAL.—For purposes of this subsection, the term ''amounts attributable to the 1-cent differential established under this section'' means, as determined by the United States Postal Service under regulations that it shall prescribe—

(A) the total amount of revenues received by the United States Postal Service that it would not have received but for the enactment of this section, reduced by

(B) an amount sufficient to cover reasonable administrative and other costs of the United States Postal Service attributable to carrying out this section.

(d) SPECIAL POSTAGE STAMPS.—The United States Postal Service may provide for the design and sale of special postage stamps to carry out this section.

(e) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) nothing in this section should directly or indirectly cause a net decrease in total funds received by the Department of Health and Human Services or any other agency or instrumentality of the Government (or any component or other aspect thereof) below the level that would otherwise have been anticipated absent this section; and

(2) nothing in this section should affect regular first-class rates or any other regular rate of postage.

(f) ANNUAL REPORTS.—The Postmaster General shall include in each annual report rendered under section 2402 of title 39, United States Code, information concerning the operation of this section.

SEC. 634. JUDICIAL SALARIES. (a) JUDICIAL COST-OF-LIVING ADJUSTMENTS.—Section 461(a) of title 28, United States Code, is amended to read as follows:

''(a) Effective on the same date that the rates of basic pay under the General Schedule are adjusted pursuant to section 5303 of title 5, each salary rate which is subject to adjustment under this section shall be adjusted by the same percentage amount as provided for under section 5303 of title 5, rounded to the nearest multiple of $100 (or if midway between multiples of $100, to the next higher multiple of $100).''.

(b) AUTOMATIC ADJUSTMENTS WITHOUT CONGRESSIONAL ACTION.—Section 140 of the resolution entitled ''A Joint Resolution making further continuing appropriations for the fiscal year 1982, and for other purposes.'', approved December 15, 1981 (Public Law 97–92; 95 Stat. 1200; 28 U.S.C. 461 note) is repealed.

SEC. 635. LIMITATION ON THE USE OF FUNDS TO PROVIDE FOR FEDERAL AGENCIES TO FURNISH COMMERCIALLY AVAILABLE PROPERTY OR SERVICES TO OTHER FEDERAL AGENCIES. (a) Except as provided in subsection (b), none of the funds appropriated by this or any other Act may be used by the Office of Management and Budget, or any other agency, to publish, promulgate, or enforce any policy, regulation, or circular, or any rule or authority in any other form, that would permit any Federal agency to provide a commercially available property or service to any other department or agency of Government unless the policy, regulation, circular, or other rule or authority meets the requirements prescribed under subsection (b).

(b)(1) Not later than 120 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall prescribe regulations applicable to any policy regulation, circular, or other rule or authority referred to in subsection (a).

(2) the requirements prescribed under paragraph (1) shall include the following—

(A) a requirement for a comparison between the cost of providing the property or service concerned through the agency concerned and the cost of providing such property or service through the private sector;

(B) a requirement for cost and performance benchmarks relating to the property or service provided relative to comparable services provided by other Government agencies and contractors in order to permit effective oversight of the cost and provision of such property or service by the agency concerned or the Office of Management and Budget;

(C) the regulation would not apply to contingency operations associated with national security or a national emergency; and

(D) the regulation would not apply if the goods are to be produced or services are to be performed by a private sector source at a Government-owned facility that is operated by the private sector source.

SEC. 636. Section 302(g)(1) of the Federal Election Campaign Act of 1971 (2 U.S.C. 432(g)(1)) is amended—

(1) by striking ''and'' after ''Senator,''; and

(2) by inserting after ''candidate,'' the following: ''and by the Republican and Democratic Senatorial Campaign Committees''.

SEC. 637. Notwithstanding any other provision of law, no adjustment shall be made under section 601(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 31) (relating to cost-of-living adjustments for Members of Congress) during fiscal year 1998.

SEC. 638. SENSE OF THE SENATE REGARDING IMPORTS OF FISH TAKEN OR RETAINED IN A MANNER INCONSISTENT WITH RECOMMENDATIONS OF THE INTERNATIONAL COMMISSION FOR THE CONSERVATION OF ATLANTIC TUNAS. (a) It is the sense of the Senate that the United States, as a signatory to the International Convention for the Conservation of Atlantic Tunas, should implement as fully as possible the recommendations of the International Commission for the Conservation of Atlantic Tunas (ICCAT).

(b) It is the sense of the Senate that fish taken and retained in a manner and under circumstances that are inconsistent with the recommendations of the ICCAT made pursuant to article VIII of the Convention and adopted by the Secretary of Commerce should be prohibited entry into the United States.

SEC. 639. PROHIBITION OF COMPUTER GAME PROGRAMS.—

(1) DEFINITIONS.—In this section, ''agency'' means agency as defined under section 105 of title 5, United States Code.

(2) REMOVAL OF EXISTING COMPUTER GAME PROGRAMS.—Not later 180 days after the date of enactment of this Act, the head of each agency shall take such actions as necessary to remove any computer game program not required for the official business of the agency from any agency computer equipment.

(3) PROHIBITION OF INSTALLATION OF COMPUTER GAME PROGRAMS.—The head of each

agency shall prohibit the installation of any computer game program not required for the official business of the agency into any agency computer equipment.

(4) PROHIBITION OF AGENCY ACCEPTANCE OF COMPUTER EQUIPMENT WITH COMPUTER GAME PROGRAMS.—

(A) Title III of the Federal Property and Administrative Services Act of 1949 is amended by adding at the end the following:

"SEC. 317. RESTRICTIONS ON CERTAIN INFORMATION TECHNOLOGY.

''(a) DEFINITION.—In this section the term 'information technology' has the meaning given such term under section 5002(3) of the Clinger-Cohen Act of 1996 (40 U.S.C. 1401).

''(b) IN GENERAL.—The head of an executive agency may not accept delivery of information technology that is loaded with game programs not required for an official purpose under the terms of the contract under which information technology is delivered.

''(c) WAIVER.—The head of an executive agency may waive the application of this section with respect to any particular procurement of information technology, if the head of the agency—

''(1) conducts a cost-benefit analysis and determines that the costs of compliance with this section outweighs the benefits of compliance; and

''(2) submits a certification of such determination, with supporting documentation to the Congress.''.

(B) The table of contents in section 2(b) of the Federal Property and Administrative Services Act of 1949 is amended by inserting after the item relating to section 316 the following:

''Sec. 317. Restrictions on certain information technology.''.

(C) The amendments made by this section shall take effect 180 days after the date of enactment of this Act.

SEC. 640. (a) The congressional ethics committees shall provide for voluntary reporting by Members of Congress on the financial disclosure reports filed under title I of the Ethics in Government Act of 1978 (5 U.S.C. App.) on such Members' participation in—

(1) the Civil Service Retirement System under chapter 83 of title 5, United States Code; and

(2) the Federal Employees Retirement System under chapter 84 of title 5, United States Code.

(b) In this section, the terms ''congressional ethics committees'' and ''Members of Congress'' have the meanings given such terms under section 109 of the Ethics in Government Act of 1978 (5 U.S.C. App.).

(c) This section shall apply to fiscal year 1998 and each fiscal year thereafter.

SEC. 641. (a) A Federal employee shall be separated from service and barred from reemployment in the Federal service, if—

(1) the employee is convicted of a violation or attempted violation of section 201 of title 18, United States Code; and

(2) such violation or attempted violation related to conduct prohibited under section 1010(a) of the Controlled Substances Import and Export Act (21 U.S.C. 960(a)).

(b) This section shall apply during fiscal year 1998 and each fiscal year thereafter.

SEC. 642. (a) COORDINATION OF COUNTERDRUG INTELLIGENCE CENTERS AND ACTIVITIES.—(1) Not later than 120 days after the date of enactment of this Act, the Director of the Office of National Drug Control Policy shall submit to the appropriate congressional committees a plan to improve coordination, and eliminate unnecessary duplication, among the counterdrug intelligence centers and counterdrug activities of the Federal Government, including the centers and activities of the following departments and agencies:

(A) The Department of Defense, including the Defense Intelligence Agency.

(B) The Department of the Treasury, including the United States Customs Service.

(C) The Central Intelligence Agency.

(D) The Coast Guard.

(E) The Drug Enforcement Administration.

(F) The Federal Bureau of Investigation.

(2) The purpose of the plan under paragraph (1) is to maximize the effectiveness of the centers and activities referred to in that paragraph in achieving the objectives of the national drug control strategy. In order to maximize such effectiveness, the plan shall—

(A) articulate clear and specific mission statements for each counterdrug intelligence center and activity, including the manner in which responsibility for counterdrug intelligence activities will be allocated among the counterdrug intelligence centers;

(B) specify the relationship between such centers;

(C) specify the means by which proper oversight of such centers will be assured;

(D) specify the means by which counterdrug intelligence will be forwarded effectively to all levels of officials responsible for United States counterdrug policy; and

(E) specify mechanisms to ensure that State and local law enforcement agencies are apprised of counterdrug intelligence in a manner which—

(i) facilitates effective counterdrug activities by such agencies; and

(ii) provides such agencies with the information necessary to ensure the safety of officials of such agencies in their counterdrug activities.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The Committee on Foreign Relations, the Committee on the Judiciary, and the Select Committee on Intelligence of the Senate.

(2) The Committee on International Relations, the Committee on the Judiciary, and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 643. PERSONAL ALLOWANCE PARITY AMONG NAFTA PARTIES. (a) IN GENERAL.—The United States Trade Representative and the Secretary of the Treasury, in consultation with the Secretary of Commerce, shall initiate discussions with officials of the Governments of Mexico and Canada to achieve parity in the duty-free personal allowance structure of the United States, Mexico, and Canada.

(b) REPORT.—The United States Trade Representative and the Secretary of the Treasury shall report to Congress within 90 days after the date of enactment of this Act on the progress that is being made to correct any disparity between the United States, Mexico, and Canada with respect to duty-free personal allowances.

(c) RECOMMENDATIONS.—If parity with respect to duty-free personal allowances between the United States, Mexico, and Canada is not achieved within 180 days after the date of enactment of this Act, the United States Trade Representative and the Secretary of the Treasury shall submit recommendations to Congress for appropriate legislation and action.

SEC. 644. No funds appropriated by this Act shall be available to pay for an abortion, or the administrative expenses in connection with any health plan under the Federal employees health benefit program which provides any benefits or coverage for abortions.

SEC. 645. The provision of section 644 shall not apply where the life of the mother would be endangered if the fetus were carried to term, or the pregnancy is the result of an act of rape or incest.

This Act may be cited as the ''Treasury and General Government Appropriations Act, 1998''.

Mr. CAMPBELL. 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. CAMPBELL. Mr. President, before yielding the floor, I wanted to thank our hard working staff: Barbara Retzlaff, Tammy Perrin, Lula Edwards, Frank Larkin, and Pat Raymond. And in particular I wanted to thank our ranking member, Senator KOHL, for his advice and his leadership on this bill.

With that, I yield the floor.

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

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

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1998

Mr. BOND. What is the pending business?

The PRESIDING OFFICER. The pending business currently is S. 1034.

Mr. BOND. This is the Veterans Affairs, HUD, independent agencies appropriations measure?

The PRESIDING OFFICER. It is making appropriations for the Departments of Veterans Affairs, Housing and Urban Development, and for sundry independent agencies, commissions, corporations, and offices.

The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1034) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, commissions, corporations, and offices for fiscal year ending September 30, 1998, and for other purposes.

The Senate resumed consideration of the bill.

Mr. BOND. I thank the Chair.

Mr. President, I see that our colleague from Arkansas is present. He has a very important amendment. I invite the attention of all Members. We are planning on moving on this bill. There are a number of amendments, and we look forward to dealing with them expeditiously today. So we are open and ready to do business. We appreciate having the matters brought to our attention. As I said yesterday, we hope, if there are amendments or proposed colloquies, they will be brought to the ranking member and me so that we can give them our personal attention and continue the progress that

this body has been making on the appropriations measures.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

AMENDMENT NO. 944

(Purpose: To reduce the appropriation for the implementation of the space station program for the purpose of terminating the program)

Mr. BUMPERS. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Arkansas [Mr. BUMPERS], for himself, Mr. KOHL, Mr. WYDEN, Mr. BRYAN, Mr. DURBIN, Mr. LEAHY, Mr. WELLSTONE, and Mr. FEINGOLD proposes an amendment numbered 944.

Mr. BUMPERS. 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 70, strike lines 17 through 18, and insert in lieu thereof the following: ''sion and administrative aircraft, $3,826,500,000, to remain available until September 30, 1999. Provided, that of the funds made available in this bill, no funds shall be expended on the space station program, except for termination costs.''

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. BUMPERS. Mr. President, this is the sixth year that I have stood at this desk and lamented the fact that we have become inured to projects which have massive cost overruns if it means a few jobs in our State or if it means you can cast a cheap vote and not pay a price for it back home.

Now, I have been here for 22½ years, and I have watched this body time and time again proceed continuously to vote for such things as the space station whereas if it were a secret ballot it would not get 25 votes. The facts and the evidence are absolutely overwhelming against going forward with the space station, and yet because of the issue of jobs back home, it is very seldom that anyone casts a vote against it.

Also, there is no political price to pay, even if you do not have jobs back home, hinging on going forward with the space station. There is no political price to be exacted against you for voting for something that people know very little about and have never honed in on.

My wife, Betty Bumpers, a woman I admire very much for her courage, started a peace organization in 1981, and I said, ''What you have done is just assured your husband's defeat in the next election.'' She said, ''Yes, and you men are going to get my children killed.'' And so I had to dance around that issue until I ran the next time fully expecting to be confronted by my opponent about my wife's activities in the peace movement.

Now, isn't it a strange dichotomy in America, that one has to be defensive about being for all the things that would promote peace. That is how strange this place is at times.

Of course, Betty has been active in childhood immunizations all of her life, and all of my political life—she had started a program in 1972 to immunize all the children in my State, which had one of the lowest immunization levels of any State in the country. We immunized 300,000 children one Saturday. She was known then and is still known as the one of the foremost leaders in immunization programs in this country. I remember one day in 1973 some smart reporter said, ''Senator, do you think your wife's activities''—he was referring to peace, of course—''Do you think your wife's activities are going to be a big detriment to you in your campaign?'' I said, ''Well, it will be among all those people who favor war and not immunizing children.'' And I never got asked another question about it.

I do not mean to sound arrogant about being willing to stand up occasionally for something I strongly believe in, but occasionally I chastise some of my colleagues who could save the taxpayers billions of dollars and hasten the day we balance the budget, but who refuse to do it because there is no political accounting for voting for the space station, particularly now when the rover is roving around on Mars. As a matter of fact, I know this is pure coincidence, but if you want to go over to the Dirksen Building, it just so happens that, at the same time we are considering the space station and the entire space budget in the Chamber, NASA has a thrilling show in the Dirksen Building for all the Senators to see of the rover roving around on Mars sniffing rocks.

Let me say—and I have said this for 6 straight years—I favor the space program. I have never once lamented the fact that we have a shuttle program and that we have the ability to place all kinds of scientific and communications satellites in orbit. And in sending the rover to Mars, NASA is doing exactly what it should do, because that proves another point. We do not need a manned mission to do science on Mars.

Mr. President, almost all the scientists in the country, virtually every Nobel physicist, virtually every scientific group in America, opposes the space station. Unfortunately, they don't have enough political clout to fill a thimble. I admire them, I respect them, but the truth of the matter is, they have very little impact on this body or the House of Representatives on what they favor or don't favor.

One day on this floor, I said even Carl Sagan was opposed to the space station. Carl Sagan, whom I had known for several years—we weren't close friends, but I had been thrown in contact with him a few times—called to say that I had misstated what he believed. What he said was, ''I believe the space station is a legitimate thing, a highly desirable thing, as a way station to get to Mars. But,'' he said, to follow that up, something that I have always strongly believed, ''it is not—it is not a wise expenditure of money if you are talking about scientific experiments to be conducted on the space station.'' That is one of the reasons the American Physical Society and so many other groups oppose the space station.

People around here are sometimes influenced by how somebody feels about it. I will tell you who strongly opposes going forward with the space station: The Concord Coalition, which was headed up by our now deceased, highly respected colleague, Paul Tsongas and by Warren Rudman, also our former colleague from New Hampshire. The Concord Coalition, Citizens Against Government Waste, the Cato Institute, the Progressive Policy Institute, the National Taxpayers' Union, and Citizens for a Sound Economy.

Then, in the scientific community, listen to this: the American Physiological Society, the American Society for Biochemistry and Molecular Biology, the American Society for Pharmacology and Experimental Therapeutics, the American Society for Investigative Pathology, the American Institute of Nutrition, American Association of Immunologists, American Society of Cell Biology, the Biophysical Society, the American Association of Anatomists.

Who comprises the American Physical Society? It is 41,000 physicists. Dr. Robert Park, a professor of physics at the University of Maryland at College Park, has testified time and again here about the folly of justifying the space station by alluding to the kind of scientific experiments they are going to do on it.

Mr. President, my amendment says we will terminate the space station at a cost of $600 million and we will save $1.5 billion to put on the deficit. Sometimes my staff presents me with some alternatives. ''Why don't we say we are going to put this $1.5 billion in savings into some other popular program?'' I said, ''I have been there and done that.'' I remember when I first got into trying to torpedo the space station, I would have transferred the money over to Veterans Affairs. That is usually an item that causes Senators to jump under their desks. If you are going to give it to the veterans, most people around here will look very cautiously before they vote no. But I didn't get any more votes than I have been getting since.

We have become so inured to cost overruns, we just simply cannot stop a big project once it is started. Only two things that come to mind that we finally did stop. One was the Clinch River breeder reactor, which incidentally was also my amendment. Howard Baker was majority leader. Maybe you think that wasn't an uphill battle. But the American scientific community began to rise up in arms, and the environmentalists threw a fit. So, finally we decided that we did not want to follow the breeder reactor method of generating electricity in this country and

we finally killed it after I spent 4 years standing at this desk, talking about the folly of that project. We had already started digging ground down in Clinch River to build it.

The other thing we terminated was the super collider. That's another one of my amendments. I guess the reason they happen to come to mind is that I happen to be the architect of killing both of them. The super collider, this massive hole in the ground in Texas, nobody really talked much about the science of the super collider. All they talked about was all the jobs it was going to create in Texas, which indeed it would have.

Let me just, while I am on the subject of jobs, point something out. The space station—if you want to make it a jobs program go home and tell the chamber of commerce that it costs $140,000 for every job it creates. Take the same proposition to General Motors or anybody else: You come into our community and we will give you $140,000 for every job you create. They will be standing on line from here to New York to try to take you up on that offer.

You think about the fact it costs $10,000 to $12,000 a pound for every pound of material we send to the space station. And now there is an estimate, if you have four astronauts on board, they can only devote 4 hours a day each to research-related activities. So, if you have four American astronauts, that's 16 hours a day that they could put into science. Do you want to know how expensive that is? Well, NASA says it will cost $1,300,000,000 a year to operate the station. So, it will only cost the taxpayers $230,000 for each hour the astronauts put in actually working on scientific experiments on the space station. Do you want to hear one better than that? The space station is to have a 10-year life and it will cost all-told about $100 billion. Figure that one out: $25 million a day is going to be the cost of keeping the space station up there.

Do you have any idea, when we sit in the Agriculture Committee talking about research, how we have to grovel and fight and scratch and claw for every dime we get for research? Do you have any idea what $25 million will do? Do you know the National Institutes of Health can only fund one out of every four good scientific projects that are brought to them? And we are talking about honest to God research. Research on cancer, on AIDS, on arthritis—every conceivable kind of disease that afflicts mankind is handled through the National Institutes of Health, to which we give about $13 to $14 billion a year. And they can only fund one out of every four experiments. That is real science. You can book it. Do you know what real medical research could be done if we simply gave them the cost of one space shuttle flight? They could fund one out of every three proposals.

Last week I conducted a hearing on immunizations. There is going to be a big to-do over at the White House tomorrow on the remarkable success we have had on immunizations. In a hearing last week it was revealed by some pharmaceutical companies, and the Centers for Disease Control in Atlanta, that we now face the possibility of eliminating measles worldwide, as we are about to eradicate polio worldwide. We now have new vaccines, even for children's earaches; even for dysentery. Last year we had 50,000 hospitalizations last year of children with dysentery, and 20 children died—but worldwide those figures are nothing. Worldwide, dysentery kills so many children—but not as many as measles. Does that shock you? Measles is still the biggest killer of children in the world; 1 million children a year die of measles.

At the hearing they told us about all these new vaccines. For example, for infants—put a little something in each nostril of the nose and they will never get flu. You can also use that in combination with another vaccine which, as I say, will keep them from getting dysentery.

I'll tell you what I'll do, I'll stand on my head on the top of this Capitol if you ever get anything even remotely close to those kinds of advances after you spend $100 billion. For 6 years I have listened to Senators come over here, they are my friends and colleagues and I don't denigrate their feelings about it, but when you start asking, ''What are the scientific experiments we are going to conduct?'' ''Well, we don't know. We have to get up there and find out what we are looking for.''

It was Dr. Nicolaas Bloembergen, of Harvard, who made the best statement I ever heard about research on the space station. Incidentally, he is adamantly opposed to it. I'll come back to that. I'm going to take about 20 minutes just reading quotes from the top physicists, medical doctors, you name it, about the space station, before I sit down. Do you know what he said about microgravity research, which is the big thing everybody talks about; that is research you do in weightlessness? He said, ''microgravity is of microimportance.'' That says it all. Why else would we be sending a station up there to do scientific experiments except it is a weightless situation?

Another great physicist whom I will quote in a moment said, ''It is the worst place to do microgravity research with men on board or women on board.'' That is because, if you are looking for an experiment that requires weightlessness and you have people tromping around in the station and vibrating it, you lose the benefit. You would expect a 6-year-old to understand that.

Mr. President, let me just bring you up to date. In 1996, the General Accounting Office to do a report on the space station. It was not the most devastating report I ever read in my life, and of course I was looking for something that I might hang my hat on that just might jar this place into action. But there were really no bombs in the 1996 GAO report, except they predicted that unless certain things happened certain other very undesirable things were going to happen, namely unless the Russians came through with their part of this project the cost was going to skyrocket.

One Senator came to me in 1994 and said: ''DALE, I think this cooperation with Russia is a tremendous idea. We can keep their space scientists busy and they won't be off in Iraq and Iran, building missiles for some of the rogue nations.'' And he said, ''You know, we have to help the Russians all we can. They have big problems.''

I said: ''That's right. But if we are going to send them $200 million for openers, just to say they will be a part of the international space station, I say send it to them in economic aid or food. That is what they need. They do not need to be participating in one of the biggest boondoggles ever conceived. What they need is something to help their people with their infrastructure, build industry, feed their people.''

So what has happened, as predictable as night following day, is Russia has reneged. We gave them close to $200 million for openers to build the first section of the work they were supposed to do. We gave them that money.

They were supposed to build the service module. There are nine modules on this space station. They were supposed to build the third one, but a very important one, called the service module, and they have not been able to come up with all the money, nor are they likely to. I will return in a moment to some of the consequences of that.

But back to the GAO report. Congressman DINGELL and I asked the GAO to update their 1996 report. Here is the update, which we received last night and which anybody else who wants it can get this morning. Here is what the GAO update says. If there is anything people around here detest, it is somebody going around telling them, ''I told you so,'' so I won't say it.

Listen to this:

> The prime contractor's—

That is Boeing's——

> cost and schedule performance on the space station, which showed signs of deterioration last year, has continued to decline virtually unabated. Since April 1996, the cost overrun has more than tripled.

Let me repeat that:

> Since April 1996—

A little over a year ago—

> the cost overrun has more than tripled and the schedule slippage has increased by almost 50 percent.

Does it not take nerve to come in here asking us to go forward with a $100 billion project in the light of that?

> Financial reserves are dwindling with up to 6 years remaining until on-orbit assembly of the space station is completed.

That is what we are looking at now. We still have 6 years to go before we

even get that sucker assembled in space:

. . . with up to 6 years remaining until on-orbit assembly of the space station is completed. NASA has already identified actual and potential resource demands that exceed the station's remaining financial reserves.

As the French say, here comes the piece de resistance:

NASA transferred $462 million from its science budget to the space station development budget in fiscal years 1996 through 1998.

Why did NASA transfer $462 million from its science account to the manufacturing of the space station? To cover the cost overruns. And the $462 million comes out of the science budget. Either you are going to reduce the scientific experiments on this thing by $462 million, or NASA is going to come back to Congress and say we need $462 million more. Which do you think that is going to be? We all know what it is going to be, and this is just the beginning:

It is also planning to transfer another $70 million in fiscal 1999 from the science fund to the station development budget.

Mr. President, NASA says that to assemble and build the space station, the cost will be $17.4 billion, and within that are these scientific funds. They are taking money from Peter to pay Paul, but they are taking money out of the account that they say is absolutely essential to justify the space station, namely, the science that we are going to get. You can't have it both ways, or you can, too, in the U.S. Senate.

Congress approved the transfer of $200 million this year. We approved a $200 million transfer from the space shuttle. I just told you that they have transferred $462 million from their science account over to the space station account. Now we are giving them authority to transfer money from the shuttle account, the manned space program that most people around here applaud, and are putting it into the space station. Why? To cover the cost overruns on the space station. It is the most traditional, time-honored shell game that any of us know anything about, and that is to cover the cost incurred because the Russians have been so late in coming up with their money.

There is another $100 million pending in Congress for the year 1998. That is in the House bill; that is not in the Senate bill. But, in addition to allowing them to take $200 million out of the shuttle fund and put it into the space station, now the House has said, ''We will give you another $100 million to transfer to the space station.'' This is actually outside the $17.4 billion. The $462 million in science funds is inside the $17.4 billion and can only be classified as a whopping cost overrun.

This is one of the most interesting things that the GAO report said:

When NASA redesigned the space station in 1993. . . .

You remember, President Clinton looked at a whole list of them and finally came up with what was finally called International Space Station Alpha:

When NASA redesigned the station in 1993, it estimated that Russia, as a partner, would reduce program costs by $1.6 billion because the station's assembly would be completed sooner.

It would be finished in June 2002 instead of September 2003, the proposition being that if the Russians came through, we would build it faster and, therefore, save $1.6 billion.

Mr. President, those are not my figures, those are NASA's figures, those are NASA's statements. And this is what GAO said about it:

NASA has recently acknowledged that completion of the station's assembly would indeed slip to 2003. . . .

Fifteen months later than we have been told since time immemorial this thing would be finished.

While NASA has not acknowledged the 2003 date, they have yet to tell us what the new milestone will be. And the GAO says:

Consequently, most, if not all, of the reduced costs claimed by accelerating the schedule by 15 months would be lost by slipping the schedule by a similar amount.

In short, now we are back to the old time schedule, and the $1.6 billion that NASA said they would save by bringing Russia into the program and, therefore, building it 15 months sooner than we would otherwise have built won't be saved.

NASA has not told us yet precisely when they expect to have this thing finished, nor precisely what a 15-month slippage at this point is going to cost, though I can tell you, based on the conversations I had with people who know more about this program than anybody else, it is $2 billion.

Mr. President, I tried to torpedo the space station since the memory of man runneth not. I have tried in almost more times than there have been design changes, new partners, and new promises by NASA, and until this very moment, NASA is trying to con the Senate by showing this magnificent film about Mars over in the Dirksen Building and still smoothly promising that everything is running on target, on schedule, and the only reason we know that isn't true is because GAO has done two studies that contradict NASA 180 degrees.

We don't need a space station. The Mir is the seventh Russian space station. The Mir has been in orbit, how long? Eleven years. The Mir has been up there 11 years, and now it is in big trouble. I am not saying that is predictable. I will say this, and this is not to bash Russia—I believe in doing everything we can to help their economy and keep them viable—but their space program is not as sophisticated as ours. While I understand all the arguments for bringing Russia into this, I am not sure scientifically and from a safety standpoint it is good to do it.

But the point I wanted to make is, again, I have stood on this floor for 6 long years and said show me, tell me what are the scientific achievements Russia has achieved in 20 years of having a space station in orbit. And I have been met by a deafening roar of silence. There are none. The only justification for a space station is as a way station to Mars.

Mr. President, look at this chart, and I will say that in 1984, Ronald Reagan, I think it was in a State of the Union Address, said we were going to build a space station—that was in 1984; that has now been 13-plus years—we were going to build a space station for $8 billion and deploy it and operate it. That was the initial promise of the President. At that time, here were the justifications. Look at them.

It was going to be a staging base, presumably to go to Mars.

It was going to be a manufacturing facility. We were going to manufacture a new kind of sophisticated crystal in a microgravity atmosphere.

It was going to be a space-based observatory.

It was going to be a transportation node.

It was going to be a servicing facility, presumably for people on their way to Mars.

It was going to be an assembly facility, again, to assemble the parts of a space station to go to Mars.

It was going to be a storage facility.

And, finally, it was going to be a research laboratory.

You can see from my chart how many of those exist today. Seven of them have been torpedoed, and only one remains standing.

Go back to the original $8 billion that President Reagan said it was going to cost. Here is an update on that. I tell you, I cannot keep the grin off my face as I go through these things. You just cannot believe it, you cannot believe it, and yet Senators will come in here and vote for this thing.

The President said $8 billion. Here is what we spent on the Reagan plan—$11.2 billion. That is gone. What we got out of that is so infinitesimal you might as well have thrown the money off the Washington Monument. It would have helped a few poor people.

So when Bill Clinton became President, he said this thing is out of control, we have to have another look at it. So we have a big design—a design-off I guess you would call it. And they look at dozens of plans over at the White House about what kind of a space station it ought to be.

Obviously, the first one was much too grandiose, going to be much too costly. So they come up with the International Space Station Alpha. And we are going to participate with Europe and Canada and Japan, and now of course Russia.

And here is what the construction cost was going to be between 1994 and 2002—$17.4 billion. I have alluded to that figure several times already.

Now, anybody who believes that the construction and development of the international space station is going to be $17.4 billion, you go ahead and vote for it. You have my permission. You

certainly will not lose my friendship, if you actually believe that. But if you actually believe that, you haven't got enough you-know-what to be a Member of Congress. But if you believe that, go ahead and vote for it.

The GAO had just gotten through issuing a report this morning saying that is nonsense. And here is the operating costs for 10 years, $13 billion.

Mr. President, do you know the cost of this program and the cost of all the 83 shuttles it is going to take to get it up there and supply it? The cost is going to be staggering. You know, the cost of gold is $325 an ounce today. That is peanuts compared to what a pound of water will cost to supply these astronauts, just peanuts. It is like 33 times more to send a pound of water. Maybe not that much. I do not want to exaggerate too far. So here is your operating cost, $13 billion.

Here are the shuttle flights needed to launch, service and use the station in space—$50.5 billion. Mr. President, let me tell you something about that. At present, that is 83 launches that are going to be necessary to deploy it and supply it for 10 years after it is deployed—$50.5 billion. That is calculated I think on the basis of the space shuttle, the flights running around $475 million each.

I can remember when I used to get teary-eyed seeing that shuttle take off when they first developed it. Such a magnificent thing to see. One day somebody told me each launch cost almost $500 million, and my eyes dried up almost immediately.

Here are just the related costs of the space station—$1.9 billion on these shuttle flights. Let me tell you, if you believe that 83 shuttles will leave within a 5 to 7 minute launch window without a hitch over the next 15, 16 years, you vote for it, if you believe that every shuttle is going to go up without a hitch, rendezvous with the space station without a hitch, take the needed supplies to the astronauts, all of that, and every launch launched within a 5 to 7 minute timeframe, which is absolutely necessary. And if you do not make it within that 5 to 7 minute envelope, you delay the launch and the costs soar.

I have a chart here, Mr. President, about the cost of gold. I guess we can all relate to gold. Here it is. The present cost of the space station is estimated by GAO—incidentally, this is not DALE BUMPERS; this is GAO—$94 billion. That is 25 times its weight in gold. And, as I said earlier, that is $25 million per day of operation.

It is a jobs program. I said 140,000 jobs. Each job costs $147,000. Three States—California, Texas, and Alabama—they get about 78 percent of all the money. The other 22 to 24 percent goes to virtually every other State. There are only a handful of States that do not have a little piece of the action. NASA is not stupid. They took a leaf out of the Pentagon's book. And they put those contracts into almost every State. I think there is a little $50,000 contract in Arkansas on the space station. That is just not quite enough to influence me. It provides no commercial value. And it costs $12,880 to transport one pound of material to the station.

Mr. President, let me now go to what some of the scientists say about this project.

Before I do that, here is another little overrun. You cannot compute the cost on this—this is manhours—but I want you to think about this. In 1993, NASA said that the assembling of the space station would require about 311 hours of EVA—extravehicular activity. It is space walking. In 1993, they said it would take 311 hours of space walks to assemble it. Then they decided they miscalculated, and they moved it up to 434 hours. And then they decided they miscalculated it again, and in 1996 they said, ''We miscalculated, and it's going to take 1,104 hours of space walking to assemble the station.'' And now, just very recently, believe it or not, 1 year from the time the first launch is supposed to occur, they say it is going to take 1,519 hours. NASA has only miscalculated by 500 percent the number of hours it will take to assemble the space station. And their calculations on everything else are running pretty close.

Mr. President, let me tell you what people who know a lot more about the science than I do are saying.

Incidentally, I watched Senator GLENN yesterday. He is not just one of my very dearest friends, he came to the Senate with me in 1975. He is one of the finest men—I think just the finest, most decent man I have ever known. We do not disagree very often, but we disagree strongly on this. We battle back and forth in the cloakroom about it.

He has circulated a brochure that ties the space station to research on aging. God knows, I ought to be interested in that. Well, ironically one space shuttle flight to the space station will cost almost as much as the entire $454 million budget of the National Institute on Aging. One space shuttle flight would finance the National Institute on Aging for 1 year.

Now, you ask yourself, do you think you are really going to get anything about aging out of the space shuttle? What you are going to get is an expensive $450 million, and you are going to get nothing. If you gave it to the National Institute on Aging, you at least have an outside chance of something happening.

Here are the editors of Discovery Magazine from May 1997, 2 months ago. Listen to this:

> There is no use belaboring the point. Only the naive or the vested still maintain that there is any good pragmatic reason to spend the tens of billions of dollars it will take to complete what started out in the early 1980s as Freedom and now endures as the International Space Station. . . . Is it possible to imagine a technological undertaking so enormous that could garner less respect from the scientific community?

That says it all, but I am not going to quit.

Here is what Marsha Smith, who was interviewed in Aerospace America in June 1995, said I visited with her in my office yesterday. She is the brightest person in this country on this subject. She does not try to tint it one way or another. She just calls it like it is. She is not unalterably opposed to the space station, for that matter. But I say this simply to demonstrate publicly my intense and high regard for her.

> I don't know of any breakthroughs that have come out of [Russian] space station programs in terms of new or cheaper-to-produce materials or scientific discoveries . . . . Mostly they have learned how to operate a space station for long periods of time.

Now, Mr. President, I again issue the call. What have the Russians got for 20 years of having the space station in orbit that is worthy of the name ''scientific''?

Listen to what Tim Beardsley of Scientific American said in June 1996, a little over 1 year ago.

> The value of biological and health research in orbit has been challenged by Elliott C. Levinthal, a former program director of the Defense Advanced Research Projects Agency [that is called DARPA over at the Defense Department] . . . Levinthal, who has been a professor of genetics and mechanical engineering at Stanford University, asserts that no neutral committee handing out funds for basic research in biology would support microgravity studies.

And that is all the scientific justification you can find for the space station—microgravity research. Anything else obviously you can do here on Earth. As a matter of fact, you can do this in the shuttle. You can even do it in unmanned flights.

James Ferris of Rensselaer Polytechnic Institute, in Scientific American:

> Nothing has come out of microgravity research to convince me that a material can be fabricated in orbit that is going to be better than what you can make on Earth.

Why do we want to spend $100 billion to manufacture something we can do just as well on Earth, and for a fraction of the cost?

Here is what the German Physical Society said. And incidentally, Germany is involved in paying for some of the costs.

> Except for investigations carried out on humans themselves, all experiments in this area of research can be carried out unmanned, without loss of precision. This also applies to microgravity. Therefore it is improper [it is improper] to use microgravity as an effective argument in favor of manned spaceflight.

That statement was endorsed by the European Physical Society, all the physicists in Europe, the Physical Society of Japan—our physicists' counterpart in Japan—the Canadian Association of Physicists and the American Physical Society.

So, Mr. President, there you have it. International space station *Freedom*, partly being paid for by the Japanese, by the European Space Agency, by

Canada—forget Russia for the time being. And how do their physicists feel about it? There is the European Physical Society, the Japanese Physical Society, the Canadian Physical Society and the American Physical Society, and that takes just about every physicist in America, who says this is improbable nonsense. It reminds me of going to a doctor and saying, ''Doctor, I have this hurting in my chest,'' and he x-rays me and says, ''It looks to me like you have cancer.'' And I say, ''Well, it may be, but I will go find a Senator to validate this. I'm not taking your word for it; I want to take the word of the U.S. Senate and see if I have cancer of the lung.'' That is not far off. The scientists all oppose the space station. Yet, as I said in my opening remarks, it is so impossible to convince the Senate.

Incidentally, when it comes to the American Physical Society, its spokesman in the past, as I said a moment ago, has been Dr. Park. Dr. Park said, in July 1993:

> It is the view of the American Physical Society that scientific justification is lacking for a permanently manned space station in Earth orbit. We are concerned that the potential contribution of a manned space station to the physical scientist has been greatly overstated and that many of the scientific objectives currently planned for the space station can be accomplished more effectively and at a much lower cost on Earth.

Unmanned robotic platforms or on the shuttle. All he represents is 41,000 physicists in this country. He goes on to say, quoting Professor Nicolaas Bloembergen of Harvard—and I said earlier I thought he was a Nobel laureate, and he is, in physics—Dr. Bloembergen of Harvard, a Nobel laureate and physicist, summed it up bluntly in testimony before a Senate committee 2 years ago: ''Microgravity is of microimportance.''

How is it we know so much more here? After all, we are throwing $2.1 billion of the taxpayers' money at this project every year, and you saw the figures and where we are headed— $94 billion today, Lord knows how many billions ultimately.

I think there is an assumption, says one physicist, that any program that spends $15 billion per year is bound to produce something that society can use, but few of NASA's claims stand up. Indeed, an interim NASA study of technology transfer which became public in January acknowledged that NASA spinoff claims were exaggerated. That is an in-house memo that NASA's claims were exaggerated, including such famous examples as Velcro, Tang, and Teflon. Contrary to popular belief, the study found NASA created none of these. They merely publicized them.

Here is what Carl Sagan said: ''A space station is far from an optimum platform for doing science.'' And the Space Sciences Board said it ''sees no scientific need for this space station during the next 20 years,'' and went ahead to say, ''Continued development of Space Station Freedom . . . cannot be supported on scientific grounds.''

Mr. President, I have two or three other scientists I will quote and then I will turn it back to the managers of the bill. Incidentally, I listened yesterday and I listened again today to all these gigantic, frankly, highly specious, spurious claims about how we will find a cure for this and a cure for that. If the doctors in the scientific community say that is hogwash, who are we to question them? Somebody to keep a few jobs in our State.

Here is what Dr. Rosenthal said on cancer research:

> Statements have been made and published to the effect that vital cancer research would be done in space, and that is cited as a reason for supporting space station funding. We cannot find valid scientific justification for these claims and believe it is unrealistic to base a decision on funding the space station on that information . . . Based on the information we have seen thus far, we do not agree that a strong case has been made for choosing to do cancer research in space over critically needed cancer research here on earth.

That was David Rosenthal, Harvard Medical School, testifying on behalf of the American Cancer Society.

Dr. Shaun Ruddy, on behalf of the Arthritis Foundation:

> Space station proponents have indicated that the Space Station . . . will provide a ''first class'' laboratory . . . We used to have ''first class'' laboratories in universities and medical schools across the country . . . Reports by the National Institutes of Health and National Science Foundation have indicated that over 51 percent of the biological laboratory research is deemed inadequate for the conduct of research . . . Furthermore, the National Science Foundation report estimated that the capital construction backlog is approximately $12 billion . . . Should our priorities now be a ''first class'' laboratory in space, or correction of a longstanding deficiency in laboratories throughout this Nation?

Ms. MIKULSKI. Will the Senator yield?

Mr. BUMPERS. I am happy to yield to the Senator.

Ms. MIKULSKI. I bring to the Senator's attention that it is 12:10.

Mr. BUMPERS. I appreciate the Senator.

Ms. MIKULSKI. My question is, does the Senator wish to continue before we adjourn at 12:30?

Mr. BUMPERS. I apologize for going longer than I intended. I was having such a good time. As I told the Senator earlier, I do have a little thing I need to tend to during the noon hour. Let me just suggest I be permitted to leave while people on your side speak on the other side of this issue, and then perhaps we can rejoin the issue around 2:30 after the caucuses.

However, I understand there may be something else coming up.

Ms. MIKULSKI. I bring to the Senator's attention that at 2:15, the Senate will go to consideration of military construction. Upon completion of that, we will return to the bill.

Perhaps before the Senator leaves for his other Senate commitment, you and I can talk about that.

Mr. BUMPERS. I am delighted to do that. I am sure we can reach an agreement on a time certain to vote and even a wrap-up time for each side, if that is possible.

Ms. MIKULSKI. We would like very much to be able to do that for the Senator. We go to MilCon at 2:15 for 30 minutes, and from there we will first have a vote on MilCon. Then we resume consideration of the bill. At such time, I believe Senator WELLSTONE wishes to talk about compelling needs of veterans, and you have to be in an agricultural markup. We wonder if then around 4 o'clock, you could go to wrap-up and we could have a vote?

Mr. BUMPERS. Let me suggest we agree on this without getting a formal agreement. That we start on this again at 4 o'clock, and I promise, say, 15 minutes would do me to wrap it up, maybe 15 minutes on your side, and we could vote at 4:30.

Mr. BOND. If my colleagues will yield, first, let me enter into the RECORD a unanimous consent to go to the MilCon measure, so we will get that, and we can have that taken care of, and then I will speak with the proponent of the amendment, my ranking member, and I hope we can work out an accommodation acceptable to him.

UNANIMOUS CONSENT AGREEMENT—H.R. 2016

Mr. BOND. Mr. President, I ask unanimous consent that at 2:15 today the Senate proceed to the consideration of Calendar 117, H.R. 2016, the military construction appropriations bill. I further ask unanimous consent that the committee amendments and the manager's amendment be agreed to, no other amendments be in order to the bill, there be 20 minutes for debate equally divided in the usual form, with an additional 10 minutes under the control of Senator MCCAIN. I finally ask unanimous consent that at the expiration or yielding back of time, the bill be read the third time, and the Senate proceed to a vote on passage of H.R. 2016.

I further ask unanimous consent that immediately following passage, the Senate then insist on its amendment and request a conference with the House, and the Chair be authorized to appoint conferees on the part of the Senate.

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

PRIVILEGE OF THE FLOOR

Mr. BOND. I further ask unanimous consent that Floyd DesChamps, a detailee from the Department of Energy, with the Commerce, Science, and Transportation Committee, be given access to the floor during the Senate discussions on the VA-HUD-independent agencies appropriations bill.

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

AMENDMENT NO. 944

Mr. BOND. Mr. President, if the ranking member will accommodate me, I will make just a few remarks in opposition to the amendment and then we

will attempt to establish a timeframe for further proceedings on this bill.

Mr. President, we have had a very eloquent statement by the Senator from Arkansas about questions that have been raised about the international space station. Needless to say, this question has been addressed time and time again on this floor. There are those scientists who have questions and objections. Nevertheless, the vast body, I think, of scientific knowledge and scientific expertise indicates that the space station is a tremendous opportunity for us to expand our knowledge not only about space but to develop new processes, new pharmaceuticals, medical advancements, and items that can be of tremendous benefit for us here on Earth.

Yesterday, for example, I note that the distinguished Senator from Ohio, our only space astronaut-Senator, talked at some length about the tremendous number of advances in scientific knowledge that have come from exploration in space. The bioreactor produces artificial human tissue potentially useful in treating colon and prostate cancer, production of kidney tissue and the cartilage tissue for implants. Fluid physics, which can be observed in space, help us understand the processes on Earth, such as how the soil behaves during earthquakes. There is research in microgravity to develop new pharmaceuticals and neurological research, important to patients with multiple sclerosis. The list goes on and on, and I will not go into that here because there are a number of other Senators who have expertise in this area who wish to be heard on the measure.

Let me say that the international space station will be a world-class scientific laboratory, with the unique feature of a near-zero gravity environment. While it is impossible for us to know in advance, all of the results of this scientific research, I think the vast body of scientific expertise believes that microgravity research will lead to new and pure pharmaceuticals, medical advancements, and the production of new materials for use here on Earth.

With the imminent demise of Russia's Mir space station, the international space station will be the only facility where these types of research can be permitted.

The international space station will also provide operational experience necessary for operating lunar outposts on Mars bases if and when the Nation should decide to proceed with such bold plans.

Moreover, Mr. President, the international space station is a hallmark of international cooperation between the United States and other countries. Europe, Japan, and Canada have been involved with the program since its inception, and the addition of Russia in 1993 enhanced the international participation. There is no greater symbol of the end of the cold war than the United States and Russia—arch rivals in space for decades—working together to build a space station for the 21st century.

Despite the challenges the program has had to overcome in the past year—particularly the schedule delays resulting from Russia's failure to complete the service module on time—the space station partnership remains intact.

Russia has faced great financial troubles and uncertainties, and it is impossible to say that all these troubles are in the past. But this spring the Russian Government, though strapped financially, fulfilled its promise to provide 800 billion rubles, and NASA reports that work is progressing on the service module.

American taxpayers have invested significantly—$19 billion—in the space station. We are now within a year of the first launch, which will provide the benefits and the scientific advancements into that research. Certainly, this is no time to give up on an experiment that offers such potential.

The shuttle-Mir program, the first phase of the international space station, is successfully underway. The experiments have led to improvements in the design of the international space station, and we have trained the crews. We are ready for tremendous scientific leaps, and I trust that a significant majority of our colleagues, on a bipartisan basis, will agree that the money we have invested has been a wise investment, not only for science, technology, and the exploration of the universe now, but for the developments in the scientific advances that will come tomorrow for our children and our grandchildren, who are fascinated by the opportunities of space. The exploration of this frontier can deliver tremendous benefits. This is not the time to abort the mission and say that we have gone nineteen-twentieths, or 95 percent, of the way toward the discovery of a new world and we are going to turn back now.

Mr. President, I hope that my colleagues will once again overwhelmingly support the continuation of the space station.

I yield the floor.

Ms. MIKULSKI. Mr. President, this is, once again, a bipartisan agreement that we should continue to fund the space station *Freedom*. This dazzling scientific endeavor was created under the Reagan administration, sustained under the Bush administration, and maintained under the Clinton administration.

Now, why have three Presidents of the United States all supported space station *Freedom*? They have done it for several reasons. One, because it accomplished significant science in space. Second, it is a model for what the new world order will look like in which no one nation dominates space, but each nation is best at what it best can do. The United States of America, Canada, Japan, Europe, and now the Russian involvement does show what the space program of the future will be. It will be multilateral, multinational cooperation for multiple gains.

Mr. President, I would like to speak more on why I support the space station *Freedom*, but I note that on the floor is the Senator from Arizona. It had been our agreement to let him speak before the conference.

I want to say, before we break for the party conferences, that there is no break in bipartisan support for the space station. We are going to ensure that the space station does produce sound science, have maximum international cooperation and, once again, make both our Nation and the world proud of what we do. I will have more to say about the space station and why I am an enthusiastic, unabashed, and unrelenting sponsor of this later on this afternoon.

In the meantime, as a courtesy and collegiality to move our bill, I yield the floor now and look forward to resuming my comments on the space station later this afternoon.

Mr. MCCAIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, the Senate is making unprecedented progress in considering the appropriations bills for fiscal year 1998. We have completed action on five spending bills, with the expectation that we will finish at least five more prior to the August recess. I must congratulate Chairman STEVENS and Senator INOUYE, as well as the subcommittee managers of the bills, on their efficient management of these measures on the floor. On this bill, I want to congratulate my colleagues from Missouri and Maryland, Senators BOND and MIKULSKI, for the outstanding job they have done on this legislation.

I don't intend to unduly delay the Senate in completing consideration of the pending appropriations measures. But I want to ensure that, in our haste to act on these important spending bills, my colleagues are fully aware of the funding recommendations that are contained in this bill.

I don't enjoy returning to the Senate floor for the sixth time in a little over a week to talk about the wasteful spending in these bills.

Mr. President, this is a very important measure. It provides $40 billion to fund programs for our Nation's veterans, who have served their country and need and deserve our respect and attention. It contains $25 billion for our Nation's housing needs, including low-income housing programs, housing assistance for native Americans, low-cost mortgage assistance, housing for the elderly, and much more. It provides funding for our space program, programs to protect and restore the health of the environment, disaster assistance, and the activities of many other agencies. This bill totals over $90 billion.

Yet, at the same time we are struggling to balance the budget and adequately fund necessary Federal programs, I find it somewhat disheartening that the committee spent so much time and effort to identify and protect Members' special interest items.

Mr. President, I have here a nine-page list of earmarks in this bill and the accompanying report—nine pages of set-asides for specific institutes, centers, projects, and even museums. These projects have not been considered in the normal process of prioritizing among competing requirements. They have simply been earmarked to receive funds because a Member of this body wanted to bring it home.

I ask unanimous consent that at this time this nine-page document of objectionable provisions in the bill be printed in the RECORD.

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

OBJECTIONABLE PROVISIONS IN S. 1034, THE FISCAL YEAR 1998 VA–HUD APPROPRIATIONS BILL

BILL LANGUAGE

$10 million of HUD funds earmarked for housing demolition and replacement at Heritage House in Kansas City, Missouri.

Earmark of HUD funds for an economic development test program, including at least one Native American area in Alaska.

$40 million earmarked for the Economic Development Initiative within HUD, ''to finance a variety of efforts, including those identified in the Senate committee report'', namely:

$2.5 million for enlarging Scarborough Library at Shepherd College in West Virginia.

$2 million for brownfield activities in Baltimore, Maryland.

$2 million for economic redevelopment of Ogden, Utah.

$2 million to renovate Albright-Knox Art Gallery in Buffalo, New York.

$400,000 for a regional landfill in Charles Mix County, South Dakota.

$2.5 million for a construction project related to Bushnell Theater in Hartford, Connecticut.

$2.5 million for exhibit and program development at Discovery Place in Charlotte, North Carolina.

$600,000 for the West Maui Community Resource Center in Hawaii.

$1.5 million for renovation of Paramount Theater in Rutland, Vermont.

$1 million for Lake Champlain Science Center in Burlington, Vermont.

$2 million for renovation of Tapley Street Operations Center in Springfield, Massachusetts.

$2 million to develop abandoned industrial sites in Perth Amboy, New Jersey.

$2.5 million for New Mexico Hispanic Cultural Center.

$400,000 for Riverbend Research and Training Park in Post Falls, Idaho.

$2.5 million for University of Missouri for a plant genetics research unit and the Delta Research Telecommunications Resource Center.

$2 million for Cleveland Avenue YMCA in Montgomery, Alabama, to build a cultural arts center.

$1 million for Covenant House in Anchorage, Alaska.

$7.1 million of HUD funds previously earmarked for an industrial park at 18th and Indiana in Kansas City, is instead earmarked for rehabilitation and infrastructure development associated with the Negro Leagues Baseball Museum and the Jazz Museum at 18th & Vine.

$150 million of EPA funds earmarked for construction of high priority water and wastewater facilities in the area of the U.S.-Mexico Border, including $50 million for grants to Texas for improving wastewater treatment for colonias.

$15 million of EPA funds for grants to Alaska to address drinking water and wastewater infrastructure needs of rural and Alaska Native Villages.

$82 million of EPA funds earmarked for grants to construct wastewater and water treatment facilities and groundwater protection infrastructure as specified in the report, namely:

$7 million for Burlington, Iowa.

$7.15 million for Lake Tahoe, California.

$5 million for Richmond and Lynchburg, Virginia.

$7 million for Ashley Valley, Utah.

$1 million for Ogden, Utah.

$4 million for Jackson County, Mississippi.

$50,000 for Kinloch, Missouri.

$1.2 million for Las Cruces, New Mexico.

$5 million for Virgin Valley Water District, Nevada.

$2 million for Epping, New Hampshire.

$4.3 million for Queen Annes County, Maryland and Pocomoke River, Maryland.

$6 million for Bingham County, Rupert, and Rosell and Homedale, Idaho.

$5 million for Missoula, Montana.

$1.7 million for Essex County, Massachusetts.

$3 million for Milton, Vermont.

$5 million for Fayette and Fallowfield Township, Pennsylvania.

$6.3 million for Pulaski County and Kingdom City, Missouri.

$8 million for Abbeville, McCormick, and Edgefield Counties, South Carolina.

$3.3 million for Jackson, Washington, and Cleburen Counties, Alabama.

REPORT LANGUAGE

Veterans' Administration:

Earmarks and directive language:

$12.4 million add-on for a patient privacy/environmental renovation project in Pittsburgh, Pennsylvania.

$900,000 add-on for the National Veterans Cemetery in Oklahoma City, Oklahoma.

Directs the VA to proceed expeditiously with the expansion of the Jefferson Barracks National Cemetery in St. Louis, Missouri.

Directs the VA to move expeditiously to complete the third floor of the Jackson, Mississippi regional VA office. Sufficient funds are included in this appropriation for the completion of the third floor should the VA be ready to proceed in fiscal year 1998.

Directs VA to give priority consideration to construct a new dietary complex and boilerplant at Southeastern Veterans Center in Spring City, Pennsylvania.

Words of encouragement and support:

Urges or encourages the Veterans' Administration to consider establishing or expanding Community Based Outpatient Clinics in Vermont, West Virginia, Pennsylvania, and southern and western Maryland.

Urges additional funding to start up and test the coal-fired incinerator at the Lebanon, Pennsylvania VAMC.

Urges VA to consider procuring a mobile clinic to be operated from the Wilkes-Barre, Pennsylvania VAMC.

Language supporting a joint VA–DOD effort through the Joslin Diabetes Center in Boston, Massachusetts to apply methods to improve detection capability for those prone to diabetes.

Encourages the VA to continue the VA–DOD Distance Learning Pilot Program to transition clinical nurse specialists to the role of nurse practitioners, which is established at the Uniformed Services University of the Health Sciences at Bethesda, Maryland.

Urges the VA to continue the demonstration project involving the Clarksburg, West Virginia VAMC and the Ruby Memorial Hospital at West Virginia University, with funding up to $2 million.

Urges VA to provide adequate support for seven-site National Center for Post Traumatic Stress Disorder.

Language expressing continuing support for the establishment of a partnership with a private, not-for-profit research and treatment center that could deliver new cancer therapy to veterans; directs the VA to expedite efforts to establish such a partnership, and mentions that Garden State Cancer Center in New Jersey is internationally recognized in this field.

Urges the VA to provide support for a cooperative program with the Diabetes Institute of Norfolk, Virginia to develop protocols for the diagnosis and treatment of diabetic neuropathy.

Language noting the need for expanding the columbarium at the National Memorial Cemetery of the Pacific in Hawaii, and urges the VA to allocate necessary funds, estimated at $1.5 million for this project.

Urges favorable and expeditious review of the construction applications for State veteran homes in Cameron and Warrensburg, Missouri, which would require $13.2 million and $13.6 million in federal funds.

Requests the VA to thoroughly and expeditiously consider applications for cemetery sites for Springfield and Higginsville, Missouri, which would require almost $4 million in federal funds.

Housing and Urban Development:

Set-asides from Community Development Block Grant funds for a variety of projects and activities in various locations:

$2 million for revitalization of Los Angeles, California.

$1 million for science and mathematics programs at Morgan State University in Baltimore, Maryland.

$2 million for expansions of the Business Development Center at Hofstra University in New York.

$1 million for St. Louis University for community development program in LaClede Town, Missouri.

$1 million for University of Colorado Health Sciences Center.

Environmental Protection Agency:

Earmarks for a myriad of add-ons:

$8 million to establish up to five university-based research centers to address the most pressing unanswered questions involved in the air particulates field.

$2 million for Water Environment Research Foundation cooperative research program.

$3 million for American Water Works Association Research Foundation.

$1.75 million for National Jewish Medical and Research Center for research on the relationship between indoor and outdoor pollution.

$2 million for Lovelace Respiratory Institute to establish a National Environmental Respiratory Center coordinate research on airborne particulates.

$1 million for Center for Air Toxic Metals at Energy and Environmental Research Center.

$1 million for Texas Regional Institute for Environmental Studies.

$1 million for Institute for Environmental and Industrial Science.

$1.5 million for Johns Hopkins University School of Hygiene and Public Health to establish a National Center for Environmental Toxicology and Epidemiology to study the effect of urban toxics on human health.

$1 million to establish the Center for Estuarine and Coastal Ocean Environmental Research at the University of South Alabama.

$1.5 million for Integrated Petroleum Environmental Consortium.

$3 million to continue a demonstration project involving leaking fuel tanks in rural Alaskan villages.

$250,000 for the Nature Conservancy of Alaska for protection of the Kenai River watershed.

$3 million for the Southwest Center for Environmental Research and Policy.

$1 million for the Sacramento River Toxic Pollutant Control Program.

$500,000 for continuing of the small water system cooperative initiative at Montana State University.

$500,000 for a small public water system technology center at Western Kentucky University.

$2 million for the New York City watershed protection program.

$750,000 for the Chespeake Bay program to initiate a small watershed grants program to implement the cooperative tributary basic strategies.

$1 million to continue the sediment decontamination technology project in the New York-New Jersey harbor.

$500,000 for the Treasure Valley, Idaho, hydrologic project.

$2.5 million for King County, Washington, for a molten carbonate fuel cell demonstration project at the Renton wastewater treatment plant.

$800,000 for the National Center for Vehicle Emissions Control and Safety to establish an On-Board Diagnostic Research Center.

$500,000 to continue the Small Business Pollution Prevention Center at University of Northern Iowa.

$500,000 to continue the Compliance Assistance Center for Painting and Coating Technology.

$200,000 to complete cleanup of Five Island Lake.

$500,000 for the Ala Wai Canal watershed improvement project.

$400,000 to continue the Maui algal bloom project.

$100,000 for the Design for the Environment for Farmers Program to address the need to develop and adopt sustainable agricultural practices for the fragile tropical ecosystems of the American Pacific.

$1.5 million for the Lake Champlain management plan.

$600,000 to complete the solar aquatic wastewater treatment demonstration in Burlington, Vermont although the report language goes on to state that ''The Committee does not intend to recommend funding for additional solar aquatic wastewater treatment demonstrations in view of EPA's assessment that this technology does not appear to offer any economic advantages over conventional technologies.''

$1 million for the Alabama Department of Environmental Management to coordinate a model water/wastewater operations training program.

$150,000 to establish a regional training center at the Kentucky Onsite Wastewater Center.

$550,000 for the Idaho water initiative.

$1 million for Lake Weequahic cleanup.

$1.75 million for the Three Rivers watershed protection demonstration project in Allegheny County, Pennsylvania.

$1.25 million to design an innovative granular activated carbon water treatment project in Oahu.

$500,000 for a small public water system technology center at the University of Missouri-Columbia.

$2 million for a Missouri Watershed initiative at the Food and Agricultural Policy Research Institute.

$500,000 for a study of dioxin levels in the Ohio River basin.

$300,000 for the California Urban Environmental Research and Education Center.

$1 million to continue a wetlands-based potable water reuse program for the city of West Palm Beach.

$700,000 for the Long Island Sound office.

$2 million for the University of Missouri Agroforestry Center to support a floodplain initiative.

$300,000 for the Northeast States for coordinated air use management.

Directive language:

Language directing EPA to consider testing ground water remediation technology developed by the International Research Center for Groundwater Research.

Language directing EPA to fund the water quality testing program along the New Jersey and New York shorelines at no less than current levels.

Language directing EPA to conduct a feasibility study for a potential pilot project to demonstrate innovative alternatives to the existing haul-water drinking water and honey bucket human waste disposal systems in the Northwest Arctic Borough.

Language directing EPA to assess whether the Edison Laboratory should be replaced and, if appropriate, to include funding in the FY 1999 budget submission.

Words of encouragement and support:

Language urging EPA to give strong consideration to funding a proposal by the Hawaii Institute of Tropical Agriculture and Human Resources to further the commercialization of agriculturally based environmental remediation technologies.

Urges EPA to give priority to soil aquifer treatment research program for indirect potable reuse of highly treated domestic wastewater being conducted in California and Arizona.

Encourages EPA to undertake a demonstration project at North Dakota State University comparing satellite data to field-gathered data on farming practices in the Oakes irrigation test area in southeast North Dakota.

Urges EPA to support the Houston Air Excellence and Leadership program which seeks to identify ways in which air pollution control policy can be targeted toward the most dangerous pollutants.

Directs EPA to strongly consider funding a proposal by Fort Scott, Kansas for additional tertiary wastewater treatment via a constructed wetland which will improve the Marmaton River.

Urges EPA to give careful consideration to the establishment of a Small Public Water Systems Technology Assistance Center at West Virginia State University and the University of New Hampshire.

Urges EPA to look at the sister lake partnership between Lake Champlain Basin and Lake Orchid in the former Soviet Union as a model for its own program.

Language stating that funding within the National Estuary Program should be provided to Sarasota Bay, Buzzards Bay, and Massachusetts Bay.

Urges EPA to provide support to exploring new ways to control zebra mussels in Lake Champlain.

Urges EPA to provide assistance to the city of Gainesville, Florida, for an innovative stormwater management project to protect the Floridian aquifer from stormwater runoff.

Urges EPA to support the Sokaogon Chippewa community's efforts to assess the environmental impacts of a proposed sulfide mine project.

Language stating the Committee would entertain a future budget request by EPA to construct a solid oxide fuel cell/gas turbine power system demonstration plant at EPA's Fort Meade research facility.

Language stating that EPA should provide adequate funds to continue the Dover Township, New Jersey, cancer cluster studies.

Urges EPA to provide $3 million from the border infrastructure fund to El Paso for use in its Rio Grande environmental monitoring program and $2 million for the federal share for construction of the Jonathan Rogers plant.

Federal Emergency Management Agency:

Words of encouragement and support:

Recommends FEMA consider using the State of Maryland's western Maryland flood task force as a model for work in other states in identifying disaster mitigation opportunities, and states that FEMA should work with the State of Maryland to fund mitigation measures identified by the task force.

Urges FEMA to continue efforts, in cooperation with the National Institute of Building Sciences and the University of South Alabama, to establish a universal methodology capable of predicting damages and loss of life caused by natural hazards.

Urges FEMA to support the Pittsford, Vermont, Fire Academy effort to expand training to rail and toxic material accidents, as recommended by the Committee in prior years.

Encourages FEMA to support the Coastal Region Development Center's efforts to develop a new model plan for southeast Georgia and other coastal states for hurricane evacuation mitigation preparedness.

National Aeronautics and Space Administration:

Earmarks and directive language:

Earmarks an additional $10 million for Origins ATD for additional astronomy test beds that contain significant investment by U.S. institutions; directs that, in selecting the new sites, one site permit search from the southern hemisphere for candidate stars which show clear evidence of planetary systems, and a second site use a large ground-based interferometer that demonstrates new adaptive optics and nulling interferometry technologies essential for the direct detection of Earth-like planets of other stars.

Directs NASA to use $15 million to fund up to five consortia to develop specific regional applications with the use of EOS data; each consortium much include academic institutions and end users as partners and demonstrate a value-added application of EOS data to a regional problem of significant consequence.

$20 million increase earmarked for the bantam flight demonstrator.

$1.5 million earmarked for MSE-Technology Applications, Western Environmental Technology Office.

$2.5 million for a science learning center in Kenai, Alaska.

$500,000 for the Discovery Science Center, Santa Ana, California.

$2 million earmarked for continuing development of a national prototype space education curriculum by the Center for Space Education at the Bishop Museum, Honolulu, Hawaii.

$5 million for facilities enhancements at the Stennis Space Center.

Words of encouragement and support:

Commends the efforts to the Stennis Space Center in commercial remote sensing and encourages that these activities continue.

Urges NASA to use a portion of the $10 million earmarked for the next generation internet initiative to develop new internet technologies to improve interconnection to areas such as Alaska and Hawaii; also recommends Montana as an appropriate participant area in the next generation internet initiative.

National Science Foundation:

Earmarks and directive language:

$40 million to support a competitive, merit-based initiative, which may include one or more university-based research center, to enable the development of a U.S.-led public/private research initiative supporting research into plant genomes

$25 million earmarked for an incoherent scatter radar, which the Committee directs be used only to construct the radar collocated with the Department of Defense ionospheric research site (i.e., the HAARP project in Alaska)

Mr. MCCAIN. Mr. President, what concerns me most is the growing practice of earmarking funds for a myriad of projects in the report language but then incorporating that report language by reference in the bill itself. For example, on pages 32 and 33, the bill language states:

Of the amounts made available under this heading, $40 million for the Economic Development Initiative (EDI) to finance a variety of efforts, including those identified in the Senate committee report, that promote economic revitalization that links people to jobs and supportive services.

The report identifies 17 separate projects, in specific amounts and at specific locations, totaling nearly $30 million. The effect of this bill language is to require HUD to spend three-fourths of this economic development money for these particular projects without any assessment of the relative needs of the communities which would benefit from these projects compared with many other American communities. This is a very bad practice, Mr. President. It is one of the worst that I have seen in a long time.

Another section of the bill incorporates a similar list of earmarks into the bill language. On page 62, the bill reads:

. . . $82 million for making grants for the construction of wastewater and water treatment facilities and groundwater protection infrastructure in accordance with the terms and conditions specified for such grants in the report accompanying this Act. . . .

It just so happens that the only terms and conditions contained in the report are earmarks for particular projects for the entire $82 million set aside in the bill. Again, this is backdoor earmarking and it's the worst form of pork barrel spending that I have seen in a long time.

As I have said, this bill also contains earmarks for museums, particularly, $7.1 million for the Jazz Museum and the Negro Leagues Baseball Museum in Kansas City, MO.

The bill also earmarks $150 million for water and waterwaste facilities along the United States-Mexico border. While this earmark could conceivably benefit my own State of Arizona, I cannot understand why we cannot, instead, provide funding based on need and established criteria, rather than setting aside millions of dollars for certain States or areas of the country.

The report is replete with earmarks. One of the most interesting reads as follows:

$600,000 for the final year of funding for the solar aquatic wastewater treatment demonstration in Burlington, VT, to be cost-shared by the participants.

Get this, Mr. President:

The Committee does not intend to recommend funding for additional solar aquatic wastewater treatment demonstrations in view of EPA's assessment that this technology does not appear to offer any economic advantages over conventional technologies.

So we are going to spend $600,000 more on a project where, in EPA's assessment, the technology doesn't offer any economic advantages over conventional technologies. It seems a little bit ridiculous to me.

Mr. President, I won't go through the nine-page list I mentioned, but there are some fascinating earmarks in here. I will tell you, it's really interesting. Here is $1 million for renovation of the Paramount Theater in Vermont. It urges or encourages the Veterans' Administration to consider establishing or expanding community-based outpatient clinics in Vermont, West Virginia, Pennsylvania, and southern and western Maryland. You are going to have to help me out here, Mr. President. Why not in Maine, California, or Texas? Instead, it is encouraging the VA to establish expanding community-based outpatient clinics in Vermont, West Virginia, Pennsylvania, southern and western Maryland. The only thing I can say is in common there is that they are low-growth States. Why would we not want to establish or expand outpatient clinics in high-growth States—Nevada, California, Texas, or Arizona? I don't know. I don't understand.

Mr. President, we don't want to do these things. I think, as I have said on many different occasions, it doesn't help us with the American people, and we waste millions of taxpayer dollars on projects that serve our own narrow interests rather than those of the Nation at large. It makes it harder for us to whittle away at the $5.3 trillion debt.

I yield the floor.

Mr. BOND. Mr. President, I know the order was for the Senate to adjourn at 12:30. I now ask unanimous consent that there be a period for morning business, in which Senator ASHCROFT be permitted to speak for 5 minutes.

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

The Senator from Missouri is recognized.

Mr. ASHCROFT. Mr. President, I ask unanimous consent that I be allowed to proceed as in morning business until the completion of my remarks.

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

THE RIGHTS OF MAN

Mr. ASHCROFT. Mr. President, last week, my friend TIM HUTCHINSON, the Senator from Arkansas, took the floor to lend his voice to a growing chorus of disapproval over the state of United States-China relations. I commend him for his actions. While his efforts to pass a sense of the Senate resolution against most favored nation status for China were unsuccessful, his actions were the very essence of what it means to be a leader. He set out to achieve noble aspirations, and then dedicated his energies to achieve those objectives. Leadership is ascertaining noble objectives and working hard, intently and sacrificially. Such efforts push us toward our highest and best. The highest and best to which Senator HUTCHINSON called us is an end to which we must all aspire.

Teddy Roosevelt said it this way:

Far better is it to dare mighty things, to win glorious triumphs, even though checkered by failure, than to take rank with those poor spirits who neither enjoy much nor suffer much because they live in the gray twilight that knows neither victory nor defeat.

Twenty-two Members of the Senate had the courage to say that the tainted flow of Western currency into China must end, not because the exchange of goods between sovereign nations is injurious, but because we have in China today a ruthless regime that does not deserve unfettered access to United States markets, a regime whose brutal repression at home betrays its intentions abroad.

America is a place that has cared always for what Thomas Paine called the ''rights of man.'' The United States has always been a country that gave no quarter to tyranny or tyrants. Teddy Roosevelt put it a bit differently, cautioning that America must not become ''an assemblage of well-to-do hucksters who care nothing for what happens beyond.''

But, Mr. President, does not the vote on the Hutchinson amendment suggest that Teddy Roosevelt's worst fears are being realized? For the message being sent from China today is as unmistakable as it is disturbing. Beijing believes that life is cheap and cheaper still when that life opposes the authoritarian rule of the Communist Party.

The State Department, in its most recent human rights report, states that ''all public dissent against the party and government was effectively silenced'' in China. ''No dissidents were known to be active at year's end.'' Beijing has used imprisonment, exile, and summary execution to quiet the voices of those who cry for freedom.

China's 1982 Constitution guarantees the freedom of speech, the press, and religious belief. And yet, the hollowness of that document becomes more apparent with every passing day. Chinese authorities routinely resort to torture, the denial of due process, forced confessions, prison labor, and extrajudicial killings to crush Chinese citizens who stand up for liberty and defy Beijing.

As Nina Shea notes in ''The Lion's Den,'' China has more Christians in prison because of religious activities than any other nation. This morning's New York Times detailed a State Department report due to be issued today—and I have a copy of it here—which is sharply critical of Beijing's efforts to suppress religious worship. The

report, which is entitled, ''U.S. Policy in Support of Religious Freedom,'' says, ''The Government of China has sought to restrict all actual religious practice to government-subsidized religious organizations and registered places of worship.''

The report goes on to detail the story of four underground Roman Catholic bishops who have been imprisoned or detained. They are not alone. Many other Catholic priests, the Times notes, ''have been searched by government agents and their religious articles have been seized.''

Consider the case of Bishop Su. Hung from the ceiling by his wrists, Su was battered time and again about the head until all but unconscious. He was then placed in a cell filled with water where he was left for days unable to sit or to sleep. His high crime? His treason? A fidelity to God and a desire to exercise that devotion.

It is true that the official Catholic Church in China is registered with the Government and claims as many as 4 million members. However, the official church does not recognize the authority of the Pope, so all Vatican-affiliated Catholics are viewed by Beijing as unregistered. Moreover, as the State Department report suggests, ''Communist Party officials state that party membership and religious belief are incompatible,'' placing a serious limitation on believers.

And who, Mr. President, will denounce the mounting persecutions of Christians in China? The administration has not made a sound. Well, I would respectfully remind them that to sin by silence when one should protest makes cowards out of all men.

America must not trade civil liberty for the false idol of foreign commerce. We must be willing not just to sound historic, but we must pursue policies which are historically sound. We must be willing to condemn religious persecution both in China and around the world.

The disturbing trends revealed in the State Department report due today are not without precedent. In June 1996, the Far Eastern Economic Review reported that ''Chinese police had destroyed at least 15,000 unregistered temples, churches and tombs'' in the Zheijang province alone in just 5 months. Those church leaders who dared to resist were tortured, beaten, and killed.

Is it any wonder then that the future of Hong Kong has been the subject of great concern. At the beginning of this month, all eyes were turned toward the British colony as it reverted to Chinese control. I sincerely hope that our eyes will remain focused there, for constant vigilance is the key to exposing and resisting Chinese encroachment on freedom in the former colony.

Although China wants Hong Kong to remain a vibrant financial center and serve as an example for unification with Taiwan, Beijing has not hesitated to undermine Hong Kong's political autonomy in spite of its pledge in the 1984 joint declaration to honor one country, two systems.

China has declared the elected Hong Kong Legislature invalid and has appointed a hand-picked provisional legislative body. China's appointed chief executive of Hong Kong, Tung Cheehwa, promises that new elections will be held in 1998 but has drawn the electoral districts to limit the influence of Martin Lee's Democratic Party.

Mr. Tung has recently unveiled new measures to restrict civil liberties in Hong Kong. Public protests will have to receive prior approval and could be banned to protect so-called ''national security.'' Political organizations will be required to register with the government and prohibited from seeking or receiving funds from overseas sources. Under Tung's definition, international organizations that expose China's human rights abuses will also be banned from receiving foreign funds.

Unfortunately, the administration's Hong Kong policy has been about self-preservation rather than promoting self-government. Political activist Martin Lee got a hero's welcome on Capitol Hill, but the administration met only reluctantly with Lee. Vice President GORE conveniently forgot Hong Kong on his recent trip to China, and much to the dismay of Martin Lee and other Hong Kong Democrats, Consul General Richard Boucher attended the inaugural ceremony of China's hand-picked legislature—the legislature which replaced the freely elected body that Martin Lee had worked so hard to preserve.

Mr. President, the preservation of liberty for the 6.3 million people in Hong Kong is about more than the immediate fate of its residents. The battle for civil liberty in Hong Kong could very well be the battle for civil liberty in China. As George Will has written, China has just swallowed ''a radioactive isotope'' of Western culture in taking over Hong Kong. Hong Kong serves as a shining example of democracy and free market economics, and the effective removal of that model would set back the march of freedom in China.

In a world that is increasingly open and free, there still exist totalitarian governments which cling to political repression and deny their people the inalienable rights of life, liberty, and property. Beijing claims that the Chinese people are more concerned about social cohesion and domestic order than the growth of civil liberty—that Western democracy is a Western phenomenon and not necessarily applicable to China, that it is somehow foreign to Far Eastern culture.

But what does Beijing think about the growth of democracy in Taiwan, Japan, and South Korea? How do China's leaders explain away the deaths of perhaps thousands of students who were willing to risk everything for liberty in Tiananmen Square? How does Beijing respond to heroes like Wei Jingsheng and Harry Wu who continue to fight against oppression in spite of intimidation, imprisonment, and torture? Troublingly, Beijing cannot answer these questions. Tragically, these are questions that the West is often afraid to ask.

Mr. President, I look forward to a U.S. foreign policy that calls the community of nations to their highest and best. America for her part must be willing to stand for freedom as she has since her first days. When the Chinese people eventually rid themselves of Beijing's tyrannical leadership and embrace democracy, just as South Korea, Japan, and Taiwan have done before them, let it be said that America stood with them, stood with them and for them in their cause for freedom.

Despite the troubling revelations of the State Department report and the defeat of the Hutchinson amendment last week, I believe that we must continue to press on. Teddy Roosevelt was right; it is hard to fail but it is worse never to have tried to succeed. The right of man to strive, to seek, to find and not to yield is at the core of what individual liberty and dignity means, and it is at the core of the values we regard highly in America. It is a message of hope and calls this country to its highest and best. It is a message that America must proclaim if the coming century is to be defined by the growth of liberty and not surrendered to those who would stifle freedom.

China has been abusive to its own citizens and signals an ominous cloud over the Far East, a cloud whose poison could spread well beyond its own borders and taint the opportunity for freedom around the world. China's total disregard for religious liberty, China's contempt for the liberty of individuals in the political system, and China's willingness to require the registration of religious groups whose members would worship God freely without subservience to the government, signals to us the need for America to stand up clearly—not as an enemy to the Chinese but as a friend of those people who seek liberty from tyrants.

I believe the Chinese people seek liberty and will respond constructively to freedom just as people around the world have wherever the grace of freedom has been made available to them. The United States can no longer suggest that we might cease to be the city on a hill whose light is a beacon for freedom. We have a responsibility to maintain the commitment to freedom that those who began this Nation had, and I submit that it is time for us to signal our commitment to freedom clearly and unmistakably to those who would enter the community of nations. China seeks and wants to enter that community, and the United States must speak clearly to China about the rights of man we have always defended. I think it is time for the United States to have its voice heard and to be a contributor to the cause of liberty and freedom around the globe.

Mr. President, I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate now stands in recess until the hour of 2:15 p.m.

Thereupon, the Senate, at 12:43 p.m. recessed until 2:15 p.m.; whereupon, the Senate was called to order by the Presiding Officer (Mr. COATS).

The PRESIDING OFFICER. The Senator from Montana.

Mr. BURNS. Mr. President, due to a time commitment made by one of the speakers on the military construction bill, I ask unanimous consent at this time to proceed for 5 minutes as in morning business.

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

FRICTION BETWEEN THE UNITED STATES AND CANADA

Mr. BURNS. Mr. President, I watched the news last night with a great deal of distress. Our Nation is in a situation that is intolerable with our long and faithful friend to our North. I don't quite understand the crux of the situation but I will become familiar with it and the history that has brought us to this inexcusable and terrible confrontation, that now exists on the west coast of British Columbia.

I have been occupied with the death of my mother and have been somewhat out of the loop of events and the deterioration of the relationship on our west coast. I knew there were circumstances which was causing friction among the fishing fleets of both the United States and Canada. The salmon runs have been of historic proportions in our Alaskan waters but as one works to the south toward the coast of Canada and the lower west coast of the United States, the runs are not as good.

A year ago, when the American-Canadian Inner-Parliamentary Meeting was held on the Alaskan coast while traveling from Prince Rupert, British Columbia, to Skagway, Alaska, there were discussions of the situation but there was no resolution. Both the Members of the Canadian Parliament and the Members of the American Congress were reluctant to dig deeper into the situation. Now we have a full-fledged crisis on our hands and it is separated from this Nation or Canada by an ocean. It is here and it is serious.

Canadian subjects held an American flag ship by barricading it. That is a vessel that sails a regular schedule from Seattle to the coastal ports of Canada and Alaska. It was held along with all passengers, cargo, and United States mail aboard. I am outraged any action of this kind was allowed to exist in this hemisphere. If it were any other place on this planet, this Government and all Americans would have been outraged. No other place would this Nation allow this kind of action to happen.

I was outraged when I saw the American flag burned by one, I assume, barricading the vessel. I, for one in this body, demand the Government of Canada deal with this situation and with those who would have a complete disrespect for the flag of this Nation. It is the single most powerful symbol of the free world. I would hope no citizen in this country would ever do any repulsive act to the national colors of our friends in Canada. We should not nor shall not retaliate in such fashion. We should, however, focus on this situation and get it settled as honorable nations do.

I cannot believe this administration has not taken action earlier to defuse this confrontation. I live in Montana and the relationship between Alberta and Montana has been one of great respect and friendship. Yes, that relationship is strained from time to time. But, that is to be expected among neighbors. But, never has our respect for each other ever been reduced to the actions now being displayed at Port Rupert, British Columbia, as we speak.

I plead with the President to get personally involved with the leaders of Canada and work it out and not let this wound fester and become uncontrollable. Our long and deep friendship with Canada is at stake and it is serious.

I plan to appeal to the Foreign Relations Committee of the United States Senate to look into this and would hope there is resolve within this body to deal with it and find a solution acceptable to Canada and the United States.

I appeal to both the Foreign Relations Committee and the President. Please do not stand idly by while someone burns my flag and barricades my ship. I do not plan to take this lightly and I also appeal strongly to the leaders of Canada to take actions that would defuse the confrontation and deal harshly with those who show no respect for either their own country or the United States of America.

MILITARY CONSTRUCTION APPROPRIATIONS ACT, 1998

The PRESIDING OFFICER. Under the previous order, the clerk will report.

The bill clerk read as follows:

A bill (H.R. 2016) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1998, and for other purposes.

The Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations, with amendments; as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italic.)

H.R. 2016

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 1998, for military construction, family housing, and base realignment and closure functions administered by the Department of Defense, and for other purposes, namely:

MILITARY CONSTRUCTION, ARMY

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, **[**$721,027,000**]** *$652,046,000,* to remain available until September 30, 2002: *Provided,* That of this amount, not to exceed **[**$71,577,000**]** *$77,646,000* shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor.

MILITARY CONSTRUCTION, NAVY

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, **[**$685,306,000**]** *$605,756,000,* to remain available until September 30, 2002: *Provided,* That of this amount, not to exceed **[**$46,659,000**]** *$46,489,000* shall be available for study, planning, design, architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, **[**$662,305,000**]** *$662,305,000,* to remain available until September 30, 2002: *Provided,* That of this amount, not to exceed **[**$45,880,000**]** *$48,880,000* shall be available for study, planning, design, architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, **[**$613,333,000**]** *$690,889,000,* to remain available until September 30, 2002: *Provided,* That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as he may designate, to be merged with and to be available for the same purposes, and for the same time period, as the

appropriation or fund to which transferred: *Provided further*, That of the amount appropriated, not to exceed [$34,350,000] *$52,450,000* shall be available for study, planning, design, architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 133 of title 10, United States Code, and military construction authorization Acts, [$45,098,000] *$234,614,000*, to remain available until September 30, 2002.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 133 of title 10, United States Code, and military construction authorization Acts, [$137,275,000] *$185,115,000*, to remain available until September 30, 2002.

MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 133 of title 10, United States Code, and military construction authorization Acts, [$77,731,000] *$96,079,000*, to remain available until September 30, 2002.

MILITARY CONSTRUCTION, NAVAL RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 133 of title 10, United States Code, and military construction authorization Acts, [$40,561,000] *$21,111,000*, to remain available until September 30, 2002.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 133 of title 10, United States Code, and military construction authorization Acts, [$27,143,000] *$31,830,000*, to remain available until September 30, 2002.

NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized in military construction authorization Acts and section 2806 of title 10, United States Code, [$166,300,000] *$152,600,000*, to remain available until expended.

FAMILY HOUSING, ARMY

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension and alteration and for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, as follows: for Construction, [$202,131,000] *$167,100,000*, to remain available until September 30, 2002; for Operation and Maintenance, and for debt payment, [$1,148,937,000] *$1,149,937,000*; in all [$1,351,068,000] *$1,317,037,000*.

FAMILY HOUSING, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension and alteration and for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, as follows: for Construction, [$409,178,000] *$362,619,000*, to remain available until September 30, 2002; for Operation and Maintenance, and for debt payment, $976,504,000; in all [$1,385,682,000] *$1,339,123,000*.

FAMILY HOUSING, AIR FORCE

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension and alteration and for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, as follows: for Construction, [$341,409,000] *$296,633,000*, to remain available until September 30, 2002; for Operation and Maintenance, and for debt payment, $830,234,000; in all [$1,171,643,000] *$1,126,867,000*.

FAMILY HOUSING, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for construction, including acquisition, replacement, addition, expansion, extension and alteration, and for operation and maintenance, leasing, and minor construction, as authorized by law, as follows: for Construction, $4,950,000, to remain available until September 30, 2002; for Operation and Maintenance, $32,724,000; in all $37,674,000.

BASE REALIGNMENT AND CLOSURE ACCOUNT, PART II

For deposit into the Department of Defense Base Closure Account 1990 established by section 2906(a)(1) of the Department of Defense Authorization Act, 1991 (Public Law 101–510), $116,754,000, to remain available until expended: *Provided*, That not more than $105,224,000 of the funds appropriated herein shall be available solely for environmental restoration, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor.

BASE REALIGNMENT AND CLOSURE ACCOUNT, PART III

For deposit into the Department of Defense Base Closure Account 1990 established by section 2906(a)(1) of the Department of Defense Authorization Act, 1991 (Public Law 101–510), $768,702,000, to remain available until expended: *Provided*, That not more than $398,499,000 of the funds appropriated herein shall be available solely for environmental restoration, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor.

BASE REALIGNMENT AND CLOSURE ACCOUNT, PART IV

For deposit into the Department of Defense Base Closure Account 1990 established by section 2906(a)(1) of the Department of Defense Authorization Act, 1991 (Public Law 101–510), $1,175,398,000, to remain available until expended: *Provided*, That not more than $353,604,000 of the funds appropriated herein shall be available solely for environmental restoration, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor.

GENERAL PROVISIONS

SEC. 101. None of the funds appropriated in Military Construction Appropriations Acts shall be expended for payments under a cost-plus-a-fixed-fee contract for work, where cost estimates exceed $25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor: *Provided*, That the foregoing shall not apply in the case of contracts for environmental restoration at an installation that is being closed or realigned where payments are made from a Base Realignment and Closure Account.

SEC. 102. Funds appropriated to the Department of Defense for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds appropriated to the Department of Defense for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds appropriated in this Act may be used to begin construction of new bases inside the continental United States for which specific appropriations have not been made.

SEC. 105. No part of the funds provided in Military Construction Appropriations Acts shall be used for purchase of land or land easements in excess of 100 per centum of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except (1) where there is a determination of value by a Federal court, or (2) purchases negotiated by the Attorney General or his designee, or (3) where the estimated value is less than $25,000, or (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds appropriated in Military Construction Appropriations Acts shall be used to (1) acquire land, (2) provide for site preparation, or (3) install utilities for any family housing, except housing for which funds have been made available in annual Military Construction Appropriations Acts.

SEC. 107. None of the funds appropriated in Military Construction Appropriations Acts for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations.

SEC. 108. No part of the funds appropriated in Military Construction Appropriations Acts may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds appropriated in Military Construction Appropriations Acts may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations.

SEC. 111. None of the funds appropriated in Military Construction Appropriations Acts

may be obligated for architect and engineer contracts estimated by the Government to exceed $500,000 for projects to be accomplished in Japan, in any NATO member country, or in countries bordering the Arabian Gulf, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds appropriated in Military Construction Appropriations Acts for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Gulf, may be used to award any contract estimated by the Government to exceed $1,000,000 to a foreign contractor: *Provided*, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 per centum: *Provided further*, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense is to inform the appropriate Committees of Congress, including the Committees on Appropriations, of the plans and scope of any proposed military exercise involving United States personnel thirty days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed $100,000.

SEC. 114. Not more than 20 per centum of the appropriations in Military Construction Appropriations Acts which are limited for obligation during the current fiscal year shall be obligated during the last two months of the fiscal year.

(TRANSFER OF FUNDS)

SEC. 115. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 116. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 117. Notwithstanding any other provision of law, any funds appropriated to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were appropriated if the funds obligated for such project (1) are obligated from funds available for military construction projects, and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

(TRANSFER OF FUNDS)

SEC. 118. During the five-year period after appropriations available to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation ''Foreign Currency Fluctuations, Construction, Defense'' to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

SEC. 119. The Secretary of Defense is to provide the Committees on Appropriations of the Senate and the House of Representatives with an annual report by February 15, containing details of the specific actions proposed to be taken by the Department of Defense during the current fiscal year to encourage other member nations of the North Atlantic Treaty Organization, Japan, Korea, and United States allies bordering the Arabian Gulf to assume a greater share of the common defense burden of such nations and the United States.

(TRANSFER OF FUNDS)

SEC. 120. During the current fiscal year, in addition to any other transfer authority available to the Department of Defense, proceeds deposited to the Department of Defense Base Closure Account established by section 207(a)(1) of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526) pursuant to section 207(a)(2)(C) of such Act, may be transferred to the account established by section 2906(a)(1) of the Department of Defense Authorization Act, 1991, to be merged with, and to be available for the same purposes and the same time period as that account.

[SEC. 121. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the ''Buy American Act'').

[SEC. 122. (a) In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this Act, it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

[(b) In providing financial assistance under this Act, the Secretary of the Treasury shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

[(TRANSFER OF FUNDS)

[SEC. 123. During the current fiscal year, in addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the account established by section 2906(a)(1) of the Department of Defense Authorization Act, 1991, to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program. Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.]

SEC. 124. Notwithstanding any other provision of law, appropriations made available to the Department of Defense Family Housing Improvement Fund shall be the sole source of funds available for planning, administrative, and oversight costs incurred by the Department of Defense relating to military family housing initiatives and military unaccompanied housing initiatives undertaken pursuant to the provisions of subchapter IV of chapter 169, title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing, military unaccompanied housing, and supporting facilities.

SEC. 125. (a) In addition to any reductions required by this Act, the following funds are hereby reduced from the following accounts in this Act in the specified amounts—

''Military Construction, Army'', $2,000,000;

''Military Construction, Navy'', $3,000,000;

''Military Construction, Air Force'', $4,000,000;

''Military Construction, Defense-wide'', $5,000,000;

''NATO Security Investment Program'', $1,000,000;

''Base Realignment and Closure Account, Part III'', $8,000,000;

''Base Realignment and Closure Account, Part IV'', $8,000,000.

(b) The reductions taken pursuant to subsection (a) shall be applied on a pro-rata basis by project and activity.

SEC. 126. Notwithstanding any other provision of law, from the funds appropriated in this Act for Military Construction, Army, the Secretary of the Army is directed to complete, using an Unspecified Minor Construction project, the Special Forces (Diver) Training Facility at Key West Naval Air Station, Florida, as authorized in the Military Construction Authorization Act for Fiscal Years 1990 and 1991 (Public Law 101–189).

SEC. 127. (a) LEASE OF PROPERTY AUTHORIZED.—(1) Notwithstanding any other provision of law, the Secretary of the Navy (hereinafter referred to as the ''Secretary'') may lease, without monetary consideration, to the city and county of Honolulu (hereinafter referred to as the ''city'') a parcel of land consisting of approximately 300 acres on Waipio Peninsula, Honolulu, Hawaii (hereinafter referred to as the ''parcel'').

(b) RELATED EASEMENT.—The Secretary may also grant, without monetary consideration, an easement on, over, under and across that certain real property known as Waipio Point Access Road for access to and operation of the parcel.

(c) TERM.—The term of the lease and easement authorized under this section shall be fifty (50) years.

(d) CONDITION OF USE.—The lease and easement authorized under subsections (a) and (b) shall be subject to the following conditions:

(1) The city shall use the parcel for development and operation of a public soccer park and related recreational facilities, and for other civic and public purposes as may be approved by the Secretary.

(2) Facilities developed on the parcel shall be for public use and benefit; however, usage fees may be charged to defray facility operating and maintenance costs.

(3) The city shall comply with all explosive safety criteria affecting the city's use of the lease and easement areas, as established by the Secretary in connection with the explosive safety areas supporting the ordinance handling wharves located at West Loch Branch, Naval Magazine, Lualualei, Hawaii.

(4) The city shall, at its own cost and to the satisfaction of the Secretary, make any and all improvements to Waipio Point Access Road which the city determines are necessary to provide onstreet parking along said road, and adequate access to the parcel, including, but not limited to, any necessary appurtenant utility and drainage improvements. During the term of said easement, the cost of maintenance, repair and replacement of said road and improvements shall be borne by the city.

(5) The city shall install a non-potable irrigation water delivery system to service the parcel, and in doing so, the city shall size transmission lines capable of delivering approximately 2.5 million additional gallons of irrigation water per day to agricultural lands on Waipio Peninsula under the control of the Secretary.

(e) TERMINATION.—If the Secretary determines at any time that the parcel is not being used for a purpose specified in subsection (d)(1), the lease and easement authorized under subsections (a) and (b) may be terminated, and all

right, title, and interest in and to such real property, including any improvements thereon, shall revert to the United States, and the United States shall have the right of immediate entry thereon.

(f) EFFECT OF EXPIRATION OF LEASE.—Unless otherwise specifically provided for in this section, at the end of the lease and easement term, the city shall either convey, without reimbursement, to the United States, all right, title, and interest of the city in and to the improvements subject to said lease and easement, or restore, to the extent practicable, the lease and easement areas to the satisfaction of the Secretary.

(g) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property subject to this section shall be determined by a survey satisfactory to the Secretary. The cost of such survey shall be borne by the city.

(h) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the lease and easement to be granted under this section as the Secretary considers appropriate to protect the interests of the United States.

SEC. 128. (a) Not later than 60 days before issuing any solicitation for a contract with the private sector for military family housing or military unaccompanied housing, the Secretary of the military department concerned shall submit to the congressional defense committees the notice described in subsection (b).

(b)(1) A notice referred to in subsection (a) is a notice of any guarantee (including the making of mortgage or rental payments) proposed to be made by the Secretary to the private party under the contract involved in the event of—

(A) the closure or realignment of the installation for which housing is provided under the contract;

(B) a reduction in force of units stationed at such installation; or

(C) the extended deployment overseas of units stationed at such installation.

(2) Each notice under this subsection shall specify the nature of the guarantee involved and assess the extent and likelihood, if any, of the liability of the Federal Government with respect to the guarantee.

(c) In this section, the term ''congressional defense committees'' means the following:

(1) The Committee on Armed Services and the Defense Subcommittee, Committee on Appropriations of the Senate.

(2) The Committee on National Security and The National Security Subcommittee, Committee on Appropriations of the House of Representatives.

This Act may be cited as the ''Military Construction Appropriations Act, 1998''.

The PRESIDING OFFICER. Under the previous order, each manager will have control of 10 minutes for debate time followed by a rollcall vote.

The Senator from Montana.

PRIVILEGE OF THE FLOOR

Mr. BURNS. Mr. President, I ask unanimous consent that Kelly Hartline, an Appropriations Committee staff member, be granted the privilege of the floor during consideration of this bill.

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

The Senator from Montana.

Mr. BURNS. Mr. President, I am pleased to bring before the Senate the military construction appropriation bill and report for fiscal year 1998. This bill reflects the bipartisan approach that the ranking member, Senator MURRAY of Washington, and I have tried to maintain regarding military construction and this subcommittee. It has been a pleasure to work with Senator MURRAY, her staff, and the members of the subcommittee throughout this process. I very much appreciate all of their support.

Mr. President, this bill was reported out of the full Appropriations Committee last Thursday by a unanimous vote of 28 to 0. The bill recommended by the full Committee on Appropriations is for $9,182,900,000. This is $799 million over the budget request and almost equal to the corresponding House bill. The bill provides $610 million less than what was appropriated last year—a reduction of 6 percent in overall spending authority for the committee from fiscal year 1997. Further, the bill reflects a reduction of 21 percent since fiscal year 1996—almost $2 billion less from just 2 years ago.

We have sought to recommend a balanced bill to the Senate, and we believe it addresses key, military construction requirements for readiness, family housing, barracks, quality of life and the Guard and Reserve components. This bill honors the commitment we have to our Armed Forces. It helps ensure that the housing and infrastructure needs of the military are given proper recognition. Also, I am pleased to report to the Senate that the bill is within the committee's 602(b) budget allocation for both budget authority and outlays.

Mr. President, this bill has some points I want to mention. We added $152 million to provide better and more modern family housing for our service personnel and their families. On another quality of life measure, we have added substantially to the budget request for medical and hospital facilities, increasing the request by almost 50 percent. We have provided $660 million for barracks construction to provide single service members a more favorable living environment. The committee also fully funds the budget request of $104 million for funding 24 class I violation environmental projects.

We also addressed the shortfalls that continue to plaque our Reserve components. The Department continues to walk away from the total force concept. Recognizing this, we have again lent support by adding $395 million to the Guard and Reserve accounts. In each case, the funds will help satisfy essential mission, quality of life or readiness requirements.

Mr. President, 22 percent of the bill, or $2.1 billion, is for downsizing defense infrastructure, or better known as the Base Realignment and Closure Program. This includes funding for the last three rounds of BRAC. Almost a quarter of all military construction dollars goes toward the base closure and realignment process.

All of the projects that we have recommended are included in either the Senate- or House-passed versions of the defense authorization bills. We will work very closely with the Armed Services Committee, as we put together a conference package for military construction.

We have tried to accommodate the sizable administration request for overseas projects in such places as Korea, Germany, and the Middle East. Mr. President, 24 percent of the administration's budget request for military construction projects is for overseas areas. This seems out of proportion when only about 16 percent of our total force is actually stationed overseas. We have funded only the essential of those projects.

We are also concerned about the recent decision made at Madrid to expand NATO and the additional costs required to implement that decision. With future defense spending constrained, this expansion has the potential to degrade the U.S. military construction and defense program seriously. I have requested a detailed report that lays out the additional funding requirements associated with the expansion, including logistical, communications, construction and other needs anticipated for the NATO infrastructure account. This will help us understand the potential costs to the U.S. taxpayer of NATO expansion.

There are many other issues that I could speak about at this time. I urge the Members of the Senate to support this bill and move it forward expeditiously.

I would say, also, we are finding in the BRAC, or base closures, that we are spending dollars that were unexpected just in environmental cleanup. The environmental cost of cleanup of these bases so they could be moved into either contract hands or private hands has been very, very high.

So I appreciate my ranking member, the work she has done, and now I yield to my ranking member, Senator MURRAY.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I am pleased to recommend this bill to the Senate. The recommended amount, $9.18 billion, is within the 602(b) allocation for the Military Construction Subcommittee and is frugal, some $600 million, or 6 percent below last year's appropriated level.

Nevertheless, we have added nearly $800 million to the amount requested by the administration, primarily to correct serious shortfalls in the budget request for National Guard and Reserve forces, and for quality-of-life initiatives in housing and medical care for U.S. military personnel.

In order to keep our Guard and Reserve forces healthy, we have again, as in the past, had to add substantial sums, some $392 million, to an inadequate request.

As for housing, we have added approximately $152 million for family housing, and despite this increase, we are still about $301 million below last year's level. The added funds, however, are in the new area of housing initiatives known as privatization, whereby

the money acts as seed capital which is multiplied over some three or four times with infusions of private developer funds, so the funds we have added carry an added punch.

On another quality-of-life measure, we have added substantially to the request for medical and hospital facilities, increasing the request by nearly 50 percent, for a total of $208 million.

These initiatives have been put together in a truly bipartisan fashion, in close cooperation with the distinguished chairman, Senator BURNS and his staff. It is a good product, worthy of strong Senate support. I appreciate the courtesies that have been extended to me by the chairman and his staff, and believe this close working relationship has created a product which is balanced and fair to all Senators.

We appropriated money for nearly all the projects authorized by the Senate Armed Services Committee, and have attempted to evaluate and satisfy the requests of all members fairly, and fund worthy projects, through design or minor construction if they have not been authorized. We have made every effort to include report language that members have suggested to us.

We fully funded the BRAC request, some 22 percent of the bill, fully funded environmental projects, and we have tried to accommodate the sizable construction request for overseas projects, such as barracks in Europe and Korea. Overseas construction constitutes 24 percent of the overall construction request.

The committee is concerned over the amounts that will be needed for additional costs of NATO expansion, based on the decisions at the Madrid summit, and for the funds requested for Southwest Asia propositioning of equipment in the nation of Qatar. We have asked for a report on NATO expansion costs by mid-October, hopefully in time for the Senate debate on this matter.

We have also asked the administration to execute a burdensharing agreement with the Government of Qatar, whose population of 550,000 people enjoy a $21,000 per capita income and has, in fact, offered to help defray our expenses in our prepositioning program.

This legislation is extremely important to our military personnel for many reasons. One of the most important for me is the messages we are able to send our active duty personnel serving abroad separated from family. We are providing for families—housing, day care, community support facilities—providing for families so our active duty personnel can focus on the task at hand when serving a tour on the U.S.S. *Lincoln* or patrolling near the DMZ in Korea.

I am particularly pleased the committee was able to fund several authorized projects in Washington State. At Fairchild Air Force Base, we were able to meet the base's priority need for alterations to the fire station and provide moneys for an education center and a library. The committee was able to provide moneys for barracks replacement and a medical/dental clinic at Fort Lewis, and important C–17 facilities at McChord Air Force Base. I do appreciate the committee's willingness to be responsive to the needs of Washington State.

I, again, thank the chairman for his help in making this a truly bipartisan bill, and I commend staff on both sides of the aisle for their outstanding professional work on this legislation. I join Chairman BURNS in recommending that the Senate adopt this legislation with strong bipartisan support.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. BURNS addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana.

AMENDMENT NO. 946

(Purpose: To clarify the availability of funds for activities under the lease of building No. 1, Lexington, Blue Grass Station, Lexington, KY)

Mr. BURNS. Mr. President, I send an amendment to the desk on behalf of Senators FORD and MCCONNELL.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Montana [Mr. BURNS], for Mr. FORD, for himself and Mr. MCCONNELL, proposes an amendment numbered 946.

Mr. BURNS. 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 the bill, insert the following:

SEC. . Section 303(e) of the 1997 Emergency Supplemental Appropriations Act for Recovery from Natural Disasters, and for Overseas Peacekeeping Efforts, Including Those in Bosnia (Public Law 105–18; 111 Stat. 168) is amended to read as follows:

''(e) AVAILABILITY OF FUNDS.—The Secretary may use funds available in the Defense Working Capital Fund for the payment of the costs of utilities, maintenance and repair, and improvements entered into under the lease under this section.''.

Mr. BURNS. Mr. President, this amendment will clarify the availability of what specific funding sources are available for activities under the lease of facilities at Lexington, Blue Grass Station, KY. I believe this amendment has been cleared.

Mrs. MURRAY. Yes, it has.

Mr. MCCAIN. Mr. President, I do not believe I have seen the amendment. I ask that action on it be suspended until such time as I, or my staff, have had a chance to examine the amendment.

Mr. BURNS. Mr. President, I yield the floor.

Mr. MCCAIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

PRIVILEGE OF THE FLOOR

Mr. MCCAIN. Mr. President, I ask unanimous consent that Ron Moranville, a fellow on my staff, be granted the privilege of the floor during the remainder of debate on H.R. 2016.

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

Mr. MCCAIN. Mr. President, for 3 straight years now, the Clinton administration has inadequately funded the national security interests of this Nation. In response, Congress added slightly more than $20 billion to the defense budget for fiscal years 1996 to 1998, arguing that future readiness would be put at risk if we did not increase funding for military modernization.

We did add significant funds to the procurement and R&D accounts to ensure that our forces would maintain their current technological edge over potential adversaries well into the future. At the same time, however, we managed to set aside more than 10 percent of the total defense budget add-on over these 3 years, about $2.3 billion for unrequested low-priority military construction projects.

This year, we added only $2.6 billion to the defense budget, much less than in each of the previous years, but then the Appropriations Committee earmarked $800 million of that increase for military construction add-ons. Almost one-third of the total defense budget increase this year is unrequested and unnecessary.

This military construction bill before the Senate today contains funding for unrequested low-priority projects totaling more than $799 million. These projects were added because Members of this body asked for them. The services did not ask for them. The Department of Defense did not ask for them. But Members wanted funding for these projects in their States, and the Appropriations Committee gave it to them.

I note that the bill sets aside almost $400 million of the overall increase for construction projects for the National Guard and Reserves. The bill includes over $111 million for the construction of 13 readiness and Reserve centers for the Guard and Reserve, at a time when Guard and Reserve end strength is being cut by over 54,000 personnel.

I wonder what decisionmaking process was used to determine that the priorities of the Guard and Reserve for military construction so greatly outweigh the priorities of the active duty military. This bill gives the Army National Guard a 500-percent increase in project funding, or $189.5 million in unrequested projects. This decision was made by the committee despite the fact that the Army and the Army Guard agreed that the Guard's military construction requirements needed about $50 million. I wonder what criteria were used to determine that $50 million was not enough for the Guard and Reserve and how the add-on of $189.5 million was determined.

I understand that last year the Appropriations Committee directed the Army to budget $75 million from Army Guard military construction in fiscal

year 1998. I also understand that the Army failed to follow the committee's direction and request only $45 million for the Army Guard military construction budget. Does this then justify a 500-percent increase in Army Guard construction funding?

In addition to the excessive amount of add-ons in this bill, the report contains earmarks for the following projects: $1.4 million to provide refrigeration equipment and improvements at the Fort Wainwright, AK, skating facility; $300,000 for the design of a centralized vehicle wash facility at Fort Wainwright, AK; $2 million for the design of the Saddle Road improvement in Hawaii; $550,000 for a library and adult education center at Seymour Johnson Air Force Base, NC; $3.1 million for planning and design of an intelligence center in Charlottesville, VA; $470,000 for design of a warfighting center at the Stennis Space Center in Mississippi.

I find it startling that Members are no longer content with earmarking actual construction projects. We now have begun the unfortunate process of earmarking portions of the planning and design money which has traditionally been provided in a lump sum to be used at the discretion and prioritization of the services.

Where will this earmarking stop? I note, without further comment, the five States receiving the largest share of these construction add-ons: Mississippi, $58.4 million; Virginia, $48.1 million; Alabama, $37 million; Kentucky, $33.1 million; and New Mexico, $32.3 million. This bill even includes an add-on for Arizona.

Finally, I point out that this bill, like many others that have come before the Senate in the past week, contains restrictive Buy America provisions which limit awards of contracts to U.S. companies only. These two sections, 111 and 112, of the bill are anticompetitive and will ensure that U.S. taxpayers do not get the best price, in many instances, because foreign firms will not be able to compete with U.S. companies.

Mr. President, I ask unanimous consent that the Senate add-ons in the military construction bill list be printed in the RECORD.

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

SENATE ADD-ONS TO THE MILITARY CONSTRUCTION APPROPRIATIONS BILL, 1998

State and installation	Project title	Budget request	In millions	
			Change	Appropriated
Alabama:				
Redstone Arsenal	Missile ENG Annex	0	$27.0	$27.0
Dannelly Field	Munitions Complex	0	4.8	4.8
Maxwell AFB	Aircfaft Maint Facility	0	5.2	5.2
Alaska:				
Elmendorf AFB	Electrical System Upgrade	0	6.1	6.1
Eielson AFB	Potable Water Storage	0	6.0	6.0
Bethel [1 2]	OPS Facility	0	4.6	4.6
Arizona: Papago Military Res [1]	Support Maint Shop	0	11.0	11.0
Arkansas: Little Rock	Control Tower	0	3.4	3.4
California: Pasadena [1]	Marine Corps Reserve Center	0	6.7	6.7
Colorado:				
Fort Carson	Mates Expansion	0	2.9	2.9
Greeley	Mobile Ground Maint Complex	0	4.7	4.7
Connecticut:				
New London	Child Development Center	0	3.7	3.7
New London	Fire Protection System	0	1.6	1.6
Delaware: New Castle Airport [1]	Squadron OPS Facility	0	7.0	7.0
Florida:				
Eglin AFB Aux Field	Assault Strip Runway	0	5.1	5.1
Ellyson Field [1]	Readines Center	0	3.8	3.8
Eglin AFB Aux Field [1]	Renovate Visiting Quarters	0	7.3	7.3
Georgia: Moody AFB	HH60 Rescue OPS Facility	0	6.8	6.8
Hawaii:				
Fort Derussey	Asian Pacific Center	0	9.5	9.5
Pearl Harbor	Seal Delivey System Facility	0	7.4	7.4
Hickman AFB [1]	Maint Complex	0	4.5	4.5
Bellows AFB [1 2]	Training Facility	0	5.2	5.2
Idaho:				
Mt Home AFB	B–1B Avionics Building	0	9.2	9.2
Mt Home AFB	F–15 Squadron OPS Facility	0	3.8	3.8
Gowen Field [1]	Aviation Readiness Center	0	3.7	3.7
Boise Airport [1]	C–130 Squadron OPS	0	8.8	8.8
Indiana:				
Hulman Reg Airport [1]	Fire Station	0	5.4	5.4
Fort Wayne IAP [1]	Medical Trng Facility	0	5.9	5.9
Kansas:				
McConnell AFB	KC–135 Squadron OPS	0	9.7	9.7
McConnell AFB	Transportation Complex	0	2.9	2.9
McConnell AFB [1]	Maint Shop	0	2.0	2.0
Kentucky:				
Fort Knox	Training Range	0	7.2	7.2
Greenville [1]	Training Range	0	9.3	9.3
Fort Campbell [2]	Equipment Shop	0	9.9	9.9
Fort Campbell	Education Center	0	6.7	6.7
Louisiana: Camp Beauregard [1]	Machine Gun Range	0	1.3	1.3
Maine: Bangor IAP [1]	Upgrade Base Facilities	0	6.5	6.5
Maryland: Annapolis [1]	Readiness Center	0	2.9	2.9
Massachusetts: Barnes ANGB [1]	Dining Hall/Fitness Center	0	3.0	3.0
Michigan:				
Augusta [1]	Readiness Center	0	6.4	6.4
Selfridge AGB [1]	Vehicle Maint/Comm Complex	0	9.0	9.0
Walker [1]	Readiness Center	0	9.4	9.4
Mississippi:				
Gulfport NCBC Base	Bachelor Enlisted Qrts	0	22.4	22.4
Miss Army Ammun Plt	OPS and Maint Facility	0	9.9	9.9
Senatobia [1]	Readiness Center	0	4.4	4.4
Key Field [1]	KC–135 SIM Training Center	0	2.0	2.0
Key Field [1]	Dining Hall	0	3.2	3.2
Nas Meridian	Bachelor Enlisted Quarters	0	7.0	7.0
Gulfport-Biloxi [1]	Training Quarters	0	9.5	9.5
Missouri: Macon [1]	Armory	0	3.2	3.2
Montana:				
Malstrom AFB	Dining Facility	0	4.5	4.5
Billings [1]	Reserve Center	0	14.6	14.6
Nevada:				
Nellis AFB	Land Acquisition	0	5.9	5.9
Reno/Tahoe IAP [1]	C–130 Training Facility	0	2.9	2.9
Nebraska: Offutt AFB	Dormitories	0	6.9	6.9
New Mexico:				
Kirtland AFB	Simulation Training Facility	0	14.0	14.0
Kirtland AFB	Bridge	0	6.3	6.3
Cannon AFB	F–16 Missile Maint Shop	0	2.9	2.9
Taos [1]	Readiness Center	0	3.2	3.2
Kirtland AFB [1]	Squadron OPS Facility	0	2.8	2.8
Kirtland AFB [1]	Composite Support Facility	0	3.1	3.1

SENATE ADD-ONS TO THE MILITARY CONSTRUCTION APPROPRIATIONS BILL, 1998—Continued

State and installation	Project title	Budget request	In millions	
			Change	Appropriated
New York:				
Grabeski Airport [1]	Vehicle Maint Complex	0	4.3	4.3
Niagara Falls IAP [1]	Training Facility	0	2.1	2.1
North Carolina:				
Fort Bragg	Mout Training Complex	0	7.7	7.7
Fort Bragg	Medical Training Barracks	0	8.3	8.3
North Dakota: Minot AFB	Fire/Crash Rescue Station	0	5.2	5.2
Ohio:				
Wright-Patterson	Management Complex	0	22.0	22.0
Rickenbacker ANGB [1]	Fuel/Corrosion Control Facility	0	5.7	5.7
Springfield-Beckley Map [1]	Base Supply Complex	0	4.4	4.4
Oklahoma:				
Altus AFB	Land Purchase	0	11.0	11.0
Vance AFB	Base Engineering Complex	0	7.7	7.7
Will Rogers Airpot [1]	Aeromedical Training Facility	0	3.1	3.1
Fort Sill	Barracks Renewal	0	8.0	8.0
Oregon: Salem [1]	Reserve Center	0	11.8	11.8
Pennsylvania: Oakdale [1]	Reserve Center	0	24.9	24.9
South Carolina:				
Leesburg Training Site [1]	Simultation Center	0	3.8	3.8
McEntire AGS [1]	Fuel/Corrosion Control Facility	0	7.0	7.0
South Dakota:				
Ellsworth AFB	Fire/Crash Rescue Station	0	6.6	6.6
Rapid City [1]	Aviation Support Facility	0	5.2	5.2
Texas:				
Dyess AFB	B–1B Squadron OPS	0	10.0	10.0
Rapid City [1]	Aviation Support Facility	0	12.8	12.8
Utah: Fort Douglas [1]	USARC & OMS	0	12.7	12.7
Vermont: Camp Johnson [1]	Maint Shop	0	6.7	6.7
Virginia:				
Norfolk NS	Berthing Pier	0	13.5	13.5
Portsmouth Hospital	Hospital Replacement	0	34.6	34.6
Washington:				
Fairchild AFB	Fire Station	0	4.8	4.8
Fairchild AFB	Education Center	0	8.2	8.2
Fairchild AFB	Training Academy	0	3.7	3.7
Fort Lewis	Medical Clinic	0	5.0	5.0
West Virginia: Camp Dawson [1]	Readiness Center	0	6.8	6.8
Wisconsin: Mitchel ARS [1]	Aerial Training Facility	0	4.2	4.2
Wyoming: Camp Guernsey [1]	Vehicle Maint Shop	0	13.9	13.9
42 Unrequested Active Duty Milcon Add-Ons Totaling			382.9	
50 Unrequested Reserve/Guard Milcon Add-Ons Totaling			299.5	
92 Unrequested U.S. Based Milcon Add-Ons Totaling			681.7	

[1] Denotes Reserve/National Guard Construction Projects.
[2] Denotes Projects No Included on Senate or House Authorization Bills.

MILITARY CONSTRUCTION APPROPRIATIONS BILL, 1998 FAMILY HOUSING ADD-ONS

State and installation	Project title	Budget request	Change	Authorization
Alaska.				
Fort Richardson	Neighborhood Revitalization	0	$9.6	$9.6
Fort Wainwright	Neighborhood Revitalization	0	8.3	8.3
Georgia.				
Robins AFB	Family Housing	0	5.2	5.2
Hawaii.				
Pearl Harbor	Family Housing	0	17.9	17.9
Kentucky.				
Fort Campbell	Family Housing Improvements	0	8.5	8.5
Montana.				
Malmstrom AFB	Military Housing	0	16.6	16.6
North Carolina.				
Camp Lejeune	Renovate Family Housing	0	2.9	2.9
South Carolina.				
Charleston AFB	Improve Family Housing	0	14.3	14.3
Texas:				
NAS Corpus Christi	Replace Family Housing	0	6.5	6.5
Lackland AFB	Replace Family Housing	0	7.4	7.4
Washington:				
NAS Whidbey Island	Replace Family Housing	0	32.3	32.3
Bangor	Replace Family Housing	0	15.7	15.7
Total family housing add-ons		0	145.2	145.2

Mr. McCAIN. Mr. President, in closing, let me say I am sure there are many good projects on this list. Many projects will serve to improve the quality of life of our military personnel and will provide facilities improvements that will enhance mission readiness, but the real reason these projects are funded in this bill is that they provide economic benefit to certain States. Even with the congressionally mandated increases in the defense budget, military training exercises continue to be cut, backlogs in aircraft and ship maintenance are growing, flying-hours shortfalls still exists, military health care is underfunded by $600 million and 11,787 service members are reportedly on food stamps and many more are eligible for food stamps, Mr. President. We simply have higher priorities for defense spending and pork-barrel construction projects.

There are many stories that are illustrative of our need for spending on priority items, and this kind of earmarking is really harming the men and women in the military. Over the weekend, there was a story in the Washington Post about enlisted sailors who are stationed in San Diego who now live in Mexico. They have to drive to Mexico because there is not affordable housing or base housing for them in San Diego, yet, we will fund these projects that are on this list. At the same time, there are 11,787 service members who are on food stamps and thousands more eligible, and we will instead fund these kinds of projects.

Mr. President, it is not an admirable practice that we are seeing continued and even increase over the years. I intend very strongly to urge the President of the United States to exercise the line-item veto on some of these projects because there is no more compelling reason for the line-item veto than some of the projects that I have talked about today. I will be engaged in urging him to do so.

I yield the floor, but before I yield the floor, I would like to take a look at the amendment and any other amendments that will be proposed at this time on the bill. Mr. President, I yield the floor.

Mr. BURNS. Mr. President, in response to Senator MCCAIN, there are over 891,000 men and women in uniform who serve in one of the six Reserve organizations. They represent 38 percent of the total force.

For these Reserve forces, the President's budget request contained a total of $173 million—less than 2 percent of the total military construction bill allocated to the Reserve components.

More specifically, the National Guard military construction program supports over 474,673 soldiers and airmen in communities throughout the Nation. They constitute approximately 20 percent of our total Armed Forces and represent all 50 States and 4 territories.

The units and the missions of the Reserve components have changed significantly in the last 30 to 40 years. The mission and the equipment is much more complex and requires larger working bays and parking areas. The increased lethality and range of modern weapons restrict indirect firing ranges and training areas and creates new requirements necessary to ensure safety.

The Army Guard alone has more than 23,360 facilities, with a current plant replacement value of $17.3 billion. Over 50 percent of these facilities are inadequate by current Army criteria. There is a construction backlog of $2.3 billion, which as a direct impact on modernization and readiness.

The Pentagon requested only $45 million for the Army National Guard for military construction in the fiscal year 1998 budget. There are 367,000 soldiers in the Army National Guard—$45 million does not go very far in meeting their mission and quality of life requirements.

If the Congress did not act to provide additional military construction funding to the Reserve components each year, these forces would be severely handicapped as far as their ability to achieve full operational capability and their objective readiness level. Just because a project is for the Guard or Reserve does not mean it is not meritorious, it signifies that the Pentagon has decided to let the Congress foot the bill for building and maintaining the Reserve components' infrastructure.

The PRESIDING OFFICER. Under a previous agreement, the Senator from Arizona has 2 minutes, 15 seconds remaining.

Mr. MCCAIN. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator has yielded back his time.

Mr. BURNS addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana.

AMENDMENT NO. 946

Mr. BURNS. Mr. President, the amendment that is now under consideration has been cleared on the Democratic side, and I ask that it be accepted at this time.

The PRESIDING OFFICER. Is there further debate? If not, the question is on agreeing to amendment No. 946.

The amendment (No. 946) was agreed to.

Mr. BURNS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mrs. MURRAY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BURNS. Mr. President, I ask for third reading of the bill. Have the yeas and nays been ordered?

The PRESIDING OFFICER. The yeas and nays have not been requested on final passage.

Mr. BURNS. I 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. D'AMATO. I wonder if the Chairman of the Military Construction Subcommittee, Senator BURNS, would yield for a question.

Mr. BURNS. Certainly.

Mr. D'AMATO. I appreciate all that the chairman has done to accommodate the specific needs of military installations in New York. As you know, New York has been devastated by its losses from the last two BRAC rounds. However, the one positive effect of this paring down is that the remaining bases in New York are among the most efficient and effective in the world. That is why these military construction dollars are so important to New York State.

One military base of particular concern to both Senator MOYNIHAN and myself is Fort Drum in Watertown, NY. Fort Drum is home to the 10th Mountain Division. The mission of the 10th Mountain Division is to deploy rapidly anywhere in the world and be prepared to fight and win upon arrival.

The 10th Mountain Division stands ready to depart Fort Drum and conduct operations anywhere in the world with minimal notice. The cornerstone to Fort Drum's preparedness is its high state of mission readiness. This readiness is sustained through intensive training and the most up-to-date, modern facilities.

America continually asks our soldiers around the world to respond and they are always there for us. The 10th Mountain Division is the most frequently deployed division in the Army. It is only fair that Congress appropriate the necessary dollars to ensure that our troops remain the best in the world.

Fort Drum has requested two very important projects that would greatly enhance readiness on the base and contribute to the 10th Mountain Division's extremely high response time. The first is an aerial gunnery range, funded at $17.5 million in the House. The proposed range will be an adequately sized and properly configured aerial gunnery range for Army rotary wing and Air National Guard fixed wing joint mission requirements. The facility and range area will enable the Air National Guard and Fort Drum range division to employ operations under the joint air attack team concept [JAAT] as well as consolidate existing operations to the northeast side of Fort Drum property for safe operations. Currently, rotary wing and fixed wing operations are conducted on separate sites across the Fort Drum installation.

The second project is a military training and education center, funded at $6.9 million, to replace a number of widely scattered temporary 50-year old, inefficient and marginal World War II wood facilities.

The center would make a valuable contribution to improving quality of life for soldiers, dependents and civilians at Fort Drum. Without the center, the condition of aging facilities will become less able to support the function and eventually continuing education opportunities for the population of Fort Drum will be negatively impacted. Last year, the Senate included this project in its version of the fiscal year 1997 defense authorization bill.

I would hope that the House—Senate Conference Committee would include both of these important projects in the final conference report for fiscal year 1998.

Mr. MOYNIHAN. Mr. President, my friend and colleague, Senator D'AMATO, has clearly set out the reasons why Fort Drum needs these two projects. They are essential to the training and readiness we and the Army have come to expect from the 10th Mountain Division. It seems whenever there has been a deployment in recent years, the 10th has been part of it. I simply add my support and my hope that the gunnery range and the training and education center will be included when the Senator from Montana and his conferees reach an agreement on military construction projects.

Mr. BURNS. I can assure both Senators from New York that both projects will be given every due consideration when the conferees meet.

PROTECTING THE FUTURE OF PICATINNY ARSENAL

Mr. TORRICELLI. Mr. President, I rise today in strong support of the Fiscal Year 1998 military construction appropriations bill, and would like to take this opportunity to thank Chairman BURNS and Ranking Member MURRAY for all of their leadership and hard work on this legislation. I am especially pleased by two items which were included in this bill. First, the $1.3 million which will be spent on the design of a new software engineering center at Picatinny Arsenal in my home State of New Jersey, and second, language in the bill which urges the Army to place the construction of the center on its priority list for fiscal year 1999. I am hopeful that the Army will heed the advice of the Senate, and make this project a priority for next year.

Throughout our Nation's history, Picatinny Arsenal has provided our men and women with the high-technology weapons that have helped

achieve our military victories. Most recently, during Desert Storm our forces unleashed millions of M–77 submunitions on the Iraqi Army with devastating results. This grenade-like weapon uses a precision guidance system and a mini-computer to locate its target as it descends on a parachute-like device, before it attacks and destroys it. The Iraqis were so terrified of this weapons, that they dubbed it Steel Rain. I am proud to say that this weapon was developed by some of this Nation's finest scientists and engineers at Picatinny Arsenal.

As some of my colleagues may know, Picatinny Arsenal is home to the Army Armament Research, Development and Engineering Center [ARDEC]. Virtually every piece of weaponry and ammunition in the hands of our soldiers is developed at Picatinny. In fact, Picatinny is responsible for 90 percent of the Army's lethality.

Currently, the Fire Support Armaments Center [FSAC], which conducts the research, development, and engineering for weapons systems such as artillery, mortars, and the technology behind the fire control for the entire U.S. Army, has its functions dispersed at several facilities throughout the base. While our Armed Forces in general, and the Army in particular, have been subject to drastic downsizing in the post-cold-war era, the Fire Support Armaments Center workload has increased as our modern army relies increasingly on ''smart'' weapon technology. However, while the Center is responsible for a critical area of expertise in our national security plan, its economic and productive effectiveness is severely limited because its operations are dispersed throughout the base. This, combined with the limited space available, makes work on the larger vehicles like tanks and armored personnel carriers impossible in all but the best of weather conditions and makes coordination on the many different components of any given project nearly impossible.

To remedy this, a new software engineering center has been proposed which would consolidate many of the Arsenal's operations, thus allowing work on these vehicles to proceed year round and enhancing Picatinny's capability to test and upgrade ''smart'' weapons. The proposed Software Engineering Center would also provide the Army with the ability to upgrade-technologically existing weapons systems, respond rapidly to problems encountered in the field, and save the Pentagon money. The Army estimates that this consolidation will also save $5 million a year, allowing the project to pay for itself in 3 years. I am pleased by the Senate's support of the center, and look forward to working with the subcommittee and the Army to ensure that this state-of-the-art facility becomes a reality.

Mr. DOMENICI. Mr. President, the pending military construction appropriations bill provides $9.183 billion in new budget authority and $3.064 in new outlays for military construction and family housing programs for the Department of Defense for fiscal year 1998.

When outlays from prior-year budget authority and other completed actions are taken into account, the outlays for the 1998 program total $9.902 billion.

This legislation provides for construction by the Department of Defense for U.S. military facilities throughout the world, and it provides for family housing for the active forces of each of the U.S. military services. Accordingly, it provides for important readiness and quality of life programs for our service men and women.

The bill falls within the revised section 602(b) allocation for the Military Construction Subcommittee. I commend the distinguished subcommittee chairman, the Senator from Montana, for bringing this bill to the floor within the subcommittee's revised allocation.

The bill provides important increases over the President's request for 1998, and I urge the adoption of the conference report.

Mr. President, I ask unanimous consent that a table showing the relationship of the conference report to the subcommittee's section 602(b) allocation be printed in the RECORD.

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

H.R. 2016, MILITARY CONSTRUCTION APPROPRIATIONS, 1998

[Spending Totals—Senate-Reported Bill; fiscal year 1998, in millions of dollars]

Category	Defense	Non-defense	Crime	Mandatory	Total
Senate-reported bill:					
Budget authority	9,183	.....	.....	.....	9,183
Outlays	9,902	.....	.....	.....	9,902
Senate 602(b) allocation:					
Budget authority	9,183	.....	.....	.....	9,183
Outlays	9,920	.....	.....	.....	9,920
President's request:					
Budget authority	8,384	.....	.....	.....	8,384
Outlays	9,839	.....	.....	.....	9,839
House-passed bill:					
Budget authority	9,183	.....	.....	.....	9,183
Outlays	9,909	.....	.....	.....	9,909
SENATE-REPORTED BILL COMPARED TO					
Senate 602(b) allocation:					
Budget authority	.....	.....	.....	.....	.....
Outlays	(18)	.....	.....	.....	(18)
President's request:					
Budget authority	799	.....	.....	.....	799
Outlays	63	.....	.....	.....	63
House-passed bill:					
Budget authority	.....	.....	.....	.....	.....
Outlays	(7)	.....	.....	.....	(7)

Note: Details may not add to totals due to rounding. Totals adjusted for consistency with current scorekeeping conventions.

Mr. MCCONNELL. Mr. President, I rise today to discuss the military construction appropriation bill before us today. Senator BURNS and Senator MURRAY are to be congratulated on crafting a measure that adequately meets our military needs while at the same time addressing the pressing concerns of our soldiers.

Mr. President, at a time when our services are having difficulty meeting their recruiting goals and retention is suffering, it is more important than ever that the military address quality of life issues. Unfortunately, the administration has chosen to ignore the reality and not budget the appropriate resources for this goal.

The budget for all military construction contained in the Senate bill totals just over $9 billion, almost $800,000 above what the administration requested. As anyone who has visited some of our installations can tell you, this money is desperately needed.

I salute the work of Senators BURNS and MURRAY as well as their staffs. Their ability to prioritize within the declining budget is crucial to improving the everyday lives of our soldiers and their families. Mr. President, if we are going to continue to ask more from our military around the world, the very least we can do is to provide them with adequate housing and facilities. In addition, it should be pointed out that the committee worked with both the House and Senate authorizing committees and did not appropriate funds for any project that was not authorized.

I hope all of my colleagues will join me in supporting this excellent bill.

Mr. LAUTENBERG. Mr. President, I rise to express my strong support for several New Jersey projects included in the Senate's version of the fiscal year 1998 military construction appropriations, as well as several New Jersey projects included in the House version of this legislation. As a member of the Appropriations Committee, I hope all of these projects will be included in the final version of the bill.

I appreciate the willingness of the chairman and ranking member to include $1.3 million in design funding for a new software engineering facility at Picatinny Arsenal. This funding will allow the Picatinny to consolidate the design, development, testing, configuration control, field release and maintenance of weapon systems, simulators, and trainers. It will result in reduced cost for the Army and will improve efficiency in the software engineering process.

I also appreciate the willingness of the Senate subcommittee to provide funding for two important projects at McGuire Air Force Base. The Senate's bill includes $9.954 million for an air mobility operations group warehouse, which will increase the efficiency of the base's mobility operations. Additionally, it includes $35.217 million for an ambulatory health care center replacement. This new facility will house a full-service outpatient operation and provide adequate space for clinics, ambulatory surgery, ancillary services, storage, offices, and administration. It will improve the quality of care provided to our military personnel.

In addition, the House version of this bill provides $9.03 million for an ammunition supply point at Fort Dix, $8.8 million for a fire station at McGuire Air Force Base, $2.05 million for a fire station at Fort Monmouth, and $7.3 million to build 35 units of family housing at Picatinny Arsenal. These

are meritorious projects that deserve the support of the conferees. I hope the conferees to this bill will agree to include these projects to improve the quality of life and to support the missions at New Jersey's military installations in the final version of this legislation.

These projects are vital to New Jersey's defense infrastructure, and to those who work on these bases. I hope the chairman and ranking member will support these important New Jersey projects in the conference agreement to the fiscal year 1998 military construction bill.

The PRESIDING OFFICER. Under the previous order, the committee amendments are considered and agreed to en bloc.

The committee amendments were agreed to.

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 was read the third time.

The PRESIDING OFFICER. The Chair informs the Senator from Washington that she has 5 minutes, 29 seconds remaining on her time. Does she wish to use it or yield it back?

Mrs. MURRAY. I yield my time back.

Mr. BURNS. I yield my time back.

The PRESIDING OFFICER. The question is, Shall the bill, H.R. 2016, as amended, pass? The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 98, nays 2, as follows:

[Rollcall Vote No. 192 Leg.]

YEAS—98

Abraham	Faircloth	Lott
Akaka	Feingold	Lugar
Allard	Feinstein	Mack
Ashcroft	Ford	McConnell
Baucus	Frist	Mikulski
Bennett	Glenn	Moseley-Braun
Biden	Gorton	Moynihan
Bingaman	Graham	Murkowski
Bond	Gramm	Murray
Boxer	Grams	Nickles
Breaux	Grassley	Reed
Brownback	Gregg	Reid
Bryan	Hagel	Robb
Bumpers	Harkin	Roberts
Burns	Hatch	Rockefeller
Byrd	Helms	Roth
Campbell	Hollings	Santorum
Chafee	Hutchinson	Sarbanes
Cleland	Hutchison	Sessions
Coats	Inhofe	Shelby
Cochran	Inouye	Smith (NH)
Collins	Jeffords	Smith (OR)
Conrad	Johnson	Snowe
Coverdell	Kempthorne	Specter
Craig	Kennedy	Stevens
D'Amato	Kerrey	Thomas
Daschle	Kerry	Thompson
DeWine	Kohl	Thurmond
Dodd	Landrieu	Torricelli
Domenici	Lautenberg	Warner
Dorgan	Leahy	Wellstone
Durbin	Levin	Wyden
Enzi	Lieberman	

NAYS—2

Kyl	McCain

The bill (H.R. 2016), as amended, was passed.

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

Mrs. MURRAY. I move to lay it on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER (Mr. KEMPTHORNE). Under a previous order, the Senate insists on its amendments, requests a conference with the House, and the Chair appoints the following conferees.

The Presiding Officer appointed Mr. BURNS, Mrs. HUTCHISON, Mr. FAIRCLOTH, Mr. CRAIG, Mr. STEVENS, Mrs. MURRAY, Mr. REID, Mr. INOUYE, and Mr. BYRD, conferees on the part of the Senate.

Mr. BURNS. I thank Senator MURRAY's staff, Dick D'Amato, Emelie East, and also on my staff Sid Ashworth, Kelly Hartline, and Jennifer Chartrand. I also thank Ben McMakin and Mazie Mattson. It was a pleasure working with these folks. They did the majority of the work.

I yield the floor.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1998

The PRESIDING OFFICER. Under a previous order, the clerk will report Senate bill 1034, the VA–HUD appropriations bill.

The assistant legislative clerk read as follows:

A bill (S. 1034) making appropriations for the Department of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, commissions, corporations, and offices for fiscal year ending September 30, 1998, and for other purposes.

The Senate continued with the consideration of the bill.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. TORRICELLI. Thank you, Mr. President.

GOVERNMENTAL AFFAIRS COMMITTEE HEARINGS

Mr. TORRICELLI. Mr. President, with the first phase of the hearings of the Senate Governmental Affairs Committee into the abuses of the electoral process through campaign fundraising having just concluded, and the second phase about to begin, it is perhaps an appropriate time to reflect on those things that we have learned in these first few weeks and those questions that remain.

It is, I think, important to note that despite some incentive for partisanship, a tendency by the media to sometimes reach conclusions before the facts, and a persistent failure of some witnesses to cooperate, the committee has begun its work, I think, in the best traditions of the Senate. Democrats and Republicans are working together. We do have a common objective, and I think we are doing service to the institution.

These things, however, have already been learned. First, it is a result of insufficient management and poor decisionmaking and the continuing upward spiral of pressure to raise campaign funds, the Democratic National Committee made a series of bad decisions during the last election that clearly resulted in some violations of Federal law and were a disservice both to the President and the Democratic Party. Among these were the inadequacy of any process of checking the names or backgrounds of contributors or the sources of their funds. The good work of some members of the Democratic National Committee and its staff was compromised, unfortunately, by the addition of some inexperienced people who were not properly supervised or trained for their positions. John Huang was clearly among them, and it is now clear from testimony before the committee that there is a substantial chance that the result was a violation of Federal law.

Second, it is also becoming clear that the Chinese Government, the People's Republic of China, as a result or in reaction to the visit of President Li of Taiwan to the United States, planned and potentially embarked upon a plan to influence the 1996 Federal election. It is clear from the evidence provided to date that this plan targeted neither political party in particular, but probably both in general. It seems to have been primarily designed to influence the U.S. Congress. It is unclear to date the extent of those designs on the Presidential election. It is also clear that that plan involved both legal and potentially illegal means to accomplish its goal. The extent of its success, to what extent it was achieved, is not at this point known. The fact that it existed and there were any intentions implemented is disturbing enough to warrant the committee's investigation.

Third, it is established, I believe, at this point, to at least some degree of satisfaction, that the illegal activities that may have been embarked upon by John Huang or others to seek and receive foreign contributions or otherwise violate Federal Election Commission regulations and the laws of the United States with regard to fundraising were not either known or encouraged by senior personnel at the Democratic National Committee. Richard Sullivan, who was the direct superior of Mr. Huang, denied under oath that there was any plan by the Democratic National Committee to solicit Chinese or other foreign contributions. It is, however, clear Mr. Huang's activities were not sufficiently monitored or known as should have been the case in an organization of the importance of the Democratic National Committee.

Fourth, John Huang's own activities raise substantial suspicion. It is not enough for the committee to conclude that it was not properly supervised or to take any comfort in the fact that his superiors or other people in either

the White House or Democratic National Committee did not have knowledge of his efforts to raise foreign contributions. Nor is it enough to simply dismiss his activities as a poor judgment to hire him because he was inexperienced or unqualified to be vice chairman of finance of the Democratic National Committee.

His activities while at the Commerce Department in operating out of the Stevens Corp., where he both received and made telephone calls, received and sent faxes and perhaps, most suspiciously, received packages, raised continued questions. In the coming weeks, the committee will want to explore as to the nature of his activities, not simply while at the Democratic National Committee, but in the months preceding it while a Federal employee. The committee is also left with the unanswered question as to why he continued to receive briefings by the intelligence community and of what use he made of that information.

The committee is also left with questions regarding the alleged Chinese plan. While it is comforting that there is no evidence to date that policy was impacted, it is also not enough for us to rest in a comfort that it was bipartisan and not apparently solicited by either political party, based on information known to date. The question remains of whether policy was ever changed as a result of these contributions, whether the plan was actually fully implemented, and whether or not it continues. This naturally is a first priority of the committee and remains of overwhelming importance.

And questions, finally, remain with regard to John Huang. Of what use did he make of this information for corporate purposes of the Lippo Group or any other foreign interest? Were these questions both continuing before the committee and some of these preliminary issues answered?

The committee next turns its work to the National Policy Forum, its relationship with the Republican National Committee and its chairman, Haley Barbour. The committee in the coming days will receive testimony, I believe, that will indicate that Mr. Barbour, while chairman of the Republican National Committee, designed a plan, which was implemented with his participation, to solicit and eventually did receive foreign contributions in excess of $2 million, which helped, through a series of transactions, to fund the 1994 Republican campaign to take control of the U.S. Congress. Evidence will be presented that this was an active plan, fully implemented.

After a week of testimony, therefore, we will know the extent of involvement of the Democratic and Republican National Committees in these efforts to receive foreign contributions and their impact on the 1994 and 1996 elections.

With those two phases of the committee's work completed, what we will not have done is get any closer to the question of genuine and complete campaign finance reform. Several weeks have now passed since President Clinton's deadline was passed for the July 4, 1996, consideration of campaign finance reform. No campaign finance reform bill has been considered or released by any subcommittee of this Senate. No date has been set for the Senate to even begin discussion of any such genuine reform.

Indeed, there are some who would argue that the Governmental Affairs Committee deliberations are an excuse to wait until next year to even begin consideration of any campaign finance reform legislation. Using the deadline of the end of 1996 to begin consideration will assure that the 1998 Federal elections are conducted under the same campaign finance laws that bred the very problems now being discussed by the Governmental Affairs Committee. And it begs the question that, for all the important things that this Senate can learn from these hearings, all the unfortunate revelations the Senate is now experiencing, the tragic lessons the American people are now learning about this system, which Senator does not already know enough that we are raising too much money, spending too much money, and inviting both these abuses and violations of the law every day that we do not reform this system?

I know that there is a perception in our country that this failure to initiate campaign finance reform is a genuinely bipartisan problem. The American people can be forgiven for believing this because both parties have abused the system, and our hearings are resulting in learning that both the Democratic and Republican National Committees have not only violated the vested policy but clearly violated the law in this downward spiral of campaign fundraising.

It is, however, becoming less and less of a bipartisan issue when it comes to the question of reaching solutions. Last weekend, Jim Nicholson, the new chairman of the Republican National Committee, announced his opposition to banning soft money, his opposition to any limit on campaign expenditures, his opposition to controlling the costs of television. In essence, the Republican chairman of their national committee announced his opposition to any campaign finance reform.

Indeed, that mirrors our experience in the House and in the Senate. The overwhelming majority of the caucus of the Democratic Party in this Senate is prepared to vote for campaign finance reform now. It has been endorsed by our leadership. President Clinton has indicated that he would sign such legislation. Yet, only three members of the Republican caucus are prepared to even vote for campaign finance reform, and no committee chairman has been willing to bring it to consideration.

Mr. President, as our committee continues its work, we will continue to be saddened by revelations that both political parties have not challenged the best within us in raising funds for conducting these campaigns. Our only comfort is that the political leadership of this institution will at some point see the need to wait no longer and begin initiating real change. There is no room in this debate for anyone to take comfort in their actions to date.

Not only have the political committees of both parties not conducted themselves in our best traditions, not only have both possibly violated the laws, but other institutions have equal fault. While the media each day reminds us of the problems of campaign financing, the cost of television advertising continues to spiral upward. The overwhelming costs of these campaigns is a result of the rising cost of television. While every night the media rails against the system, complains against the abuses, their lobbyists roam the Halls of Congress fighting efforts to control the cost of television advertising.

So, in neither party, nor in the private institutions of the media, nor in the institutions of the political parties is there any reason for pride. Only this, that there are still people in this institution in both parties who continue the investigations, Members of the Senate who are prepared to vote to change the system, people not simply who have not succeeded in the system, but Members who have succeeded, who have raised the funds, conducted successful campaigns, but still recognize that even though individuals can succeed, it does not serve the national interests.

Mr. President, the first phase of our investigation by the Governmental Affairs Committee has now concluded. We begin two more important weeks of our work. I believe we are conducting ourselves, pursuing our objective as this Senate has commanded us to do. Much has been learned. There remains much to be done. I hope every Senator will continue to follow our work, but, mostly, join us in the commitment to change this system, find those who have abused it in the past, ensure that the law is enforced, and then give the American people a political system financed by means in which they can take real pride.

Mr. President, I yield the floor.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1998.

The Senate continued with the consideration of the bill.

Mr. BOND. Mr. President, I am very disappointed that we cannot stay on the bill. We have a number of Senators wishing to present amendments, so I am going to propose a unanimous-consent request. I would note that the discussions we just heard are most appropriately made in the Governmental Affairs Committee which is doing business at this time, and I am not going to answer some of what I think were partisan charges because those would best

be handled by members of the Governmental Affairs Committee. It is appropriate that we do the committee work and then move to the floor where we can have these full debates. Right now the measure before us is the VA-HUD appropriations bill, and there are serious amendments.

I now ask unanimous consent that the Senator from Minnesota be recognized to present two amendments; on the disposition of those amendments, the Senator from Colorado be recognized to offer an amendment.

Ms. MIKULSKI. Is the Senator from Colorado going to speak extensively on this amendment because the Senator from Florida had an amendment. You might recall, I say to the Senator, the Senator from Florida had spoken to us this morning.

Mr. BOND. Let me withdraw that unanimous-consent request. I ask the Senator from Colorado how long he needs on his amendment.

Mr. ALLARD. I thank the Senator from Missouri for yielding. I suspect we could move on my amendment in 10 minutes.

Mr. BOND. And the Senator from Minnesota would need?

Ms. MIKULSKI. The Senator from Minnesota I believe will be speaking for 45 minutes.

Mr. WELLSTONE. I say to my colleague, I think I can do the first amendment in about 5 minutes and I think I can do the second in about a half an hour.

Mr. BOND. All right. I ask unanimous consent that the Senator from Minnesota be recognized for 35 minutes to present two amendments. Following those amendments, which at this point I do not believe will necessitate a rollcall vote, then I would ask that the Senator from Colorado be recognized for 10 minutes. I do not believe there will be a rollcall vote.

Mr. ALLARD. I am not going to ask for a rollcall.

Mr. BOND. And following that I would ask that the Senator from Florida be recognized, for what length of time?

Mr. GRAHAM. Mr. President, I would only ask for 2 minutes equally divided. I have a sense of the Senate which I believe has been agreed to, and I am not going to ask for a recorded vote on that sense of the Senate.

Mr. BOND. Mr. President, might I amend that unanimous-consent request to ask that, if the Senators would not mind, we do the 2 minutes equally divided for the Senator from Florida.

Mr. WELLSTONE. Mr. President, I would say, of course not, and moreover I would say to my colleague from Colorado, since I am going to be taking close to 40 or 35 minutes, if he would like to go second since he only has 10 minutes, I will follow my colleagues.

Ms. MIKULSKI. In other words, the Senator from Minnesota yields to the Senator from Florida and then the Senator from Colorado.

I must say we really do thank the Senator from Minnesota for his cooperation in advocating veterans and advocating us finishing the bill.

Does the Senator want to withdraw his unanimous-consent request?

Mr. BOND. I will withdraw the unanimous consent.

Ms. MIKULSKI. Start over.

Mr. BOND. I ask that the Senator from Florida be recognized for——

Mr. GRAHAM. Two minutes equally divided.

Mr. BOND. Two minutes equally divided, followed by the Senator from Colorado to be recognized for 10 minutes, followed by the Senator from Minnesota for 40 minutes.

Mr. ALLARD. I thank my colleague.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. GRAHAM. Mr. President, I ask unanimous consent that a fellow in our office, Mary O'Brien, be given floor privileges for the pendency of this sense of the Senate.

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

Mr. GRAHAM. I thank the Chair.

AMENDMENT NO. 948

(Purpose: To express the sense of the Senate that Congress should consider legislation concerning catastrophic natural disasters)

Mr. GRAHAM.

Mr. President, I rise today to offer a simple, straightforward sense-of-the-Senate resolution regarding natural disasters.

The rising cost of natural disasters is a ticking time bomb that we, in Congress, are doing little to address. Since 1989 the cost to taxpayers has been nearly $40 billion.

Just this past weekend Hurricane Danny hit portions of Alabama, Mississippi, Louisiana, and my State of Florida. Although Hurricane Danny was a relatively small storm, just imagine if Hurricane Danny had been of the magnitude of a Hurricane Hugo or Andrew. The damages would be exponentially larger.

Hurricane Danny serves as a stark reminder of the ticking time bomb. We should keep in mind that we are only very early in what is expected to be an extremely active hurricane season. The time to act is sooner rather than later.

My resolution would state that it is the sense of the Senate that Congress consider legislation to deal with the rising cost of natural disaster head on—before another megadisaster occurs.

What will it take for Congress to focus on this ticking time bomb? Another Northridge earthquake that comes with a sticker price of $8.6 billion? Another Hurricane Andrew or Hugo to cost the Federal Government $6.2 and $3 billion, respectively?

Helping our Nation better prepare for natural disasters will require Federal, State, and local efforts as well as initiatives from the private sector. My resolution states that Congress should consider Federal legislation embracing the following principles:

First, people living in areas that are prone to natural disasters should assume a practical level of responsibility by acquiring private property insurance.

The problem is that in some areas, especially in my home State of Florida, it is very difficult for individuals to get adequate private property insurance. This leads us to the second principle.

Second, the insurance industry, in partnership with the Federal Government, should develop a new mechanism to spread the risk of natural disasters minimizing the cost of these disasters for the Federal Government. The goal of spreading the risk is to make private insurance available and affordable for everyone.

Third, a partnership should be forged between the private sector and governments at all levels to encourage better disaster preparedness and response.

No one is expecting to find a magic solution to natural disasters. The National Weather Service cannot play like the FBI's bomb squad and snip a few strategically placed wires to disarm future hurricanes. Nor can the National Science Foundation invent a way to stop the movement of tectonic plates and ensure that there will be no more earthquakes. But the Federal Government can at least begin discussing creative ways to assist States in preparing for and responding to natural disasters.

That is the intent of my resolution—to begin the discussion. We cannot continue to fund natural disaster after the fact.

We must take steps to make sure that every person in disaster prone areas has available, affordable property and casualty insurance.

We must work with the private sector to find creative ways of shifting the responsibility for the risk of disasters to the private sector and reduce the cost to the Federal Government.

We must encourage States to better prepare themselves for disasters and to have a clear game plan to respond when hit by a natural catastrophe.

In the next few days I will circulate a letter that I encourage all my colleagues to join me in signing. The letter will be sent to the U.S. Department of the Treasury asking for their assistance and guidance in developing such an initiative.

Mr. President, our Nation has been beset by an unusual series of natural disasters, some of which have occurred as recently as the past few days in Mississippi, Alabama, and my State of Florida and others earlier this year in the upper Midwest. This sense of the Senate asks that the Senate at an appropriate future time consider legislation that embodies the following principles: That persons who live in areas of risk of natural disaster should assume a practical level of personal responsibility for the risks through private insurance; second, that the insurance industry in partnership with the Federal Government and other private sector entities should establish new

mechanisms for spreading the risks of catastrophes that minimize the involvement and liability of the Federal Government; and third, a partnership should be formed between the private sector and Government at all levels to encourage better disaster preparation and respond quickly to the fiscal and financial impacts of catastrophic natural disasters.

Mr. President, the purpose of this sense of the Senate is to encourage those entities that have been working over the last 2 years to try to embody these principles into legislation that could be presented to the Congress, that in light of what has recently occurred they redouble their efforts to present to the Nation an appropriate partnership framework that would both mitigate and respond to natural disasters.

Mr. President, I send to the desk the sense-of-the-Senate resolution.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Florida [Mr. GRAHAM] proposes an amendment numbered 948.

Mr. GRAHAM. 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 85, between lines 18 and 19, insert the following:

SEC. 423. SENSE OF THE SENATE CONCERNING CATASTROPHIC NATURAL DISASTERS.

(a) FINDINGS.—The Senate finds that—

(1) catastrophic natural disasters are occurring with great frequency, a trend that is likely to continue for several decades according to prominent scientists:

(2) estimated damage to homes, buildings, and other structures from catastrophic natural disasters has totaled well over $100,000,000,000 during the last decade, not including the indirect costs of the disasters such as lost productivity and economic decline;

(3) the lack of adequate planning for catastrophic natural disasters, coupled with inadequate private insurance, has led to increasing reliance on the Federal Government to provide disaster relief, including the appropriation of $40,000,000,000 in supplemental funding since 1989;

(4) in the foreseeable future, a strong likelihood exists that the United States will experience a megacatastrophe, the impact of which would cause widespread economic disruption for homeowners and businesses and enormous cost to the Federal Government; and

(5) the Federal Government has failed to anticipate catastrophic natural disasters and take comprehensive action to reduce their impact.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that Congress should consider legislation that embodies the following principles:

(1) Persons who live in areas at risk of natural disaster should assume a practical level of personal responsibility for the risks through private insurance.

(2) The insurance industry, in partnership with the Federal Government and other private sector entities, should establish new mechanisms for the spreading of the risk of catastrophes that minimize the involvement and liability of the Federal Government.

(3) A partnership should be formed between the private sector and government at all levels to encourage better disaster preparation and respond quickly to the physical and financial impacts of catastrophic natural disasters.

The PRESIDING OFFICER. Is there further debate on amendment No. 948 offered by the Senator from Florida?

Mr. BOND. No objection.

Ms. MIKULSKI. No objection.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 948.

The amendment (No. 948) was agreed to.

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

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

The motion to lay on the table was agreed to.

Mr. GRAHAM. Mr. President, I wish to extend my appreciation to the managers of the bill and to my colleagues for allowing expedited consideration of this matter.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. ALLARD. I thank the Chair.

We do not have a pending amendment in the Chamber, do we?

Ms. MIKULSKI. Mr. President, actually, I believe we do, which is the Bumpers amendment. So I ask unanimous consent that the Bumpers amendment be laid aside until the conclusion of the debate on the Wellstone amendments, and at such time as we take up the ongoing debate on the Bumpers amendment on the space station.

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

AMENDMENT NO. 947

(Purpose: To make an amendment relating to the use of public housing operating funds to provide tenant-based assistance)

Mr. ALLARD. I thank the Chair. I have an amendment at the desk numbered 947. I request that it be reported.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Colorado [Mr. ALLARD] proposes an amendment numbered 947.

Mr. ALLARD. 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 21, line 16, insert before the period at the end the following: ": *Provided further*, That of the total amount made available under this heading, $290,000,000 shall be made available for tenant-based assistance in accordance with section 8 of the United States Housing Act of 1937".

Mr. ALLARD. I thank the Chair.

Mr. President, today I file an amendment to provide for more public housing vouchers.

The original intent of the Federal housing assistance program was to provide temporary housing to poor individuals and families. Since its inception, the Federal housing program has grown to become a $25 billion entity.

In my view, the section 8 voucher program is the best means for low-income families to find secure, affordable rental housing. The section 8 certificate or voucher program first began in 1974 and has grown to serve over 1.5 million low-income families today. These families are empowered with the choice of where they want to live and are given the freedom to determine what surroundings they desire. Section 8 housing is the preferable means of providing affordable housing to low-income individuals. Vouchers enjoy wide support including past Republican and Democrat administrations alike. In fact, the current Secretary of HUD, Secretary Andrew Cuomo, supports an expanded voucher program.

Vouchers are very popular, which is demonstrated by the 1.5 million families who are currently using vouchers or certificates. Vouchers empower individuals and promote competition within the public housing authority and within the community, thereby lowering costs and improving conditions for the residents. Vouchers or other alternatives can be less expensive than the current public housing program. They can save the Government money and improve conditions for the tenants.

Studies have indicated that project-based housing assistance costs more on average than the voucher housing program for each family that is assisted. In fact, the findings of the June 1995 GAO report indicated that the cost of housing vouchers is 10 percent less than the cost of public housing. This study clearly demonstrated that on a national average, the section 8 tenant-based housing is cheaper than the public-unit housing program. In fact, one can say that the savings from the movement to vouchers could lead to an annual savings of $640 million per year and could be applied to over 100,000 low-income families for housing assistance.

I am a member of the Housing Subcommittee which is currently putting the final touches on authorization language for a new public housing bill. I have proposed that this approach be included in that bill. Under my proposal, 10 percent of public housing operating funds that are distributed to each public housing authority would be made available for those who want vouchers. Nothing would be required or mandated. It is simply a choice given to the resident. In fact, we make clear that any unexpended amounts set aside for vouchers would be used by the public housing authorities for normal operating funds.

Quite frankly, I really do not know how anyone could oppose this provision unless they are just opposed to giving people a choice and an opportunity. The language that I have proposed in committee also would establish a preference for crime victims. It states that a voucher would be made available to

any resident of public housing who is the victim of a crime of violence that has been reported to law enforcement. People should have the option of vouchers when their housing is unsafe.

My objective here today is to alert the appropriators to my interest in this matter and in my strong belief that we should increase the pace at which we move ahead with the conversion of housing from the old central planning and concentrated public housing model to one of choice and opportunities through vouchers.

My view is that, whenever practical, programs should be properly authorized before funds are appropriated. Therefore, I am not going to push forward here today on this issue. I will continue my work on the authorizing committee to get this choice added to the law and my efforts will be devoted to getting this done in the next several months through the public housing reform bill.

I thank you, Mr. President, and I now withdraw my amendment.

Mr. BOND. Mr. President, let me express my appreciation to— I ask unanimous consent that I may proceed for 2 minutes.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I thank the Senator from Colorado for withdrawing the amendment. He has described some of the very difficult challenges which face both this committee and the housing subcommittee. We have a difficulty of ensuring that those people who are in public housing and do not have an option or some place to go with a section 8 certificate do not have their services cut. So we have people who are in significant numbers in public housing. We have to care for them as we look for better ways. We have worked on public housing reform and look forward to working with the Senator from Colorado on these reforms and other measures. I thank him for raising the question with us.

Mr. ALLARD. If the Senator will yield, I thank the chairman for his efforts. I know he has a tough job, and I respect his responsibilities in that regard.

Mr. BOND. I thank the Senator.

Ms. MIKULSKI. Mr. President, first of all, I thank the Senator from Colorado for not pressing for a vote on this amendment, how to use the taxpayer's dollar to really create not only opportunity in public housing but also how we can end the cycle of poverty, the culture of poverty, and for public housing to be a way to a better life. I am glad the authorizers are going to consider the bill. I look forward to listening to the recommendations. I know the senior Senator from Maryland is the ranking member and we will have many spirited discussions. So how best to provide for the poor, particularly also the working poor, is, indeed, a great challenge. We do not want to repeat mistakes in the future, but we also do not want to create new mistakes in the future. So the authorizing bill is a great way to do it.

I thank the Senator from Colorado for his spirited advocacy and also for withdrawing the amendment. I yield the floor.

The amendment (No. 947) was withdrawn.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

AMENDMENT NO. 949

(Purpose: To state the sense of the Senate regarding the appropriations for discretionary activities of the Department of Veterans Affairs in fiscal years 1999 through 2002)

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

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Minnesota [Mr. WELLSTONE], for himself and Ms. MIKULSKI, proposes an amendment numbered 949.

Mr. WELLSTONE. 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 85, between lines 18 and 19, insert the following:

SEC. 423. it is the sense of the Senate that Congress should appropriate for the Department of Veterans Affairs for discretionary activities in each of fiscal years 1999 through 2002 an amount equal to the amount required by the Department in such fiscal year for such activities.

Mr. WELLSTONE. Mr. President, I offer this amendment on behalf of myself and Senator MIKULSKI.

First of all, I rise on the floor of the Senate to commend the Senate Appropriations Subcommittee on VA–HUD and Independent Agencies for restoring $273 million in cuts in veterans discretionary programs, and to include health care for fiscal year 1998.

Above and beyond this, let me also commend the committee for adding an additional $92.9 million above the President's budget request. This is a victory for veterans and their families, and it is a step in the right direction.

We have been fighting to restore these cuts for 1998. When we first found out that in the budget resolution there were proposed cuts over the next 5 years, we held a forum out in Minnesota and, really, the veterans community was unanimous in denouncing these cuts. We circulated a letter, signed by colleagues, to the appropriations subcommittee. We have some appropriators here who are clearly strong advocates for veterans, and I thank them.

We offered an amendment to the DOD authorization to transfer excess funding from the Pentagon to VA health care. We did not win on that amendment, but I thank the PVA, Paralyzed Veterans of America, the DAV, Disabled Veterans of America, and, in addition, I would also like to thank the Vietnam Veterans of America for their support.

Now, what we have in this appropriations bill is a restoration of the $273 million, and adding another $92 million. That is good news for veterans and their families. Again, I commend my colleagues, and I thank DAV and PVA and Vietnam Vets and the other organizations for helping me and helping other Senators in restoring this funding.

However, I remain deeply concerned about cuts in funding for veterans discretionary programs, health care programs, in the outyears, 1999 through 2002, which were agreed to in the bipartisan budget deal. So what this amendment essentially says to veterans is: Don't worry, because we go on record that your health care will be secure going into the next century.

This amendment is a sense-of-the-Senate amendment which says that the Senate ensures its promises for veterans. It promises veterans that over the next 4 years, 1999 to 2002, the veterans' medical system will receive the resources it requires—I put that in bold letters—to deliver quality health care to our Nation's veterans. As I think about this budget deal, if we do not at least have a sense-of-the-Senate amendment, then we are talking about, in the outyears, cuts of about $2 billion from the President's request; or, another way of looking at it, it would be close to $3 billion from 1997 funding levels.

It is wrong. We know it. This amendment I have introduced for myself and Senator MIKULSKI puts the Senate on record as saying these cuts are wrong and making it clear we go on record that we will provide the VA health care system with the resources it needs to provide as good care as possible—quality care, we hope and pray—for veterans, going into the 21st century.

THE PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendment by the Senator from Minnesota.

The amendment (No. 949) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 950

Mr. WELLSTONE. Mr. President, I am now about to send to the desk a second amendment, which really has two provisions. The first is that within 30 days after enactment of this act, we get a CBO study that would provide to the Senate Committee on Veterans' Affairs and the Senate Appropriations Committee an estimate of the cost of the provision in this amendment. The second part is that not later than 60 days after enactment of this bill, the Senate Committee on Veterans' Affairs shall hold one or more hearings to consider legislation that would add the following diseases, which would now be presumptive, from the point of view of coverage: lung cancer, bone cancer,

skin cancer, colon cancer, kidney cancer, posterior subcapsular cataracts, nonmalignant thyroid nodular disease, ovarian cancer, parathyroid adenoma, tumors of the brain and central nervous system, and rectal cancer.

I send this amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Minnesota [Mr. WELLSTONE] proposes an amendment numbered 950.

Mr. WELLSTONE. 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, insert the following:

(A) Not later than 60 days after enactment of this act, the Senate Committee on Veterans' Affairs shall hold hearings to consider legislation which would add the following diseases at the end of Section 1112(c)(2) of title 38, United States Code.

Lung cancer, bone cancer, skin cancer, colon cancer, kidney cancer, posterior subcapsular cataracts, non-malignant thyroid nodular disease, ovarian cancer, parathyroid adenoma, tumors of the brain and central nervous system, and rectal cancer.

(B) No later than 30 days after enactment of this act, the Congressional Budget Office shall provide to the Senate Committee on Veterans' Affairs and the Senate Appropriations Committee an estimate of the cost of the provision contained in (A).

Mr. WELLSTONE. Mr. President, today I am offering an amendment that will aid atomic veterans—veterans who were exposed to ionizing radiation while serving on active duty. Atomic veterans who may well be America's most neglected veterans. They have been seeking justice for as long as 50 years and I am determined to help them, and I think my colleagues are determined to help them.

Mr. President, I want to dedicate this amendment to the brave and patriotic Minnesotans who served in the U.S. Army's 216th Chemical Service Company, participating in Operation Tumbler Snapper—a series of eight nuclear weapons tests that took place in the Nevada desert in 1952. In particular, I want to pay tribute to two former members of the Forgotten 216th, Smoky Parrish and Gene Toronto, patriotic Americans who have been my mentors and have fought hard to fair and just treatment for all atomic veterans.

I want to say to them and their families and to other families's of atomic veterans that I will do all in my power as a U.S. Senator to ensure the Forgotten 216th and other veterans like them are never forgotten again.

Before I discuss the substance of my amendment I would like to tell my colleagues more about the Forgotten 216th because their problems typify the problems of atomic veterans nationwide. When they participated in Operation Tumbler Snapper, they believed their Government's assurances that it would protect them against any harm, but have since become convinced they were used as guinea pigs without any concern for their safety. My colleague from Maryland said to me earlier, and I hope it's OK to repeat this, in a sense it was like the Tuskegee experiment.

Immediately after a nuclear bomb blast, many were sent to measure fallout at or near ground zero, exposing them to so much radiation that their Geiger counters went off the scale while they inhaled and ingested radioactive particles. Members of the 216th were given minimal protection, sometimes even lacking film badges to measure radiation exposure and provided with no information on the perils they faced. Furthermore, they were sworn to secrecy about their participation in nuclear tests, sometimes denied access to their own service medical records, and provided no medical followup to ensure they'd suffered no ill effects as a result of their exposure to radiation. This happened in our country. Sadly, many members of the 216th have already died, often of cancer. Is it any wonder that these men now refer to themselves as the Forgotten 216th?

Mr. President, my amendment is intended to address some of the recommendations of the ''Final Report of the President's Advisory Committee on Human Radiation Experiments'' issued in October 1995. I had an opportunity to testify before this committee about the atomic vets.

The report's recommendations mirrored the concerns atomic veterans have had for many years: the list of presumptive diseases contained in law is incomplete and inadequate; the standard of proof for those without presumptive disease is impossible to meet; and these statutes are limited and inequitable in their coverage.

The VA now maintains two lists of radiogenic diseases, a presumptive list established under Public Law 101–321 as amended by Public Law 102–578 and now consisting of 15 radiogenic diseases, and a nonpresmuptive list established under Public Law 98–542 which includes 11 diseases not on the presumptive list. My amendment would add these 11 diseases to the presumptive list, would result in the elimination of the nonpresumptive list, and the creation of a single presumptive list of radiogenic diseases. The radiogeneic diseases that would be added to the presumptive list are: lung cancer, bone cancer, skin cancer, colon cancer, kidney cancer, posterior subcapsular cataracts, non-malignant thyroid nodular disease, ovarian cancer, parathyroid adenoma, tumors of the brain and central nervous system, and rectal cancer. These veterans were exposed to this radiation. They went to ground zero. They were put in harm's way by our Government. They were never told that anything terrible would happen to them. But so many of them have had cancer, so many of their children and grandchildren have been born with a variety of different disorders and problems, the least we can do, the least we can do is make sure that they receive good care and adequate compensation.

Why the need for these changes? To begin with veterans must jump through hoops to demonstrate they are eligible for compensation for nonpresumptive diseases and, after they have done so the chances that the VA will approve their claims are minuscule.

Mr. President, to illustrate what I mean, permit me to cite some VA statistics. As of April 1, 1996, out of the hundreds of thousands of atomic veterans there have been a total of 18,515 radiation claim cases, with service-connection granted in 1,886 cases. According to VA statistics current as of December 1, 1995, only 463 involve the granting of presumptive service-connection. Thus, if we were to exclude the 463 veterans who were granted presumptive service-connection, atomic veterans had an incredibly low claims approval rate of less than 8 percent. Moreover, of this low percentage, an indeterminate percentage may have had their claims granted for diseases unrelated to radiation exposure.

Why the abysmally low percentage of claims approvals? One key reason is that VA regulations are overly stringent for service-connection for nonpresumptive radiogenic diseases. Dose requirements pose a particularly difficult, if not insuperable hurdle. While it is almost impossible to come up with accurate dose reconstructions because decades have elapsed since the nuclear detonations and adequate records don't exist, veterans are frequently denied compensation because their radiation exposure levels are allegedly too low. In this connection, let me quote from the findings of the President's Advisory Committee on Human Radiation Experiments: ''The Government did not create or maintain adequate records regarding the exposure of all participants in [nuclear weapons tests and] the identify and test locales of all participants.'' This finding obviously calls into question the capability of the Government to come up with accurate dose reconstructions on which approval of claims for VA compensation for atomic veterans frequently depend. My amendment essentially says two things. First of all, what we are saying now is that we call on CBO to do this study and provide us with an estimate of the costs of this provision, and that is done within 30 days. And then, not later than 60 days after enactment of this act, the Senate Committee on Veterans' Affairs is to hold one or more hearings to consider this legislation.

Mr. President, my amendment will ensure that the VA fulfills its responsibility to give atomic veterans the benefit of the doubt in considering their claims for compensation. This is especially important because after more than 50 years there is still much about the effects of low-level radiation that is the subject of scientific controversy.

As a member of the Veterans' Affairs Committee, I've fought hard to enable Persian Gulf veterans to receive compensation for diseases that may be linked to their service in the Persian Gulf, at least until scientists reach a definitive conclusion about the etiology of their illnesses. I've also strongly and consistently supported former Secretary Jesse Brown's efforts to ensure that Vietnam veterans are compensated for disabilities linked to their exposure to agent orange, even though science is still unable to determine the extent of their exposure. There is no question in my mind that both Persian Gulf and Vietnam veterans deserve such compensation. At the same time, I believe that the U.S. Government must give atomic veterans the same benefit of the doubt. Unfortunately, right now, this is not the case.

Let me give one example of the discriminatory treatment of atomic veterans concerns, and that is the VA's 1993 decision to grant VA benefits based on presumptive service connection to veterans exposed to agent orange who have contracted lung cancer, a decision which I fully back, but for atomic veterans, the VA still treats lung cancer as a nonpresumptive illness.

Mr. President, I say to my colleagues, we know what happened to them. They went to ground zero. They had no protective gear. They were exposed to this radiation. Why in the world has it taken us so long—they are still waiting after 40 and 45 years —to make sure they get the care they deserve and make sure they get the compensation they deserve?

Mr. President, we just have to do better. Let me reiterate, I fully supported the decision of the Secretary of Veterans' Affairs to recommend to the President that lung cancer be treated presumptively as a service-connected condition for agent orange. I wish Secretary Jesse Brown was still with us. He probably was my best friend in the administration, in Government. He was a strong advocate for veterans. I am simply pointing out that we are not giving the atomic veterans the same treatment, and it is patently unfair.

Since January 1994, I have had a lot of meetings with members of the Forgotten 216th. I have met with their families. I met with their children. I met with their grandchildren. Let me just be very honest about this. Many of them are up there in age now. They are elderly. They may not have that many more years to live. But it is incredible to me that we have let this shameful episode in the history of our country go on by never fully acknowledging what we did to them and never providing these veterans and their families with the compassion and care that they deserve.

I don't think it is too strong for me to say that our Government lied to them. I don't think it is unfair for me to say that for 45 years, or thereabouts, we still have not given them a fair shake. Justice delayed is justice denied. The atomic veterans are not the strongest veterans organization in our country. They don't have that much clout. Many of my friends who were atomic veterans right now have cancer. Many of them are not in good health. Many of them have already died.

They are not, in short, a strong lobby. But, Mr. President, I am telling you, I had a chance to talk to some of the atomic vets before coming out on the floor of the Senate. I had a chance to talk with my colleague from Maryland, and she really helped me with this amendment. She said to me, ''Senator WELLSTONE, if you think about it in steps, it makes more sense. First, we get the CBO study, and we make it clear we want that study, we want to know what it costs, so we are not just putting veterans in parentheses, out of sight out of mind. And then have some closure and make it clear that within 60 days the Committee on Veterans' Affairs will hold hearings and consider legislation that moves this forward.''

For some colleagues, and in a way for myself because I am always so impatient, who say, ''Well, but it doesn't guarantee the result,'' that is true, but these atomic veterans have been so out of sight and so out of mind for so long that I really think this would be a really good, positive step that the U.S. Senate would be taking.

I don't know whether there will be opposition or not to the amendment. I hope there will be strong support for it. I really think this is the right thing to do. I am convinced that if every single Senator on the floor of the Senate, Republican and Democrat alike, had full knowledge of this history and full knowledge of what these veterans have gone through and full knowledge of the terrible illnesses in their families—it is really awful. This amendment doesn't even cover, I say to my colleague from Maryland, some of the pattern of disabilities and illnesses of children and grandchildren, which is frightening to me.

I just don't know, I am not prepared to say what has happened genetically within families. I don't know. I am not a doctor, and I am sure there is probably disagreement about it. But what there shouldn't be disagreement about is that these veterans deserve better. These atomic veterans are veterans. These atomic veterans deserve better from our Government, they deserve better from our country, and it is time that we take action that would be a first major step toward providing them with the compensation and care which they truly deserve.

I yield the floor.

Mr. BOND addressed the Chair.

The PRESIDING OFFICER (Mr. SANTORUM). The Senator from Pennsylvania.

Mr. BOND. Mr. President, I thank our distinguished colleague from Minnesota for bringing the plight of this group of veterans before us. He has made a very compelling case for the difficulties they have faced.

I believe that the approach he has worked out with the ranking member is a responsible approach. The version I have before me directs the CBO to present the study to the Committee on Veterans Affairs within 30 days and directs the Committee on Veterans Affairs to hold hearings within 60 days. I think that is an appropriate means of moving forward on this issue.

I thank him for bringing it to our attention, and we have no objection to accepting the amendment on this side.

Ms. MIKULSKI addressed the Chair.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, what a moving story, what a moving story to hear about the Forgotten 216th. I am sure that this has been a considerable heartbreak for every member of that unit who went to ground zero. I am sure they went with good faith in themselves and in their Government, and yet over the last 45 years, they have endured terrible blows from their Government—one, the blow of exposing them to intense radiation with no protective gear; the second, that for 45 years, the very validity of their concerns about what happened to them and their need for medical treatment were, again, rejected by their U.S. Government.

I thank the Senator for this type of amendment, because I will tell you today, I didn't want to, because of a budget situation, have to vote to reject them one more time. I think just as you have heard now from the chairman of the committee, we are going to take your amendment. We like your amendment, and I will tell you why we like your amendment. One, we are going to get to the facts about what this will cost, because too often, as the Senator from Minnesota knows, compelling human need gets all entangled over cost. This way we will know the cost. But then by asking the Veterans Affairs Committee to hold hearings within 60 days, it is a bit of a hammer, if you will, to ensure that there will be, as in our democracy, a public hearing on this.

I say to my colleague from Minnesota that it has been my observation in 20 years—10 in the House and now over 10 in the Senate—that the VA, when it came to compensation for what our veterans were exposed to, never acted on their own. They only acted because Congress pushed for the facts.

I thank the Senator from Minnesota for pushing for the facts in terms of this situation, the facts on cost, the facts on what happened to them, and the facts on the consequences to these veterans and how we need to address them.

I say to my colleagues in the VA, not the committee, but in the Veterans' Administration, if you are listening to the debate, don't see this as a problem; see this as an opportunity, because here we can have one of the most unique longitudinal studies of what happened to men who were fit for duty

when they walked at ground zero, and then what were their health consequences to both themselves and to their beloved wives, as well as to their children and their grandchildren.

What a unique opportunity for both veterans, the Centers for Disease Control, and even NIH to welcome these men, to embrace these men as we try to redress the grievance that happened to them, and the lessons learned so that we then know what radiation did to people and offer insights that could help other people who have been exposed to radiation. So I thank the Senator for his amendment. I thank the Senator for his advocacy in this area. I look forward to accepting the amendment, and I look forward to hearing the CBO and the VA Committee's report.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I thank both my colleagues. I think 30 days CBO and in 60 days Veterans' Committee hearings in considering legislation moves us forward in a significant way. I thank both of my colleagues for their support. I thank the Senator from Maryland especially for some of her assistance in working on this amendment. I hope both my colleagues will please help us keep this in conference. I don't want this to be one of those things that it happens on the floor and then, goodbye, it is gone. I don't want to do that to these veterans. I think we will have strong support from both of our colleagues.

Mr. President, I yield back my time.

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

The amendment (No. 950) was agreed to.

Mr. BOND. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Ms. MIKULSKI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BOND addressed the Chair.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I thank my colleague from Minnesota, who completed his amendments more quickly than we thought. We have colleagues coming to the floor who are sequenced to follow the Senator from Minnesota. Since Senator BUMPERS has not yet reached the floor, I ask unanimous consent that Senator MIKULSKI be recognized to offer an amendment on her behalf and mine and on behalf of the minority leader. I think that amendment should take less than 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Maryland.

AMENDMENT NO. 951

Ms. MIKULSKI. Mr. President, I rise to offer an amendment on behalf of myself and Senator DASCHLE. I send the amendment to the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Maryland [Ms. MIKULSKI], for herself, Mr. DASCHLE, and Mr. BOND, proposes an amendment numbered 951.

Ms. MIKULSKI. 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:

On page 16, line 21, strike ''$10,693,000,000'' and insert in lieu thereof ''$10,653,000,000.''

On page 17, line 7, strike ''$1,150,000,000'' and insert in lieu thereof ''$1,110,000,000.''

On page 33, after line 23, insert the following new heading:

''EMPOWERMENT ZONES AND ENTERPRISE COMMUNITIES

''For grants to Empowerment Zones and Enterprise Communities, to be designated by the Secretary of Housing and Urban Development, to continue efforts to stimulate economic opportunity in America's distressed communities, $25,000,000, to remain available until expended.''

On page 53 line 22, strike ''$400,500,000'' and insert in lieu thereof ''$420,500,000.''

On page 55, line 14, insert after the colon the following: '': Provided further, That $20,000,000 shall be available for the America Reads Initiative.''

On page 67, line 9, strike ''$202,146,000'' and insert in lieu thereof ''$207,146,000.''

On page 67, line 9, insert the following before the period: '': Provided further, That for purposes of pre-disaster mitigation pursuant to 42 U.S.C. 5131 (b) and (c) and 42 U.S.C. 5196 (e) and (i), $5,000,000 of the funds made available under this heading shall be available until expended for project grants for State and local governments.''

On page 72, line 1, strike ''$2,513,200,000'' and insert in lieu thereof ''$2,503,200,000.''

Ms. MIKULSKI. Mr. President, I wish to bring to my colleagues' attention that this amendment is Mikulski-Daschle-Bond amendment. It is being offered in concurrence with the chairman of the committee.

What this does is provide funding for empowerment zones, the ''America Reads'' initiative and FEMA disaster mitigation.

I want to note that the money that we provide is indeed a modest fund, but it, indeed, enables us to state that these are three priorities we wanted to consider in the appropriations, that we would have normally had a larger funding had the budget agreement not given us such a skimpy allocation.

What does this amendment do?

It provides $25 million to HUD for a new round of empowerment zones and enterprise communities.

It also provides $20 million for the America Reads initiative at the Corporation for National Service.

And it provides $5 million for FEMA's predisaster mitigation program.

Mr. President, while this amendment provides funding for these three separate programs, we must remember that each of these three programs have in common, namely, that they really do directly assist the residents of our Nation with their day-to-day needs.

First, Mr. President, this amendment, in providing $25 million for a second round of empowerment zones and enterprise communities, would promote job creation and economic development in economically distressed urban and rural areas.

I am sure that we would all agree this is a critical need. Unfortunately, probably every Senator here has an area in their State that is economically distressed—urban, rural, or both.

The first round of the program covered American communities of which 72 urban and 23 rural communities were either designated empowerment zones or enterprise communities.

Mr. President, what this money actually goes for, though, is job creation, economic development, job training, and empowerment of local residents. The empowerment zone is not a quick fix, but it does offer opportunity and hope.

In the area of America Reads, this amendment also provides $20 million for the America Reads initiative. This money would support 1,300 additional Corporation members who would serve as tutor coordinators. These tutor coordinators would provide direct tutoring and help mobilize and coordinate thousands of tutors to work with young children across the country.

What is the purpose of the America Reads initiative? It is to help with local school systems to make sure that every child in the United States can read by the time they are in the third grade.

It is the administration's policy, and I know supported on a bipartisan basis, that we want to see every child in the United States of America immunized by the time they are 2, screened and school-ready by the time they are 6, can read by the time they are in the third grade, and know how to use and have access to a computer by the time they are 12. That would enable our children to be ready for the 21st century.

But let us be clear. It is not the Federal Government's job to supplant local school systems. What the America Reads initiative does is mobilize volunteer efforts, provide the infrastructure to be able to greatly utilize volunteers and, in addition to local school efforts, to help our kids read. In no way will it supplant local school efforts nor local school board policies. So it will be one of the better of the Federal and local partnerships.

Mr. President, also, let us turn to Federal predisaster mitigation. I note that the Presiding Officer is from Pennsylvania. We have sure lived through a lot of floods the last 2 years. And it has been wonderful when FEMA has been able to respond ''911'' to our States. I know what Missouri endured, what our colleagues in the Dakotas and 12 other States did.

But, you know, some Federal funds used wisely could actually prevent damage to either personal property or

small business if we did some infrastructure planning. What this amendment does is provide $5 million for predisaster mitigation activities at FEMA.

Last year, we provided $2 million for a pilot program identifying communities that could benefit from the money and build on it. Mr. President, this is a modest amount of money, but I believe will help tremendously in the future.

In California, if we insist that earthquake standards are met, it then saves money when an earthquake hits.

In Dade County, the officials there have a mitigation program to protect structures against hurricane force winds.

And in my own State of Maryland, we had a unique partnership between the Governor of the State of Maryland and the Corps of Engineers to do a flood mitigation task force up in western Maryland where Pennsylvania and West Virginia coincide, and, in the area of the great floods, collided.

So, Mr. President, this modest amount of money would really go a long way in helping us assess what we need to do to protect small business and personal property. An ounce of prevention is worth a pound of cure, and I believe a dollar's worth of prevention will ultimately help us save $100 in disaster relief.

Mr. President, as I stated, this amendment provides funding for three important programs:

First, the amendment provides $25 million to HUD for a new round of empowerment zones and enterprise communities.

The amendment also provides $20 million for America Reads Initiative activities at the Corporation for National Service.

And the amendment provides $5 million for FEMA's predisaster mitigation program.

Mr. President, while this amendment provides funding for three separate programs, we must remember what each of these programs have in common, namely, they all aim to directly assist residents of our great Nation.

First Mr. President, this amendment would provide $25 million for a new round of empowerment zones and enterprise communities administered by the Department of Housing and Urban Development.

The first round of empowerment zones were awarded in December 1994. The goal is to promote job creation and economic development in economically distressed urban and rural areas.

I am sure we would all agree this is a critical need. Unfortunately, probably every Senator in here has an area in their State that is an economically distressed area—urban, rural, or both.

The first round of the program covered a wide range of American communities. Seventy-two urban areas and 33 rural communities were designated empowerment zones or enterprise communities.

There are currently eight urban empowerment zones and three rural empowerment zones. There are also 4 enhanced enterprise communities and 93 enterprise communities.

Each empowerment zone received $100 million—Los Angeles received $125 million. Cleveland $90 million—each enhanced enterprise community received $25 million, and the 93 enterprise communities received $3 million.

This money can be used for job creation and economic development activities—such as building renovations and infrastructure improvements. The money can also be used to provide services such as child care, job training and transportation for residents in the zones.

In addition to the grant money, in each empowerment zone and enterprise community, employers are eligible for wage tax credits worth $3,000 for every employee hired who lives in the empowerment zone. The program is not just about moving employees from one location to another, it is also about providing employers incentives to help unemployed and underemployed zone residents.

We are talking about a hand up, not a hand out. The tax credit provision is designed to provide an opportunity structure, a chance to work hard and earn a decent living.

Empowerment zones and enterprise communities are also eligible for various other benefits including tax-exempt bond financing and tax writeoffs for depreciating personal property.

Mr. President, the empowerment zone program is not a quick fix. Many of the communities are ones that have suffered for years from high unemployment, high crime, and other problems. The program is a 10-year effort that required partnerships between community residents, local and State governments, and local businesses.

A recent GAO report noted that the zones have made some progress. The report notes that there is still work to be done, but the effort is progressing. The key is that the program is making progress and its deficiencies are ones that can be addressed.

In its own assessment of the empowerment zones and enterprise communities, HUD notified five communities that they were not making sufficient progress. These communities risk having future funding withdrawn. The point is that this is not some HUD program run wild. There are standards and expectations that are being measured.

Mr. President, the empowerment zone program is a good mix of Republican and Democratic ideas—tax incentives to leverage private dollars and community involvement in decision-making.

Mr. President, this amendment also provides $20 million for the America Reads Initiative at the Corporation for National Service. This money would support approximately 1,300 additional corporation members who would serve as tutor coordinators.

These tutor coordinators would provide direct tutoring and help to mobilize and coordinate thousands of tutors to work with young children across the country.

The America Reads initiative is an administration effort that is truly worthy of bipartisan support. The goal is simple—every child in the Nation should be able to read independently and read well by the third grade. A simple, yet key goal in the effort to ensure that every child is equipped with the basic tools needed to compete in the 21st century.

Mr. President, in 1994, 40 percent of fourth graders failed to attain the basic level of reading on the National Assessment of Educational Progress. This is a fact that we can't ignore and must address.

Let me be clear, the reading deficiencies of our Nation's children won't be erased with volunteer tutors. There are issues of education funding and the delivery of education that need to be addressed. I am under no illusion that the America Reads initiative is the only answer.

But Mr. President, I don't want us to make the perfect enemy of the good. The America Reads initiative is part of the answer. A Cohen, Kulik and Kulik analysis of 65 published studies showed that quality tutoring programs produced positive, though modest effects. Other studies done in Florida and England have found similar results.

Mr. President, modest is in the eye of the beholder. If I am rich and only see a modest return on my stock investment, I may be disappointed. But if I am a child who can't read like I should be able to, and someone helps me improve my reading modestly so that I can understand words on a page, I am probably very happy with my modest gains.

Mr. President, there have been many debates about the corporation for National Service. This amendment moves beyond that debate. The program will be funded and will continue to operate. This amendment seeks to provide some additional funding to support corporation activities that I am sure we all agree are worthwhile.

Finally Mr. President, this amendment also provides $5 million for predisaster mitigation activities at FEMA.

Mr. President, I don't know if there is a clearer example of ''an ounce of prevention is worth a pound of cure.'' To put it in appropriations terms one might say that ''a dime of prevention is worth a dollar of cure.''

Currently, FEMA provides postdisaster mitigation money to communities—up to 15 percent of the amount they received for disaster recovery efforts. This money is important and necessary, but its' flaw is that it comes after a disaster has struck.

Last year, the VA–HUD bill provides FEMA $2 million to begin a pilot program identifying communities that could benefit from predisaster mitigation money. This amendment seeks to

provide money that would expand on that effort.

Unfortunately, every Senators' State has likely placed a ''911'' call to FEMA. Many times, there is nothing that we can do to escape nature's fury. However, all to often, there are things that we can do to reduce the risk to life and property. From making sure buildings meet proper standards to moving structures out of high-risk areas, there are things we can do.

Retrofitting a bridge in California to meet earthquake standards costs about $31 a square foot. Replacing a bridge that didn't meet standards would cost about $135 per square foot.

In Dade County, FL, officials have a mitigation program designed to protect structures from hurricane force winds. A cost-benefit analysis showed that for every $1 dollar in mitigation money invested to protect an emergency housing center, $5 in future damage relief costs are likely saved.

Mr. President, there are other examples I could site. The point is that the predisaster mitigation program is ultimately about saving lives, saving communities, and saving taxpayers' money.

Mr. President, I urge my colleagues on both sides of the aisle to support this amendment. It is designed to help provide opportunity structures and economic development for our Nation's distressed urban and rural communities through the empowerment zone and enterprise communities program.

The amendment also provides support for the critical America Read initiative—designed to help ensure that all of the Nation's children can read properly by the fourth grade.

Finally, the amendment provides support to a predisaster mitigation program designed to save lives, save communities and save taxpayers' money.

Mr. President, I believe this amendment addresses concerns that transcend party lines. It is designed to support programs that directly impact the citizens of our Nation.

I want to especially thank Senator DASCHLE for his support, and Senator BOND for his willingness to work with me on this important effort. I urge my colleagues to support this amendment.

Mr. President, I hope that we can move expeditiously and adopt this amendment and make a great step forward in giving empowerment and help to our local communities.

Mr. BOND addressed the Chair.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I am delighted to be able to rise in support of the amendment and be a cosponsor with the Senator from Maryland and the Senator from South Dakota.

As indicated, it has a modest amount of funding, $25 million, for HUD empowerment zones, $20 million for America Reads and $5 million for FEMA disaster mitigation. The funding is offset with budget authority from section 8 contract amendments, and the outlays are off set from the NASA mission support account, if anybody cares, but it is offset. And we particularly thank Senators MIKULSKI and DASCHLE for working together to make this a good bipartisan bill.

While the funding for this amendment is modest, I emphasize that it covers a number of important issues, from child literacy to disaster mitigation to the economic development of distressed communities through empowerment zones. While I have some concerns about how programs are set up and authorized, this, I think, is a very constructive way to move the bill forward.

Let me address the question of America Reads. We do not yet know the full outlines of the program the President is considering. I hope he will send forth authorizing legislation. That is the best way to do it, I think, is to get legislation establishing the parameters of the program. But let me say how important the objective is. The objective is to get people to read to small children, parents to read to their children. Officials in schools are engaged in teaching reading, but caregivers in day care centers and elsewhere must read to children.

As one who has spent a lot of time working on early childhood development—and I have to say that our national award-winning and recognized Missouri Parents as Teachers Program has demonstrated how effective this can be—I believe that reading to children from the youngest age gets their interest, their attention, and their enthusiasm in the written word, and puts them on to a lifetime of reading, which will open up opportunities, knowledge, information, and great joy for their entire lifetime.

If there is one thing that is the thread that seems to hold together all of the successful programs of getting children off to a good start, it is reading to them. It is communicating to them from the written word and attracting their attention to the written word as a means of communication.

Were we not in the middle of a very, very important process to pass this appropriations measure, I could talk a lot longer about the importance of reading to very young children. Let me just say that reading to young children—there is no finer objective. The money we have appropriated here is a symbol of the importance that we place on this activity.

The VA-HUD appropriations bill is a very tight allocation. We have had to have difficult funding choices. I hope that we made good consensus choices for what most Members consider the primary needs and concerns facing the VA-HUD are. I hope, however, that this amendment will keep the dialog moving on a path to enactment.

With that, Mr. President, I do not see any other Senators wishing to speak on this amendment, certainly not in opposition to it.

Mrs. MURRAY. Mr. President, I'd like to congratulate Senator MIKULSKI on her amendment providing $20 million for America Reads under the VA–HUD Appropriations Act.

There is no more important skill we can give young people in this country than the ability to read. If a child can read quickly and accurately early in her school career, all other challenges will be much easier for them in school and in life.

I have been working for some time to bring literacy issues before the Senate, from the amendment Senator Simon and I offered to last year's welfare bill, to my work on the Appropriations Committee, to the educational briefings I host for congressional staff.

Recently, these briefings have included information from Dr. Reid Lyon from the National Institute of Child Health and Human Development. We now know from the research that the process of reading involves several steps. A student must acquire skills in a logical progression, and in a timely manner, in order to be able to read quickly and effectively enough to make sense of what she reads. Once this process has occurred, reading becomes a tool for learning. If this process does not occur, the prospect of helping her learn to read becomes much more difficult.

This and other evidence from research must inform what we do with regard to children's literacy. We must assure that we take advantage of the political will to improve children's literacy, by putting into place a national effort that reflects what we know. It must reflect what we know about how children learn, how important family literacy is to the literacy of the child, and what we know about how volunteer efforts work in our communities, among other things.

In order to build a successful volunteer effort, which must be part of what we do for children's literacy, we need to look at all the aspects of the effort. In what capacity will volunteers be working with students? How will the primary reading teacher be involved? What about reading specialists? How will research inform what happens in the classroom, or in afterschool or summer programs using volunteers? Where will we find volunteers in communities already taxed for help? How will they be trained in providing literacy assistance, in recruiting volunteers, or in coordinating community programs?

By simply including AmeriCorps in our efforts to improve children's literacy, we don't answer all of these questions, but we do answer some. We do call on experience already in our communities—in training, recruiting, and coordinating volunteers, in providing programs that help people learn to read, and to gain success in other areas of their lives. We do call on an incredible resource for improving people's engagement in their communities, and for improving their skills.

Literacy AmeriCorps has been very successful in my home State of Washington, in doing things like setting up talk times for people with limited English proficiency to talk with one another in English, and practice what they are learning with other people, on topics that interest them. Community support is there—and that gives us a great base to expand on as we look to improve children's literacy.

AmeriCorps has demonstrated success in many areas across the country; now it is time to enlist AmeriCorps in our efforts to help children learn to read. AmeriCorps is a much-needed ally in a complicated, difficult, and crucial endeavor.

Again, I want to congratulate Senator MIKULSKI on her amendment, and encourage all of the Members of the Senate to work with us to improve children's literacy this year.

Ms. MIKULSKI. Let us move for its adoption.

Mr. BOND. I think we are prepared to move to its adoption.

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

The amendment (No. 951) was agreed to.

Mr. BOND. I move to reconsider the vote.

Ms. MIKULSKI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 944

Mr. BOND. Mr. President, I think the time has come for us to move on to the Bumpers amendment.

I will propose a unanimous-consent request that would set the vote for 5:30. We would ask for Senator BUMPERS to be allocated 15 minutes in support of his amendment. We would ask for 45 minutes in opposition to the amendment. The ranking member and I have had numerous requests, and we would try to parcel out that 45 minutes as best we can.

Ms. MIKULSKI. Reserving the right to object, I have just been advised that the full Committee on Appropriations is running late, and Senator BUMPERS is running a bit late. While we are checking when he thinks he will come to the floor, I ask the chairman to withdraw the UC.

I have been waiting to speak on the space station. By the time I conclude my remarks, we should know when Senator BUMPERS will be here. The delay is only because of the full committee markup.

Is that OK?

Mr. BOND. If the ranking member will yield, I was going to ask if she would speak. I was hoping that we could charge that time off of the hour. In other words, if we start now on the debate, the Senator from Maryland can speak as long as she wishes until somebody else wants to come.

Are we prepared to do a unanimous-consent?

Ms. MIKULSKI. The answer is no, not for the 5:30 vote.

Mr. BOND. Well, then, Mr. President, I will withdraw all pending unanimous-consent requests and advise my colleague that I will start my watch now, and when we get people here for a unanimous-consent, I will subtract from 1 hour the number of minutes that we have used in discussion not under the unanimous consent request.

I look forward to hearing the comments by my ranking member in support of the space station.

Ms. MIKULSKI addressed the Chair.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Thank you very much, Mr. President.

I think that is a prudent course in which to proceed. The full committee markup was delayed because the committee was late going into session because of our moving ahead on military construction.

I do want to speak about the space station and began my remarks at the conclusion of the Senator from Arkansas's proposal.

But, Mr. President, before I give my remarks, what is the pending business before the Senate?

The PRESIDING OFFICER. The pending business is the Bumpers amendment No. 944.

Ms. MIKULSKI. Thank you very much, Mr. President. We laid it aside. I did not know if we had come back to it.

Mr. President, I rise again this year in support of America's space program and in opposition to the Bumpers amendment, which would strike funding for the space station.

I have said this before, and I will say it again: This amendment is a choice between the future and the past. The question is, what kind of country will the United States of America be in the 21st century? Will we be one that uses technology to help people with their day-to-day lives and keep America employed in the field of manufacturing? Then, if the answer to that is yes, we must embrace science, we must embrace technology, and we must be willing to take bold risks in scientific endeavors. That is what the space station is all about.

We need to ask ourselves, will we use American ingenuity and know-how through the unique environment of space to tackle our understanding of disease or develop new technologies that can be used here at home.

Yesterday, probably one of the most distinguished Americans and one of the most distinguished U.S. Senators, Senator JOHN GLENN of Ohio, spoke eloquently about America's space program from not only the time he rocketed around the Earth making world history but talking about the kind of scientific breakthroughs that are coming out of our space program. Right this very moment, little Sojourner is moving around Mars, gathering important information. We have done it in a way that is faster, cheaper and quicker than any other space project that we have done with such a big bang in terms of scientific information. Why are we able now to be able to move with such speed? It is because we have made such significant investments in projects like the space shuttle and the space station.

Some will argue that science carried out on the space station can really be accomplished more cost-effectively on the planet Earth. This simply is not true. The science proposed for the station cannot be accomplished on Earth at any price or at any time. Space station science requires sustained access to something called low levels of gravitational force. It is technologically impossible to create a low-gravity environment for this type of research without getting out there and being in orbit. What are these types of research? One is microgravity. The benefits of microgravity research may be numerous, including new and more pure pharmaceuticals, medical advancements, the production of new materials to use on Earth, new fire-resistant materials, new fire retardation. Just think, we might come up with a whole new concept for building supplies that can make our homes, schools, hospitals and nursing homes safe for fire.

Others will say, why not do this science on the shuttle? Why do you need to go in orbit and stay out there in orbit? I want to bring this point to their attention. The shuttle can stay up in orbit, max, about 2 weeks. We do not limit cancer researchers to 2 weeks in a lab at NIH to find a cure for a devastating disease. Why should we limit the life sciences to only 2 weeks in space? Much of the proposed research will take months, if not years, to complete.

Now, even though the astronauts might come back, the space science can continue to stay up in those racks on the space station. Remember what the space station is—it is not a station, it is a laboratory. It is not a station like a gas station, like a subway station. It is, literally, a laboratory in the sky that will have modules run by different countries. Japan, Canada, the European Space Agency, we are now in cooperation with the Russians—they will be planning part of the evacuation vehicle, and primarily the control of the station will be in the hands of an American astronaut. It is truly international and it will be truly profound.

While working on this issue, we wanted to be sure that we had adequate, maximum, robust participation from the NIH with the National Space Agency. We encouraged and then literally brought about a joint agreement between the National Institutes of Health and NASA.

Just a few years ago, Mr. Dan Goldin, the Administrator at NASA, Dr. Bernadine Healy, who was appointed by President Bush to be head of NIH at the Space Museum, signed a memorandum of understanding making sure that NIH and NASA are collaborating on life science research and also that we get maximum benefits from the space station.

One of the arguments that we hear every year is about cost. Sure, the space station does cost money. We have heard that GAO estimated that the station would cost $90 billion. That is what the Senator from Arkansas had in his info chart this morning. However, I want to say to my colleagues and to those who have been following this all day, that number is misleading. When calculating the total cost, the GAO included a large portion of the NASA human space flight budget in its analysis. The fact is that $51 billion of the $94 billion is for shuttle missions that will fly, regardless of whether we have the station or not. Those shuttles have missions to do and they are going to go anyway. So that figure is misleading. The real cost of the station, which includes final development and construction over a 10-year period is about $30 billion. No small change, but it is not $94 billion. The remaining balance of the erroneous $94 billion estimate is life science and microgravity research. This research will continue, in less effective form on the shuttle, with or without the space station.

Now, what is the cost to America if we do not do the station? We hear about the cost to maintain it, to build it. Well, the United States of America has already invested $9 billion in the redesign of the space station. What does that mean? The actual work on the space station means there are 15,000 highly skilled engineering and production contract jobs directly supporting the space station. There are 35,000 contract workers and 5,000 civil servants who work on the shuttle whose major customer for the foreseeable future is the space station. And 2,000 pounds of hardware have already been built for the U.S. portion of the station.

As mentioned earlier, long-duration microgravity research and cell and developmental biology, human physiology, biotech, fluid physics, combustion science, materials science, benchmark physics, as well as an understanding of Earth-based diseases are the core of what is the research. Biotech, combustion science, material science, and then, indeed, one of the most basic of all sciences, increased knowledge of physics. There will be practical applications of what we do. We cannot list every single one of those right this minute but we do know that we will be well on our way for materials research and life science research.

Mr. President, what else do we lose? U.S. credibility with our international partners. Russia, Japan, Europe, and Canada have already invested more than half of the $9 billion they have committed to the space station. This is a great symbol of the post-cold war era in which former arch rivals in space are now working together to build a space station for the 21st century.

U.S. competitiveness can only be maintained by continuing the long-term, cutting edge, high risk R&D that is an essential part to the space station development. The momentum gained with the June delivery of something called Node 1 to the Kennedy Space Center marking the beginning of a stream of flight elements that will continue for the next 5 years.

And finally, we lose all of the hard work that has gone into this project since the 1980's and the opportunity to see it culminate on the first launch, now less than a year away.

Mr. President, we could argue these points all night but I will not put my friends through this discussion. The bill is already taking a substantial amount of debate time. We will soon vote on the Bumpers amendment, and I am asking every Senator to think long and hard about what this amendment means. I really urge my colleagues to reject the Bumpers amendment.

At the same time, I want to acknowledge the effort made by the Senator from Arkansas. Over the last few years when he has pushed for eliminating the space station from the budget, it has forced us to do several things, including taking a good, long hard look at the cost and making sure we were getting our money's worth, to take a good long hard research look at the research to make sure we could not do it someplace else faster, quicker and cheaper. The answer, though, is no, we must do this research if we are going to do it at all in space.

I believe the Senator from Arkansas has made, indeed, a national contribution by forcing us to relook at the space station and to justify why we do need the space station. So we thank him for his national leadership on that.

Mr. President, I really do believe that to vote to remove the space station now will really be a terrible blow to America's space station. Mr. President, I am going to urge the defeat of the Bumpers amendment and to once again be able to stay the course, complete the space station and move this country and the space station into the 21st century.

I yield the floor.

Mr. BOND. Mr. President, in order to sequence these amendments, we had advised the Senator from New York that we could accommodate him. I believe he needs 5 minutes and I need 1 minute, and then we would return to the Senator from Arkansas for his comments and then proceed to a vote after 15 minutes, if we would reserve 30 minutes for this side. With that understanding let me try again on a unanimous consent.

Mr. President, I ask unanimous consent the Bumpers amendment be set aside, that the Senator from New York be recognized to offer an amendment for 5 minutes, that I be recognized for 1 minute; that on the disposition of the amendment offered by the Senator from New York, that there be 15 minutes of debate under the control of Senator BUMPERS and 30 minutes of debate under the control of myself or Senator MIKULSKI, and that no amendments be in order to the amendment offered by Senator BUMPERS. I further ask that following the conclusion or yielding back of time, the Senate proceed to vote on or in relation to the Bumpers amendment.

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

The Senator from New York.

AMENDMENT NO. 952

(Purpose: To require reports by the Comptroller General on the allocation of health care resources of the Department of Veterans Affairs under the Veterans Integrated Service Network system and the Veterans Equitable Resource Allocation system)

Mr. D'AMATO. 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 York [Mr. D'AMATO], for himself, Mr. MOYNIHAN, and Mr. TORRICELLI, proposes an amendment numbered 952.

Mr. D'AMATO. Mr. President, I ask unanimous consent reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 16, between lines 8 and 9, insert the following:

SEC. 108. (a) Not later than 4 months after the date of enactment of this Act, the Comptroller General shall submit to Congress a report on the allocation of health care resources by the Secretary of Veterans Affairs under the Veterans Integrated Service Network system and the Veterans Equitable Resource Allocation System. The report shall address the following:

(1) The manner in which health care resources (including personnel and funds) are allocated under the Veterans Integrated Service Network system and the Veterans Equitable Resource Allocation system.

(2) Whether or not the allocation of health care resources under the systems takes into account the disproportionate number of veterans with special needs who reside in the northeastern United States.

(3) The effect of the allocation of health care resources under the systems on the quality of health care services provided by the Secretary to veterans who reside in the northeastern United States.

(4) The effect of the allocation of health care resources under the systems on the access to health care services provided by the Secretary to veterans who reside in the northeastern United States.

(b) Not later than 4 months after the date of enactment of this Act, the Comptroller General shall also submit to Congress a report on the effect of the reform of the eligibility of veterans for health care services under title I of Public Law 104–262 (110 Stat. 3178), and the amendments made by that title, on the quality of and access to health care provided by the Secretary to veterans who reside in the northeastern United States.

Mr. D'AMATO. First, I thank Chairman BOND and the ranking minority member, Senator MIKULSKI, for their tremendous leadership in developing this appropriations bill. I fully recognize the fiscal restraints under which the subcommittee must work to achieve our budgetary goals, and I commend them for effectively weighing

our national priorities with those constraints.

I file this amendment on behalf of my colleagues, Senator MOYNIHAN, Senator LAUTENBERG, and Senator TORRICELLI, because we have in the New York-New Jersey region a very difficult pressing problem.

I rise today on behalf of New York's 1.7 million veterans, in particular, to address the expected loss of $180 million in veterans' health care funding over the next 3 years. What this amendment does is seek to ensure that the funding reallocation for the Veterans Equitable Resource Allocation System, known as VERA, is distributed in a fair and reasonable manner. I want to respond to specific concerns with the data used by the VA to determine the allocation of health care resources to our Nation's veterans.

This amendment would require the General Accounting Office to conduct a 4-month study, examining the factors relied upon by VERA and the Veterans Integrated Service Network to distribute health care funds.

The study will focus on the following characteristics which are significant to New York, New Jersey, and to our veterans in the Northeast: First, the high number of special needs veterans residing in the Northeast States; second, the impact of eligibility reform on veterans; and third, the quality and accessibility of health care in the northeast region.

In addition, the amendment would direct the Veterans Administration to fund all VISN's at their fiscal year 1996 level until the GAO study is received by the VA–HUD appropriations subcommittee.

Mr. President, it is absolutely crucial for our veterans in New York that the factors I have just listed be considered by the VA as the VERA system continues to be implemented.

It is imperative that the results of any GAO assessment of this VERA system being incorporated as soon as it is practicable because, without such consideration, the New York VA medical system could continue to suffer grievously. The effects of such a substantial funding cut—$180 million over 3 years—are something that we are very concerned about. For instance, a loss of VA services seems likely to have resulted in reduced levels of care. Two of New York's VA facilities, Montrose and Castlepoint, as well as others throughout the region, have suffered repeatedly. There are examples of poor care due to their ongoing merger under this system. Montrose and Castlepoint, two of the hospitals located in the Hudson Valley, have experienced skyrocketing mortality rates in both institutions. In addition, extremely poor health care and neglectful sanitary conditions have also been reported at both facilities, including: misdiagnosed infections and heart attacks; moldy suction tubes; patients lying for hours at a time in their own waste; and, in one report, a man dying for lack of a doctor as physicians conduct a meeting without their beepers.

Question: Is this as a result of a lack of proper care? We have to find out the truth and be sure that the massive restructuring and relocation of resources is done fairly but safely.

Mr. President, we are extremely concerned with concerned the effects of the VERA system on veterans health care in our Northeastern States. That is why I offer this amendment.

Mr. MOYNIHAN. Mr. President, I join my friend and colleague from New York as a cosponsor of this amendment out of deep concern about the effects of the VERA initiative. Not only were the two biggest cuts in the Nation taken from the two VA service networks in New York, but New York was selected to go first, to be the guinea pig for the new program. The results are alarming. Since the merger of the hospitals at Castle Point and Montrose in the Hudson Valley, 200 jobs have been eliminated and the mortality rate is up 80 percent. The acting director of the hospitals said this increase is not significant, that there are always ups and downs in the mortality rate. That may be, but when there is so dramatic an increase during so dramatic a staff cut, we have to stop what is going on and take a careful look. This is not an isolated example. I have similar reports from Canandaigua and other VA facilities around the State.

One of the Veterans Health Administration's guiding principles with VERA is that ''the decrease in overall costs shall not compromise the care given to its veteran population.'' In New York we have empirical evidence that this principle has been trampled underfoot. I join my colleagues in asking that the General Accounting Office begin an investigation immediately into the quality of care being given to veterans under the constraints of the VERA formula, with particular attention being given to the two New York service networks. I hope the Senators from Missouri and Maryland will support this request.

Mr. LAUTENBERG. Mr. President, I support this amendment and am pleased to be an original cosponsor of this effort to require the General Accounting Office [GAO] to report to Congress on the effects of the VA's veterans equitable resource allocation [VERA] system. I support the effort to fund all veterans health care networks at least at the fiscal year 1996 level until this report is complete.

As a member of the VA–HUD Appropriations Subcommittee, I voted against the implementation of VERA because I believe it would unfairly shift veterans health care resources away from New Jersey at a time when our aging veterans population has an increasing need for VA health care services. New Jersey's veterans fought hard for our country and they deserve direct access to quality medical care. I share the concern of many of my Northeastern colleagues that the VERA system may disproportionally affect our veterans access to quality health care services.

This amendment makes sense. It requires the GAO to report to Congress on the effects of VERA. It allows for a pause in the shifting of resources, which began in April, until Congress is certain that VERA will not hurt veterans in the Northeast. If the study shows that VERA will disrupt health care services to veterans in New Jersey and other Northeastern States, Congress will have the information necessary to ensure that these services are not compromised. Until Congress has this information, services should be provided at the pre-VERA levels. We should pause and assess the impact before moving forward with VERA. I hope the chairman and ranking member will include this provision, or one similar to it, in the final version of this bill.

VETERANS EQUITABLE RESOURCE ALLOCATION PROGRAM

Mr. TORRICELLI. Mr. President, I rise today in strong support of the amendment offered by Senator D'AMATO, which would protect funding levels for veterans' health care in New York and New Jersey. I understand that the amendment has been withdrawn, however, I appreciate the assurances given by Senators BOND and MIKULSKI that the subcommittee will give this request the serious consideration it deserves when this issue is raised in conference.

I, and my colleagues from New Jersey and New York, are very concerned about a Department of Veterans' Affairs [VA] initiative which would change the way the agency distributes health care funds to veterans' hospitals. During the next 3 years, the Veterans Equitable Resource Allocation [VERA] Program is projected to divert as much as $148 million away from our region and send it to Sun Belt States in the South and West, whose veteran populations are increasing.

I have heard from many of the 760,000 veterans in New Jersey, all of whom have legitimate fears that this funding shift will reduce the quality and availability of veterans' services in our State. Many of these individuals, who have courageously served our Nation overseas in combat, now fear becoming victims of the VA's restructuring and broken promises.

The impact of this proposal would be devastating in countless communities across New Jersey. I believe that limiting access to the VA health care system may jeopardize the well-being and the lives of many veterans. This must not be allowed to happen.

The House of Representatives has taken a strong stand against the VERA plan by including a provision in their VA spending bill which would delay the proposed funding shift for 4 months, while the General Accounting Office [GAO] examines the impact of this action on the quality of care for veterans in the Northeast. Until the GAO study is completed, the VA would fund our

region's health services at 1996 levels, which are $12 million higher than the 1997 levels.

I strongly support this course of action, and encourage my colleagues on the subcommittee to adopt this proposal. We simply need to ensure that while the VA is providing much needed resources to certain facilities, it is not doing so at the expense of veterans in other regions. There is no harm in the GAO doing a 4 month study on whether the VA's new funding scheme is equitable. I assure New Jersey's veterans that I will continue to monitor the progress of this provision as it is debated in the conference committee, and will work to ensure that our veterans receive the health care and services that they deserve.

Again, I would like to thank Senators BOND and MIKULSKI for their consideration of this request and look forward to working with them on this and other issues of importance to the veterans' community.

Mr. BOND. Mr. President, both Senators from New York have raised some important concerns regarding veterans health care in their State. Clearly, the new resource allocation system has forced some tough decisions in some networks. I believe this system is a vast improvement over previous allocation methodologies, and there are some encouraging signs that more veterans are being served in an appropriate manner. It may require some fine-tuning. That is why this committee has asked the General Accounting Office to undertake a review of the new allocation system, as I think the Senators from New York want, including what aspects of VERA may need improvement to accomplish equity and efficiency goals while maintaining quality.

The GAO report is due to be completed, I tell the Senator from New York, by September 30. As of today, they seem to be on track toward that deadline. We will work to ensure that they meet it. I think the Veterans Administration should take GAO's analysis and recommendations into consideration in making its allocations in fiscal year 1998.

In addition, a subsequent GAO report has been requested, which would look at quality of care in specific networks, including New York. Upon completion of this review, VA should incorporate any recommendations into the allocation methodology.

Mr. D'AMATO. Mr. President, I want to thank Senator BOND for his response. I thank him on behalf of the veterans of New York, New Jersey and, indeed, the whole Northeast region. I think we are appreciative of his efforts, and he recognizes the importance of these concerns.

In particular, I am appreciative of the Senator's willingness to join me in ensuring that the GAO conducts a study which will specifically focus on the impact to the Northeast region.

I understand that the Senator will join me in urging the Veterans' Administration to adopt GAO recommendations into its VERA system immediately. And because of the Senator's willingness to ensure that the New York and New Jersey VA health care needs are recognized and that the reallocation system will be fair and equitable, on behalf of myself and my colleagues, I will withdraw this amendment at this time. I thank the Senator, and I look forward to continuing to work with him on our veterans needs.

So, Mr. President, I withdraw the amendment, and I thank my colleague, Senator BOND. I look forward to working with him, and I thank him for his responsiveness to this need.

The PRESIDING OFFICER. The amendment is withdrawn.

The amendment (No. 952) was withdrawn.

Mr. BOND. Mr. President, I thank the Senator from New York. I assure him that we will work with him. We are now on the time allotted——

Mr. D'AMATO. Mr. President, if I might ask my colleague to indulge me for one more moment.

I ask unanimous consent that Senator LAUTENBERG's name be added also as an original cosponsor of the amendment.

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

AMENDMENT NO. 944

Mr. BOND. Mr. President, we are now on the time allotted for debate on the Bumpers amendment on the space station. We have invited those Members who wish to speak in opposition to come forward.

I see the Senator from Arkansas on the floor. I ask if he wishes to utilize some of his time.

Mr. BUMPERS. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Arkansas is recognized for 5 minutes.

Mr. BUMPERS. Mr. President, this morning, in my comments I quoted Prof. Elliott Levinthal, Professor Emeritus of the Stanford School of Engineering. This afternoon he faxed me some material which I would like to share with you. ''NASA's present strategic plan is based on the future human operation of Mars and its eventual colonization, with projected costs of at least many tens of billions, or perhaps more realistically, hundreds of billions.'' I want to thank Professor Levinthal for sending that to me because I could not agree with him more.

As I said this morning, Carl Sagan corrected me the year before last when I said he was opposed to the space station. I stood corrected. What he said was that the space station had some merit as a weigh station to go to Mars, but to justify the space station on the grounds of medical experimentation was shaky indeed. Now, I have the utmost respect for Carl Sagan. He was a much revered person around here. But I disagree with him about going to Mars.

It is not necessary to have a manned mission to Mars in order to explore Mars. We have already discovered that. I complimented NASA this morning on sending the Mars Pathfinder rover to Mars, which is doing a tremendous amount of research that may or may not be beneficial to us. Some of we laymen who are not astronomers have a very difficult time understanding some of this. But in any event, I don't believe we ought to spend the hundreds of billions that it will take to get to Mars with a manned exploration, and I don't think the space station ought to be launched with any—what shall I say—problematical assertions that it will cure cancer, or arthritis, or heart disease, or AIDS, or anything else. Almost every thoughtful person in this country who is in the medical or physics field thinks it is an absurdity to justify this on the basis of medical research.

Professor Levinthal goes on to say: ''Leaving aside colonization''—that is, of Mars—''do not be deluded by the thought that the space station is a useful step for the human scientific exploration of Mars. It is a poor investment. Exploration of Mars is a worthwhile and exciting goal, but it can be achieved most cost effectively with automated space craft.''

He goes on to say: ''I have been involved in consideration of the purpose of human missions since the start of the shuttle program. Committee after committee sought to find scientific, technical, military, educational, and industrial goals that could be cost-justified. None could be found . . .''

I repeat, in all of the feverish search for a justification for the space station, whether scientific, technical, military, educational, or industrial, none of them could be justified by the tremendous cost, which I said this morning will almost certainly exceed $100 billion.

Dr. Levinthal goes on to say: ''The pressures the space station are putting on Russian investment is decimating Russian support of science.''

Now, Mr. President, let me review this chart one more time about the cost of the space station. Do not be deceived. Do not be deluded by the way NASA chops its figures up. They chop it up into development costs; they chop it up into launch costs; they chop it up into operations costs. Don't worry about that. Just look at this figure right here—

The PRESIDING OFFICER. The 5 minutes of the Senator have expired.

Mr. BUMPERS. Mr. President, I yield myself 2 additional minutes.

This figure counts. It is $94 billion and soaring. We have finally reached the point where the General Accounting Office, this morning, says that cost overruns have begun and show no sign of slackening.

What does it take in this body to get somebody's attention? This is not our money. I hear all these lamentations on the floor of the Senate about the poor taxpayer out there and trying to send his children to school and trying to make car payments and make his

house payment and how we are going to provide this magnificent $135 billion tax cut for the poor, suffering taxpayer, while, at the same time, adding $94 billion to his tax bill to build a space station from which we will get no benefit.

If that were just DALE BUMPERS talking, you need pay no attention. But it is every physical society of every nation who has a dime in it—the Japanese Physical Society, the Canadian Physical Society, the European Physical Society, and the American Physical Society. That is virtually 99 percent of all the physicists in the world who oppose this thing and say we ought to be spending the money on legitimate medical research. You are not going to get a cure for warts out of the space station.

Every year the National Institutes of Health send billions out in research grants.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BUMPERS. I yield the floor.

Mr. BOND. I yield 5 minutes to the distinguished Senator from Montana.

Mr. BURNS. Mr. President, I rise today to oppose the Bumpers amendment. As previous chairman and present member of the Subcommittee on Science, Technology and Space that provides the authorization for NASA, I would like to state my support for the space station program and the Senate appropriations bill, S. 1034. The Bumpers amendment is not new. This is an annual event here in the Senate like the first day of summer in Montana. We always know it is coming but it just never happens.

Let me start by saying that I support the missions performed by NASA. Just like the pioneers that came to Montana and settled the West, exploration in unchartered territories of space is a way to achieve our dreams of new beginnings, and visions of a better life. This is clearly illustrated by the excitement generated around the world by the Mars Pathfinder and its Sojourner rover. Every day Americans wake up to learn more information about the Mars' rocks named Scooby-Doo, Yogi, and Barnacle Bill. Record numbers of hits on the NASA website have been registered. Why? Because the Mars Pathfinder opens the door to our imagination and a new period of exploration.

This is not the only accomplishment by NASA within the past year. A rock has been found in Antarctica which excited the world with the possibility of life on the planet of Mars. The Galileo spacecraft has beamed back the intriguing photos of existence of seas on Jupiter's moon, Europa, again raising speculations of life-related chemicals. Technology is developing, like the X–33 prototype for a new generation of reusable launch vehicles, which will increase reliability and lower the costs of putting payloads in space. These endeavors inspire and expand the horizons of the pioneer spirit of all Americans and the space station is part of that endeavor.

NASA was created by the National Aeronautics and Space Act of 1958 to undertake civilian research, development, and flight activities in aeronautics and space. Since its creation, NASA has undertaken a wide variety of successful programs and projects. The idea of a space station is not new. In the 1970's, Skylab provided a station to carry out experiments in astronomy, space physics, materials processing, and biomedical research.

After its success, NASA began its plans to develop a permanent orbiting laboratory for conducting life science and microgravity research and to conduct human exploration of space.

Since its original authorization in 1984, the program continues to evolve to achieve its admirable goals. Today, it is a partnership between Canada, Japan, 10 European nations, as well as Russia.

I cannot stand here before you today and say that the space station is not without problems. We are all aware of these problems and I have personally addressed them over the past several years during oversight hearings. We are aware of the risks and problems resulting from the Russian participation, the increased costs, and the technical challenges in the space station design. And we will continue to have hearings to address these issues and hold NASA accountable.

NASA is also aware of these problems and are actively seeking solutions. Mr. Goldin and NASA have been successful in streamlining and restructuring NASA's operations and facilities without compromising safety, productivity, or the goals and missions of the space program. Mr. Goldin and NASA have been successful in reducing costs, increasing efficiency, and living up to his motto of a faster, better, cheaper agency. Today, NASA is doing more for less.

So today, Mr. President, we again hear the arguments for the elimination of the space station. These are arguments to eliminate our dreams. Let's retire these arguments once and for all and begin working together to overcome these difficulties to ensure our future presence in space.

Mr. President, again, I thank my friend from Missouri. Mr. President, this is an annual thing. It kind of comes like Christmas and every other holiday that comes around. We hear from those folks who really think probably this is a great waste of money. We have all stood and marveled at the expedition to Mars. It came in under budget and was done in less time. But that is 300 million miles from where we stand today. When America does not dream, or fails to reach out, then we become a stagnant people.

Right now, as we speak, there is a reenactment of the Mormon Trail that was blazed from Omaha, NE, to the great Salt Lake Valley. Using the same mentality, we would still be driving the same vehicles now that carried those folks westbound across Nebraska and Wyoming and into Utah.

Let me start off by saying that I support the missions performed by NASA. I am from Montana, so I don't have a big stake in what NASA does, from the standpoint of my home State of Montana. But I will tell you that when we reach out and explore the unknown—where we are going now is a little more than just a wagon train from Omaha to Salt Lake City. We have seen it clearly illustrated this week and the excitement generated around the world by the Mars Pathfinder and its Sojourner recovery. Every day Americans wake up to learn more information about the Mars rocks named ''Scooby-Doo'' and ''Yogi'' and ''Barnacle Bill.''

More than anything else, when we talk about NASA, there is another little program that catches the eye and support of the American people called Mission Planet Earth. With our new technologies in sensoring, we know more about this piece of mud that we are whipping through space on called Earth. We have done it because somebody dared to dream and somebody dared to do it.

I do not think the American people, this society should back off from the challenges of exploring space. And, yes, the space station is a part of that.

Now, I chaired the authorizing committee on science, technology and space—NASA. We changed this a little bit differently. We went out to seek partnerships, and we got some commitments, but maybe it is kind of like the chicken and the egg. Maybe we are also put to the test. Can we do it? Can we captain it? I think we can. It is American know-how, it is American technology that has put us where we are. And we do not know what the benefits are. I would guess there are probably a lot of digital wristwatches around here on a lot of people's arms that were the result of the space program—new composites. We know more about Earth. We know a lot more about everything that is not written up in newspapers every day because newspapers would rather print those negative kinds of things, I guess.

We changed the way we were going to complete the challenge of a space station because we have a lot of things to learn before we go the extra step—not back to the Moon but before we go into deeper space, and so that is why we have a little rover up there on Mars telling us a lot about that planet, the red planet.

We changed our tactics because we had one primary contractor, and now we have the hardware that is ready to go to start building this so that we may take the next step into space.

So I tell my colleagues on this floor that we have changed the whole mission of NASA, and, yes, we have brought the costs down at NASA almost a third just in the time that I have been in this Senate, so we are getting there quicker, under budget and

using less money and collecting more knowledge and technology as we move along.

Dan Goldin, who is the Administrator of NASA, has done a wonderful job in repairing——

The PRESIDING OFFICER. The Senator's 5 minutes have expired.

Mr. BURNS. A bureaucracy that was almost without a mission. Now we have a mission. I strongly oppose the Bumpers amendment.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. BOND. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator is recognized for 5 minutes.

Mr. BOND. Mr. President, I know we have had a somewhat confused schedule and there are a number of Senators who have sought recognition and would like to speak on this. I hope that their schedules will permit them to be here. In the meantime, I thought it would be helpful since we have heard various scientists quoted to give just an idea of a few of the benefits of space research.

First, in biotechnology, microgravity allows researchers to produce superior protein crystals for drug development and to grow three-dimensional tissues including cancer tumors for research and cartilage for possible transplant, and as a result people like Nobel laureate Herbert Hauptman addressed the biomedical research caucus of Congress on the value of orbital research for biomedicine and said, ''I strongly support space research and the development of the space station.''

Dr. T. L. Nagabhushan, Ph.D., vice president of biotechnology and development for Schering-Plough Research Institute, said

> I view the space shuttle program as a stepping stone to the ultimate program that will guarantee prolonged efforts in microgravity. Ultimately, our hope is to be able to crystallize proteins in microgravity, conduct all x ray data collection experiments in space and transmit the data to Earth for processing. This can only be done in a space station.

Dr. Jeanne L. Becker, assistant professor, department of obstetrics and gynecology at the University of South Florida, said

> The application of microgravity technology toward the development of tissue models has far-reaching potential for advancing cancer research. Like many of the new and innovative technologies, including gene therapy and immune-based treatment, space-based research must be continued and expanded in order to apply the benefits of this technology to the rapidly advancing area of health sciences.

Dr. Milburn Jessup, Deaconess Hospital, Harvard Medical School, said

> The space program offers a chance to improve our models of cancer and to develop new drugs and treatment as well as to gain knowledge about how cancer spreads. The space program has provided a breakthrough in tools for cancer research. We feel this is the tip of the iceberg of scientific discovery for us and the beginning of a new era in the care of the cancer patient.

Mr. President, I could go on and on. We have stacks and stacks of testimony from scientists, scientific organizations, physicians, medical researchers, health care researchers, people who do research in many areas of microgravity and physics and other related areas of science. We could bring all of those statements in.

I cite these just as a few specific examples of why the scientific community, and the vast majority of the scientific community, believes that the space station and space research is vitally important.

I conclude by referring to biomedical research, saying space research provides unique insights into how the heart and lungs function; the growth and maintenance of muscle and bone; perception cognition, and balance, and the regulation of the body's many systems in the field of regulatory physiology.

That is why the American Medical Association has adopted a resolution in support of the international space station.

> The AMA supports the continuation of NASA and other programs for conducting medical research and other research with potential health care benefits on manned space flights, including the continued development and subsequent operation of the international space station.

I thought I would conclude my remarks, Madam President, with a quote from Dr. Michael DeBakey, chancellor and chairman of the department of surgery, Baylor College of Medicine, who said,

> The space station is not a luxury any more than a medical research center at Baylor College of Medicine is a luxury.

He said also,

> Present technology on the shuttle allows for stays in space of only about 2 weeks. We do not limit medical researchers to only a few hours in the laboratory and expect cures for cancer. We need much longer missions in space, in months to years, to obtain research results that may lead to the development of new knowledge and breakthroughs.

Mr. President, these are just a few of the comments that the scientific community has made in support of the space station.

Mr. President, I reserve the remainder of my time.

I yield the floor.

Mr. BUMPERS. Madam President, how much time is remaining for each side?

The PRESIDING OFFICER (Ms. SNOWE). The Senator from Arkansas has 8 minutes and the Senator from Missouri has 25 minutes.

Mr. BUMPERS. Will the Senator from Missouri entertain the idea of possibly yielding back some time and I will, too, and maybe we can expedite this? Does the Senator have any other opponents?

Mr. BOND. Madam President, we have had a number of Senators who were most anxious to speak on this. We could not get them in time. I know that Senator HUTCHISON, Senator GRAMM, Senator SESSIONS, Senator DODD, and Senator GLENN had all expressed an interest. We have tried to send out appeals to them. We hope that, if they are anxious to speak, they will be here before 5:30. But I say at 5:30 I will be prepared to yield back any time remaining on our side if the Senators have been unable to change their schedules.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Madam President, I wish to advise the Senator from Missouri that Senator GLENN, because of other responsibilities, will not be speaking. His statement yesterday was so eloquent he would like it to stand there as a rebuttal to the amendment of the Senator from Arkansas. We are checking now to see if the Senator from Connecticut wishes to speak and will so advise the chairman.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BUMPERS. Madam President, I yield myself 5 minutes.

At this stage of the debate on these things it is always largely repetitious but some things are worth repeating. It does not change any votes sometimes, but it is therapeutic to me to say things more than once and then people who ignore it in my opinion do so at their own risk. But as I said this morning, it is a tragedy that the space station is what we call a freebie. You can go ahead and vote for this $100 billion boondoggle which will never provide any cures for any disease, will probably never even be used as a way station to Mars, that is opposed by every physicist in the world and not because it is totally worthless but because the money could be so much more effectively spent on other things.

I pointed out this morning, and it is worth pointing out again, the cost of one launch of the space shuttle could pay to allow the National Institutes of Health to approve one out of every three applications for medical research instead of one out of four, just one launch, and there are 83 such launches to support the space station program. And every one of them is calculated to occur within a 5-minute window without a hitch.

It is going to cost $94 billion in today's dollars and you assume that every one of those 83 to 90 launches is going to be split perfect. You think about it. Think about the enormity of such a promise.

Dan Goldin testified before the Subcommittee of Commerce on Science and Technology:

> It is certain that the program does not have adequate reserves built into the total development estimate to address Russian contingencies, which I will address later. There is also the issue of the impact the Russian delay has had in pushing completion of the assembly sequence beyond 2002.

You bet, October 2003 to be precise, a $2 billion cost overrun because Russia cannot come up with the money to build a service module.

And he goes on to say,

> Clearly, the drawn out timeframe for development/assembly will increase program

costs. The exact extent of this cost is being worked.

Here is how they have worked it. Here is the way NASA has worked it. Here are the promises that have been made.

Here is what NASA said on February 17, 1994:

Russian participation reduces cost by $2 billion and allows science utilization significantly earlier than with the alpha station.

Broken promise.

Another promise. NASA said the first element launch would be launched in November 1997 instead of September, 1998.

The reality. The first element launch is now scheduled for June, 1998. Broken promise No. 2.

The space station laboratory will be available in February 1998. Reality: May, 1999. Broken promise No. 3.

Promise. The space station will be completed in June, 2002. Reality: Now October, 2003. Broken promise No. 4.

Russia's participation will save the United States taxpayers $2 billion. Now we are going to have to come up with $2 billion. Broken promise No. 5.

Promise: Extravehicular activity, space walking, will be, in 1993, 350 hours they said; in 1994 it had gone up to 434 hours; in 1996 it went up to 1,104 hours; in 1997, 1,519 hours—a 500 percent increase. Broken promise No. 6.

Those are the promises we have gotten from NASA, and the cost is just now beginning to soar. They have just taken $400 million out of the science program. There won't be any money left to do a scientific experiment. They took $400 million out of science to make up some of the shortfalls.

They took $200 million out of the shuttle program and put it into the space program. The cost overruns are soaring, and GAO said this morning, in a report released this morning: No letup in sight.

I yield the floor and reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Madam President, I am pleased to yield 5 minutes to the Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas has 5 minutes.

Mrs. HUTCHISON. Madam President, I thank the chairman and ranking member of this important subcommittee, because they have seen, early on, the importance and the benefits, for our present society and our future children and grandchildren, of space research continuing to move forward to find how we can live better through experimentation in space. That is going to help all of us now and in the future. They have seen this and I am so pleased that the Senate has continued to ratify its faith in space.

I cannot imagine that anyone in the past few weeks who has seen the Pathfinder exploring Mars, the pictures that are being taken by Pathfinder on Mars that show it to look about like Arizona—I cannot imagine that anyone would not be so excited about what we are going to be able to learn from this kind of continued exploration. So I think now, of all times, people who are big thinkers, who have a vision for our country, would not want to stop our efforts to explore in space.

We have talked about the importance of the health benefits that we have in the microgravity conditions in the space station before. Senator MIKULSKI and I have worked on osteoporosis and breast cancer, trying to increase the funding. You cannot, no matter what you do, no matter how much technology you have—you cannot reproduce the gravity conditions that are in space, on Earth. You cannot do it. Yet we know that those microgravity conditions will allow us to watch the development of breast cancer cells and of osteoporosis in this weightlessness and perhaps find the cure for breast cancer. We can learn how to combat osteoporosis in the older, especially women, but also men. In fact, NASA research already has led to these developments in health.

The cool suit for Apollo missions now helps improve the quality of life of patients with multiple sclerosis. NASA technology has produced a pacemaker that can be programmed from outside the body. NASA has developed instruments to measure bone loss and bone density without penetrating the skin. NASA research has led to an implant for diabetes that is only 3 inches across. It provides more precise control of blood sugar levels and frees diabetics from the burden of daily insulin injections.

I was reading about Professor James Langer's discoveries. He is from the University of California at Santa Barbara. He wrote in Physics Today that, ''Metallurgists have long sought to predict and control alloy microstructures.'' This may seem a little off the wall, but in fact it is very important when they are trying to find the very best substance with which to make products. He found that this is best done in the microgravity conditions because gravity affects the way things can solidify.

So you take all these scientific things and boil them down to: How does it make my life better? In fact, it does make our life better. It does make our health better. It does give patients who have multiple sclerosis or osteoporosis a better chance to have a good quality of life. I reject the idea that we would walk away from the possibilities for the future for better health and better quality of life, but also the products that will be formed from the scientific developments that we make with the space station. Once we have the research, then we take that technology and we make the products. And that is what has kept our economy burgeoning and growing and able to accept the new, young people who come into it after they graduate from high school and college; accept the new people who come to our country, looking for the American dream.

Part of the American dream is the commitment to research. It is the commitment to the future. An important part of that is space and the space station. That is why it is so important that we keep this commitment to space research, to NASA, to the space station. And the Senate has done that. In the 4 years that I have been in the U.S. Senate, I have been very proud of the big thinkers and their ability to see the difference between shutting off our future and our possibilities and saying we can save a small amount here, not thinking that for every $1 we invest we get a $2 return in our productivity and in our gross national product.

I respect the Senator from Arkansas. I know he believes sincerely that this is a waste of taxpayer dollars. I wish, before he leaves the Senate, that he would come around to seeing the benefits of space research so maybe in his last year here he would say: You know what? I think there is a future, it is worth keeping, that it will make life better for our children, that it will provide scientific jobs for our children, that it will keep the technology and the research and the innovations in America, along with our international partners. Because this is not just people who write in Physics Today. This is quality of life for elderly people who have osteoporosis. This is for the prevention of breast cancer. This is for the scientific base that has made America what it is today.

To walk away from that would be un-American and it would be unthinkable. So I hope our colleagues will give us the resounding vote that we have had in the past. I hope they will resolutely stand for the future, for our children and our grandchildren, and for a great America for years to come.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Madam President, I thank the distinguished Senator from Texas. She has long been, not only an advocate, but very knowledgeable and a strong supporter of the space station. She has given us many good reasons why we should support the space station.

I am pleased, now, to yield 3 minutes to the Senator from Utah.

The PRESIDING OFFICER. The Senator from Utah.

Mr. BENNETT. Madam President, we are all going to miss the Senator from Arkansas. He is a good friend, and I use that in the honest term, rather than the kind of puffery that often goes on around here. He takes the floor twice a year to espouse things with which I disagree. First, he wants to do things to the mining law that I don't want to do. And then he wants to kill the space station in a way that I don't want it killed. So I vote against him on both of these occasions, but I look forward to these because he keeps us honest with his concerns. He has not yet convinced me to back away from my commitment to the space station, but I pay tribute to his tenacity and to his integrity.

I have answered at some length in previous debates. I will not take the time to do that now. I simply repeat, again, my commitment to the idea of venturing into the unknown even when it seems expensive and sometimes foolish, because we are never quite sure what we are going to find. But, almost always, it comes back to benefit us.

As I stand here I am reminded of the quote, I can't give it to you exactly, of the historian who said: History is a chancy thing. America was discovered by someone who was heading for somewhere else, thought he had arrived someplace other than he had, and was named after a man who never came here.

History is like that, chancy. We are never quite sure what is going to happen to us, but great things happen to us when we explore. We are launched on this exploration now. We are far enough along that it makes sense for us to continue. Who knows what we will find? I will not pretend to know that we will find the cure for cancer or anything else when we get out there. We will surprise ourselves. It will be chancy. But that has been our history; that has been our destiny. I, for one, want to continue it in this program.

I yield the floor.

Mr. BOND. Madam President, I thank the distinguished Senator from Utah. To the notes he added from history, we might add that he, Christopher Columbus, was a very modern traveler. He did it all with borrowed money. I think that is one element that should be added.

We are awaiting the arrival of Senator GRAMM of Texas, who is, I think, going to be the last speaker on this side. For the information of my colleagues, how many minutes are remaining for debate on this measure?

The PRESIDING OFFICER. The Senator has 12 minutes and 12 seconds, and the Senator from Arkansas has 3 minutes.

Mr. BOND. I expect perhaps within 10 minutes we would be ready, or as soon as Senator GRAMM has had the opportunity to speak, we would be ready to yield back the remainder of our time.

I so inform the Senate.

Mr. BENNETT. Madam President, if I might before the Senator from Texas comes up, I have another historical allusion I would like to share.

Mr. BOND. I am delighted to yield 3 minutes for historical allusions from the Senator from Utah.

Mr. BENNETT. I thank the Senator from Missouri.

It has been pointed out to me in the study of history that the nation that was the most powerful, the most progressive, that had, in modern terms, superpower status some centuries ago, was the nation of China. One of the things the Chinese did was send their explorers around the world. There were Chinese ships that were exploring as far away as the coast of Africa, I am told.

Then the Chinese Government decided that that was too expensive, that it was too chancy, that there would be no guarantee that they would learn anything or find anything or profit in any way and, as a cost-cutting measure, the Chinese cut back on their exploration and virtually left the field open to the Europeans. There was very little contact, of course, between the Europeans and the Chinese in that period, but the field was left open in a way that we can look back on in history and say: What might have happened if the Chinese had maintained their exploring activities and maintained their willingness to go into the future? What might have happened, had they not taken those cost-cutting measures? The history of the world would be very, very different.

It was the Europeans who went out on their exploration after the Chinese cut back. I don't want to see the Americans cut back on their adventure and their exploration, and then have someone else step into the breach. Because I am convinced that if we cut back on our exploration of space, someone else will step up to it. Who knows what the implications could be, hundreds of years from now?

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Madam President, I am pleased to yield 3 minutes to the distinguished Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Madam President, I thank our distinguished chairman for yielding. I thank him for the leadership in this very difficult job. Having served on this subcommittee, I know how difficult it is, how many important issues are under his jurisdiction, and how difficult politically they are. So I want to begin by saying thank you to Senator BOND for the great job he has done.

Senator BUMPERS, every year, proposes that we kill the space station and every year we have a protracted debate on it. I think, now, Members understand the issue enough that the lines are pretty well drawn.

So, today, I am not going to go into a lengthy speech. I know Senator BUMPERS and I know the quality of his work, so I know he has made the best case he can make for his position.

I would just like to remind my colleagues that in 1965, we were investing 5.7 cents out of every dollar spent by the Federal Government in science and technology in the future. We were investing 5.7 cents out of every dollar we spent in Washington by investing in the next generation, in investing in the science and the technology to build the scientific base of the country to give us the ability to construct new tools that were more effective and sharper than tools used by people in other parts of the world. We were able to develop new technology and new products that have made us the envy of the world and have allowed us to maintain the highest living standards on Earth.

Whereas we were investing 5.7 cents out of every dollar in the Federal budget in nondefense R&D in 1965, we are now investing roughly 1.9 cents out of every dollar spent by the Federal Government in science and technology in the future. We have dramatically reduced the investment we are making in the future, and, basically, what we have done is succumbed to the siren song of investing more and more money in the next election, in programs that have a big political constituency, in programs that yield a return before the voter goes to vote in even numbered years on the first Tuesday after the first Monday in November, and we have systematically, since 1965, reduced the investment that we are making in the future, investment that we are making in the next generation.

This ultimately comes down to a debate between investing in the next election and investing in the next generation. While I believe we have to run the space program efficiently, we have had dramatic reductions in its growth. I think when science investment is down to 1.9 percent of the nondefense R&D Federal budget, down from 5.7 percent in 1965, that we need to be alarmed about it.

I have introduced legislation to set up a program within our existing budget to double expenditures on science and technology, to set out a 10-year goal of doubling the budget of the National Institutes of Health, doubling the budget for science and technology, because I believe that it is critical to the country's future.

Let me also say that I take a back seat to no one in controlling spending, but this is about priorities. What programs do we spend the money we spend on? I say invest it in the next generation, not in the next election, and defeat the Bumpers amendment as we have done in the past. I thank the Chair.

The PRESIDING OFFICER. The Senator's time has expired. Who yields time?

Mr. BOND. Madam President, we are about to yield back time. I turn to the distinguished sponsor of the amendment.

Mr. BUMPERS. How much time do I have remaining?

The PRESIDING OFFICER. The Senator from Arkansas has 3 minutes, and the Senator from Missouri has 5 minutes.

Mr. BOND. I will be happy to accommodate the Senator from Arkansas.

Mr. BUMPERS. Madam President, I will use my 3 minutes, and we will get this show on the road.

Let me just say, in the 6 years I have stood at this position saying we ought to cancel the space station, for all the reasons I enumerated all day long, one of the opponents' arguments consistently has been that we are going to cure breast cancer, prostate cancer, cervical cancer, warts, ingrown toenails, psoriasis, you name it. It reminds me of that old Huey Long story about the medicine doctor coming

through Louisiana. He was selling Low Poplarhirum and High Poplarlorum.

''What's the difference?'' someone asked him.

He said,''Well, the High Poplarlorum will cure anything from the waist up, and Low Poplarhirum will cure anything from the waist down.''

They said, ''Where do you get it?''

He said, ''We get it from the Poplar tree.''

''How do you get a medicine out of one tree that cures everything from the waist up and the waist down?''

He says, ''Well, we take sap from the bottom half of the tree, that is Low Poplarhirum, and we take sap from the top of the tree, and that is High Poplarlorum, and that's the way it works.''

Low Poplarhirum and High Poplarlorum reminds me of the debate going on about the space station today. It is going to cure everything under the shining Sun and it isn't going to cure anything. I will eat my hat—and I wish I was going to be in the Senate to do it—if it ever cures anything. That claim is not anything in the world but a hoax designed to perpetuate a $100 billion expenditure that if it were put into real research to cure breast cancer, to cure cervical cancer, to cure prostate cancer, it might get you something. It is going to get you nothing by putting $100 million into the space station.

Read the GAO report I received this morning. I am not talking about the grandiose promise Ronald Reagan made in 1984 about how we are going to do it all for $8 billion. We have already thrown $11 billion away on the first space station before we abandoned it, and now we are headed for another $80 billion, $85 billion, and we are not going to cure anything. This project has no purpose in the world but to keep people working, to keep the aerospace and defense contractors all over the country working, and to explore what?

The Russians have been up there 20 years. I, again, invite anybody in this body to tell me what the Russians have cured, what they have developed in 20 years of having space stations. They have had seven space stations; there is nothing new about that. A space station is a mechanical thing; it is not scientific. The Russians have been up there 20 years. I challenge anybody to tell me one single thing from a medical standpoint that they have gotten out of it. I can tell you the answer is nothing.

We are going to continue pouring money down this just like we did the Clinch River breeder reactor, just like we did the super collider, until we finally woke up. The GAO issued a wake-up call this morning. For God's sakes, I say to Senators, why don't you listen to it?

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BOND. Madam President, I am sorry to hear the time has expired, because I was really getting into listening to my colleague from Arkansas. He makes me feel like I used to feel when the summer carnival came to town and I went in and I listened to people who were smooth talkers from Arkansas and elsewhere. I wound up giving them the 20, 30 cents I had saved all summer long. They are very, very compelling.

In this instance, it is not my position, it is the position of the distinguished scientists, such as the ones whose comments and quotes I have read into the RECORD that outline specifically what the benefits of the space station and space exploration have been and will be.

While we respect the very powerful arguments made by the Senator from Arkansas, I now move to table the amendment and ask for the yeas and nays.

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 question is on agreeing to the motion to lay on the table the amendment of the Senator from Arkansas. The yeas and nays have been ordered. The clerk will call the roll.

The result was announced—yeas 69, nays 31, as follows:

[Rollcall Vote No. 193 Leg.]

YEAS—69

Akaka	Feinstein	Mack
Allard	Ford	McCain
Bennett	Frist	McConnell
Biden	Glenn	Mikulski
Bingaman	Gorton	Moseley-Braun
Bond	Graham	Murkowski
Boxer	Gramm	Murray
Breaux	Grams	Nickles
Brownback	Grassley	Reid
Burns	Gregg	Robb
Campbell	Hagel	Roberts
Cleland	Hatch	Rockefeller
Coats	Helms	Roth
Cochran	Hutchison	Santorum
Coverdell	Inhofe	Sarbanes
Craig	Inouye	Sessions
D'Amato	Kempthorne	Shelby
Daschle	Kerrey	Smith (NH)
DeWine	Kerry	Smith (OR)
Dodd	Kyl	Stevens
Domenici	Landrieu	Thompson
Enzi	Lieberman	Thurmond
Faircloth	Lott	Torricelli

NAYS—31

Abraham	Feingold	Lugar
Ashcroft	Harkin	Moynihan
Baucus	Hollings	Reed
Bryan	Hutchinson	Snowe
Bumpers	Jeffords	Specter
Byrd	Johnson	Thomas
Chafee	Kennedy	Warner
Collins	Kohl	Wellstone
Conrad	Lautenberg	Wyden
Dorgan	Leahy	
Durbin	Levin	

The motion to lay on the table the amendment (No. 944) was agreed to.

Mr. BOND. Madam President, I move to reconsider the vote.

Ms. MIKULSKI. I move to lay it on the table.

The motion to lay on the table was agreed to.

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

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

The bill clerk proceeded to call the roll.

Mr. BOND. 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. BOND. With the concurrence of the majority leader and the minority leader, I think we are prepared to have one more vote on an amendment to be offered by Senator BUMPERS. I believe other amendments pending can be resolved without a vote, so we hope to be able to have the vote on the amendment and start the vote for final passage prior to 7 o'clock.

I ask unanimous consent the debate on an amendment to be offered by the Senator from Arkansas be 20 minutes, equally divided in the usual form.

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

AMENDMENT NO. 953

(Purpose: To cap the cost of the Space Station)

Mr. BUMPERS. Mr. President, I send an amendment to the desk and I ask unanimous consent that no second-degree amendments be in order.

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

The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Arkansas [Mr. BUMPERS] proposes an amendment numbered 953.

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:

At the appropriate place in the bill, insert the following new sections.

SEC. XXX. ANNUAL REPORT ON LIFE CYCLE COSTS AND SPACE LAUNCH REQUIREMENTS.

(a) For each of the fiscal years 1999 through 2013, the Administrator, along with the President's submission to the Congress of the annual budget request for the National Aeronautics and Space Administration, shall submit a report that contains,

(1) a life cycle capital development and operations plan with a year-by-estimate of the United States' share of the projected expenses for development, construction, operation, enhancement, and decommissioning and disassembly of the Space Station;

(2) an updated space launch manifest for the Space Station program and the estimated marginal and average launch costs for the Space Station program for the fiscal year involved and all succeeding fiscal years.

SEC. XXX. FUNDING CAPS.

(a) The President's cumulative budget submissions for Space Station capital development and operations for the fiscal year 1994 through the fiscal year during which the Space Station achieves full operational capability may not exceed $17,400,000,000, exclusive of launch costs.

(b) After achieving full operational capability and continuing through its decommissioning, the President's annual budget submission to Congress for the National Aeronautics and Space Administration shall contain an amount for the operation of, and any enhancement to, the Space Station which shall in no case exceed $1,300,000,000 for that fiscal year, exclusive of launch costs.

(c) DEFINITIONS.—For purposes of this section

(1) the capital development program of the Space Station includes, but is not limited to, the research and development activities associated with the space and ground systems and collateral equipment of the Space Station, and all direct expenses for space flight, control, data communications, assembly and operations planning, construction of facilities, training, development of science equipment and payloads, and research and program management activities associated with the construction and operations of the Space Station and its supporting elements and services until the facility is equipped and powered as planned, and declared fully operational.

(2) operation of the Space Station includes, but is not limited to, all direct research and development; space flight, control and data communications; construction of facilities; training; development of science equipment and payloads; scientific experiments; and research and program management activities associated with the operations of the Space Station; and the U.S.-Russia cooperative MIR program.

(3) enhancement of the Space Station includes all direct research and development; space flight, control and data communications; construction of facilities; and research and program management activities associated with the acquisition of additional Space Station elements and ground support facilities.

(4) direct expenses include, but are not limited to, the marginal costs of transportation and tracking and data services, launch facilities, payload processing facilities, simulator facilities, and all other enabling facilities including their collateral equipment, and all laboratory and technical services provided by NASA Centers to support space station development and scientific research.

(5) full operation capability means the facility is fully assembled on-orbit with the power, configuration and capabilities described in the system design review of March 24, 1994.

Mr. BUMPERS. Mr. President, I will make this brief. I know everyone wants to get out of here, and I want to accommodate the membership.

Last week, the Armed Services Committee accepted an amendment that capped the costs on the F–22 fighter plane. They, I think, correctly decided that the costs of the F–22 could very well go way beyond anything intended by the Congress. So, Mr. President, they accepted a cap on the F–22 fighter plane.

All I am trying to do on this is do the same thing on the space station. I am using NASA's figures. These are not my figures. These are the figures that NASA says they can build the space station for and operate it. The amendment, as I say, is right where they say it is, but here is the reason I am doing this. The General Accounting Office says that since last year, the risk to the space station's costs in schedule have, in fact, increased. GAO goes on to say the station's financial reserves have also deteriorated significantly.

Now, I think the people in this body who strongly favor the space station in good conscience and as a duty to their constituents and their own conscience ought to support saying at some point there ought to be some kind of a limit on how much we are willing to spend. I am using the figures that NASA has themselves put out: $17.4 billion to build it, $1.3 billion a year to operate it. The cap does not extend to a launch cost, only to the building and deployment and to the operating of it.

That seems like a simple, straightforward amendment to me, Mr. President.

Mr. BOND. Mr. President, I yield myself 2 minutes.

I just appreciate the effort the Senator from Arkansas is making to ensure that the spending on this widely supported and strongly endorsed program is kept under control, but the space station is already operating under administrative caps. I understand the authorizing committee is examining the potential for legislated caps. I think this is an issue appropriately to be referred to the authorizers. It deserves careful consideration, not brought forward here in the last moment on an appropriations bill debate.

I just say, Mr. President, space station is a research and development project. It has a lot of uncertainties but tremendous promise. It is rocket science. We are dealing with rocket science. We should not lock NASA in stone with caps that are pulled out of thin air here at the last minute in the appropriations process.

I urge my colleagues to join me in opposing the Bumpers amendment.

Ms. MIKULSKI. Mr. President, I, too, rise in opposition to the Bumpers amendment. Though well-intentioned, it is not necessary and could inadvertently, by placing a cap, lead to real concern in the area of safety.

First, we do not want to tie the hands of the NASA administrator. Second, since fiscal year 1994, the station has been subject to funding limitations, a $2.1 billion annual funding and a $17.4 billion overall funding through the completion of the assembly. Yes, these limitations are not legislatively mandated; they have been administratively carried out.

There are many references to these specific limitations to the space station budget and congressional proceedings. For example, the $17.4 billion total cap through the completion of the assembly. Recent reports indicate that NASA is expected to build the station within these limits. We should not legislate a cap. In good faith, NASA continues to meet these goals. Any additional money sought is for unforeseen problems either associated with the Russian service module or where we might now identify a certain series of safety concerns. We are learning lessons from Mir.

I don't want to tie the hands of NASA or threaten the lives of astronauts. I really encourage our colleagues to vote no on Bumpers and await the wise counsel of the authorizing committee on this issue.

I yield the floor.

Mr. BUMPERS. I hardly know what else to say about this. The figures I am using are the figures that NASA says they can build and operate it for. Now, it is obvious from the GAO report that came out this morning that these costs are beginning to get out of control. There is a shifting from one account to another. There is even shifting from nonspace station programs to space station programs.

All I am trying to do is to say, let's get it under control. There is not anything, frankly, written in stone about a cost cap amendment. Next year, if NASA comes in and says we are down $1 billion, we will certainly give it to them, if I am any judge of what is going to happen around here in the future with the space station.

But here is what the GAO report said this morning, Mr. President:

> NASA's actions to reinforce its financial reserves and keep the program within its funding limitations has in some cases involved redefining a portion of the program subject to the limitations. Such actions make the value of the current limitations as a funding control mechanism questionable. Therefore, we proposed that the NASA administrator, with the concurrence of the Office of Management and Budget, direct the space station to discontinue the use of the current funding limitations.

And they go ahead to say at the end of the review:

> Assuming that Congress decides to continue the space station program and wants to replace the current funding limitations, it should consider, after consultation with NASA, reestablishment in light of the current circumstances.

Now, the truth of the matter is, this program is heading headlong out of control. There are very few people in this body that do not know that, that do not understand that, and I am offering this amendment simply because I am saying, if you are going to build a space station, for Pete's sake let's put some kind of a limitation on it.

Mr. President, the Senator from Arizona, Mr. MCCAIN, who chairs the Commerce Committee, tells me that he is working with NASA and he wants to work with me on putting a cap on this. One of the problems I have and worry about is, are we simply going to put some language in—and I think Senator MCCAIN shares my concern about the cost of this program. I certainly would welcome the opportunity to work with him, but I don't want a cap, and I know Senator MCCAIN doesn't want a cap that has all kinds of escape mechanisms in it so the costs can continue to skyrocket and we can continue building this big boondoggle. My whole purpose is to say to my colleagues who believe in the space station—which I do not—that I know they share my concern about these costs that GAO says are sliding out of control.

Mr. President, I withdraw my amendment.

The amendment (No. 953) was withdrawn.

Mr. BOND. Mr. President, it is with deep gratitude that I express my appreciation to the Senator from Arkansas. I believe he has another amendment

and I now feel a wonderful sense that we will be willing to accept it if he wishes to proceed with that.

Ms. MIKULSKI. If the Senator from Arkansas would just allow a kudos comment. I thank the Senator for withdrawing his amendment, though I know that he is in no way retreating from his position. We acknowledge that position and we look forward to hearing both from him and the distinguished chairman of the Commerce Committee on his advice in this matter. Thanks again.

Mr. MCCAIN. Mr. President, I rise to oppose the Bumper amendment to place a cap on the space station. I oppose the idea of a price cap at this time given the recent changes to the space station program surrounding the prime contractor's performance and the instability of Russian participation.

I have asked the General Accounting Office [GAO] to update their previous life-cycle cost estimate on the space station. Once this cost estimate is completed, I intend to introduce a price cap on the station. It is my hope that a price cap at that time will reflect a more accurate assessment of the space station total life-cycle costs.

I am pleased that my colleague from Arkansas has withdrawn his amendment.

I look forward to investigating these issues further after the GAO study I requested is completed and after the Commerce, Science, and Transportation Committee holds hearings and further consultation with interested parties including NASA.

AMENDMENT NO. 954

(Purpose: To earmark funds for a National Research Council report on the Space Station program)

Mr. BUMPERS. 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 Arkansas [Mr. BUMPERS] proposes an amendment numbered 954.

Mr. BUMPERS. 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, add the following new section:

SEC. . Of the funds provided to the National Aeronautics and Space Administration in this bill, the Administrator shall by November 1, 1998, make available no less than $400,000 for a study by the National Research Council, with an interim report to be completed by June 1, 1998, that evaluates, in terms of the potential impact on the Space Station's assembly schedule, budget, and capabilities, the engineering challenges posed by extravehicular activity (EVA) requirements, U.S. and non-U.S. space launch requirements, the potential need to upgrade or replace equipment and components after assembly complete, and the requirement to decommission and disassemble the facility.

Mr. BUMPERS. Mr. President, this simply requires NASA to spend up to $400,000 of its unobligated funds for the National Research Council to do a study between now and the summer of 1998 on any engineering problems that may seem insurmountable in building and deploying the space station.

I think both floor managers have looked this over and have agreed to it.

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

The amendment (No. 954) was agreed to.

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

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

The motion to lay on the table was agreed to.

Mr. BUMPERS. Mr. President, have the floor managers had an opportunity to look over the visa waiver for Veterans' Administration doctors?

Mr. BOND. Mr. President, we have had conversation with the authorizing committees and, from our standpoint, I have found no objection from the committees of jurisdiction. This one is well outside the scope of our normal activities. So I am awaiting any expression of concern. We have not had any concern from the committees who have jurisdiction over immigration.

The PRESIDING OFFICER. Who seeks recognition?

Ms. MIKULSKI. Mr. President, I know that the VA often has very special circumstances where doctors, perhaps from other countries, or graduates from international medical schools, are present in our VA hospitals to help with either special assignments or special chores.

From what I can understand, there was an error in last year's immigration bill that really shackled VA from the flexibility it had in this area. From what I understand, the Bumpers amendment is a benign amendment. It does not create a new classification. It does not create a new entitlement to either come to this country or stay in this country. It just reaffirms kind of what was once a usual and customary practice by the VA. So I don't anticipate an objection.

Mr. BUMPERS. Mr. President, let me just thank the Senator from Maryland and the Senator from Missouri. Let me add this caveat which might help them sleep better. A veterans' hospital in Little Rock told me they have five doctors they are going to lose. I am really offering this on their behalf. This is sort of a critical situation where these doctors are going to be forced to leave and go home.

All this amendment says is that, in the future, the VA—not the doctor—could request a waiver of the visa requirement that they return home for 2 years before they can come back. That seems like a fairly laudable thing when you consider the medical shortages most VA hospitals experience. If you find when you get to the conference committee somebody objects because it may be a turf fight of some kind, I will understand that. I hope that doesn't happen. But I appreciate the accommodation you have given.

AMENDMENT NO. 955

(Purpose: To restore the authority of the Veterans' Administration to request waivers of the home residency requirement for doctors employed at VA hospitals on J–1 visas)

Mr. BUMPERS. 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 Arkansas [Mr. BUMPERS] proposes an amendment numbered 955.

Mr. BUMPERS. 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, add the following new section: SEC. . Section 214(*l*)(1)(D) of the Immigration and Nationality Act (8 U.S.C. 1184(*l*)(1)(D)) (as added by section 220 of the Immigration and Nationality Technical Corrections Act of 1994 and redesignated as subsection (*l*) by section 671(a)(3)(A) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996) is amended by inserting before the period at the end the following: '', except that, in the case of a request by the Department of Veterans Affairs, the alien shall not be required to practice medicine in a geographic area designated by the Secretary.''

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

The amendment (No. 955) was agreed to.

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

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Who seeks recognition?

Mr. BOND. Mr. President, I ask unanimous consent that at 6:40 p.m. the Senate proceed to H.R. 2158, the House companion bill, all after the enacting clause be stricken, the text of S. 1034 be inserted, H.R. 2158 be read for the third time, and a vote occur on passage, all without further action or debate.

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

AMENDMENTS NOS. 956 THROUGH 960, EN BLOC

Mr. BOND. Mr. President, I send a group of amendments to the desk, en bloc, and ask for their immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Missouri [Mr. BOND] proposes amendments numbered 956 through 960, en bloc.

Mr. BOND. Mr. President, I ask unanimous consent that reading of the amendments be dispensed with.

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

The amendments are as follows:

AMENDMENT NO. 956

(Purpose: To enable the State of Florida to use prior EPA Title II funds for a grant for wastewater treatment, and for other purposes)

On page 63, lines 4 and 5, strike ''allocated to the purposes of the Safe Drinking Water Act'' and insert ''allocated for the purposes of the Safe Drinking Water Act and title VI of the Federal Water Pollution Control Act, respectively,''

On page 63, line 18, before the period, add the following proviso: ''*: Provided further,* That, notwithstanding any other provision of law, the Administrator is authorized to make a grant of $4,326,000 under Title II of the Federal Water Pollution Control Act, as amended, from funds appropriated in prior years under section 205 of the Act for the State of Florida and available due to deobligation, to the appropriate instrumentality for wastewater treatment works in Monroe County, Florida''

On page 64, line 18, before the period, add the following proviso: ''*Provided,* That, notwithstanding any other provision of law, no funds other than those appropriated under this heading, shall be used for or by the Council on Environmental Quality and Office of Environmental Quality''.

On page 65, line 13, after the semi-colon, insert ''or'', and on line 17 strike ''; or beaches''.

AMENDMENT NO. 957

(Purpose: To limit the use of locality pay differential that would provide a pay increase to an employee transferred as a result of sexual harassment)

At the appropriate place, insert:

None of the funds made available by Title 1 of this Act may be used to provide a locality payment differential which would have the effect of causing a pay increase to any employee that was removed as a Director of a VA Hospital and transferred to another hospital as a result of the Inspector General's conclusion that the employee engaged in verbal sexual harassment and abusive behavior toward female employees.

Mr. FAIRCLOTH. Mr. President, I am pleased to offer this amendment that calls for a halt to all locality pay increases for all employees of the Department of Veterans Affairs that have been transferred due to their perpetration of sexual harassment. Let me explain why this amendment is necessary.

Over a year ago to date, the Veterans Department undertook an investigation into the allegations of sexual harassment, misconduct, and unprofessional behavior on the part of Jerome Calhoun, who was Director of the VA Medical Center in Fayetteville, NC.

In September 1996, the Office of the Inspector General of the Veterans Department issued a report confirming the allegations of sexual harassment, as well as a pattern of inappropriate and abusive behavior toward Department employees.

In most organizations today this kind of behavior would not be tolerated. Jerome Calhoun would have been fired. Unfortunately, this is not the way things work at the Veterans Department. At the Veterans Department this kind of deplorable behavior gets you a comfortable settlement.

Here are the facts: For his intolerable behavior, Mr. Calhoun was given a pay raise, bringing his already generous salary to $106,000. He was transferred to sunny Bay Pines, FL, a locale of his own choosing, and he was given the position of special assistant which is standard Government lingo for having no specific responsibilities. Quite frankly, I look at this settlement and I ask myself, where is the punishment? In the private sector this would be considered a promotion.

Mr. President, on behalf of the 200,000 employees of the Veterans Department, I ask this body to do what Department officials have neglected. Jerome Calhoun must not be allowed make such an incredible mockery of the system.

AMENDMENT NO. 958

On page 51 after line 11, insert the following new section:

SEC. 216. INDIAN HOUSING REFORM.

Upon a finding by the Secretary that any person has substantially, significantly, or materially violated the requirements of any activity under the Native American Housing Block Grants Program under title I of the Native American Self-Determination Act of 1996 or any associated activity under the jurisdiction of the Department of Housing and Urban Development, the Secretary shall bar that person from any such participation in programs under that title thereafter and shall require reimbursement for any losses or costs associated with these violations.

Mr. GORTON. Mr. President, I am offering an amendment today to correct an egregious problem at the Department of Housing and Urban Development and on tribal lands across the Nation that came to light last December. As many of my colleagues know, the Seattle Times broke an unbelievable story of greed, deception, and mismanagement in the tribal housing program shortly before the 105th Congress convened.

The Seattle Times reported that funding intended to build housing for low-income native Americans on the Tulalip Reservation in my State, went instead to construct a 5,300 square foot $400,000 home. The recipients of this taxpayer-funded home were not low-income, but instead earned a combined yearly income of $92,319 as executive director of the tribe's housing authority and contracting officer for the authority. I am confident my colleagues will agree that this abuse of HUD funding is outrageous and should be punished severely.

Unfortunately, the Tulalip house was not the only problem Seattle Times reporters found in their 6-month investigation of tribal housing programs. Instead, they turned up numerous and repeated examples of cheating, abuse, and mismanagement in native American housing programs across the United States.

In Red Rock, OK, Troy Warrior and his family of the Otoe-Missouria Indian tribe were excited at the prospect of moving into a new home. They would finally be able to afford their own home with help from HUD financing. Only a few days before the family was scheduled to move into the modest home, they were told that leaders of the tribal housing authority would get the house instead. Twenty other low-income families in the tribe faced the same dilemma. The tribal housing leaders eliminated the requirement that recipients of the homes pay for them, in effect giving themselves free houses at the expense of American taxpayers while those truly in need of the housing were left to fend for themselves.

Jimmy Viarrial, chairman of the Pojoaque Tribe housing authority in Santa Fe, NM, makes over $40,000 a year, twice the State average. But when HUD gave the housing authority $1 million for home repairs, it spent the first $45,000 on Viarrial's own five-bedroom home. Most of the rest went to remodel the homes of friends and relatives of Viarrial and the housing authority director.

Mr. President, these are just a few of the many abuses found by Seattle Times reporters last year, and I can say with confidence that there are most likely many more such abuses that have not been discovered. The American taxpayers deserve better than this. When we in the U.S. Senate tell them that their money is going to worthwhile programs to provide housing for the poorest native Americans, it is our duty to ensure that it is.

As many of you know, two officials at the Department of Housing and Urban Development were removed from their positions in the Office of Native American Programs as a result of this scandal. Furthermore, the HUD inspector general has issued a report confirming that the Seattle Times allegations are in fact true and recommending that the Native American Housing and Self-Determination Act of 1996 be amended to ensure better oversight of Indian housing authorities at HUD. These are positive developments that should be applauded. But no actions have been taken against the tribes responsible for the abuse of taxpayer money.

That is why I am offering an amendment today intended to send notice that the misuse and misallocation of taxpayer dollars will no longer be tolerated. It will be punished and punished severely. Anyone involved will be permanently barred from participating in the program, and must reimburse that program. I would have preferred to go further, but this amendment is the strongest that can be accepted and passed. It is a simple amendment that should have been law a long time ago.

I urge my colleagues to join me in my effort to inject fairness and accountability into a program rife with abuse and mismanagement. It is the least we can do for the millions of American taxpayers who expect their hard-earned money to be used wisely.

AMENDMENT NO. 959

(Purpose: To make available $1,000,000 for the Neutral Buoyancy Simulator program of NASA)

On page 70, line 18, strike out ''1999.'' and insert in lieu thereof ''1999: *Provided,* That of the amount appropriated or otherwise made

available by this heading, $1,000,000 may be available for the Neutral Buoyancy Simulator program.''.

AMENDMENT NO. 960

On page 16, line 21, strike $10,693,000,000'' and insert in lieu thereof ''10,159,000''.

On page 16, line 23, strike ''$9,200,000'' and insert ''8,666,000''.

On page 23, line 6, insert ''and contract expertise'' after ''technical assistance''.

On page 23, line 24, strike ''and 1995'' and insert in lieu thereof ''1995, and 1997''.

On page 27, line 17, insert ''for'' after ''charge''.

On page 27, line 22, insert ''or moderate income family'' after ''family''.

On page 27, line 24, strike ''payment'' and insert '''prepayment''.

On page 28, line 1, insert ''of'' after the first ''the''.

On page 28, line 8, insert ''if'' after ''and''.

On page 28, line 13, insert ''from'' after ''move''.

On page 28, line 14, strike ''of'' and insert ''or''.

On page 28, line 22, strike ''223'' and insert ''220''.

On page 35, line 10, insert before the period, the following: '': *Provided further,* That any unobligated balances available or recaptures in, or which become available in the Emergency Shelter Grants Program account, Supportive Housing Program account, Supplemental Assistance for Facilities to Assist the Homeless account, Shelter Plus Care account, Innovative Homeless Initiatives Demonstration Program account and Section 8 Moderate Rehabilitation (SRO) account, shall be transferred to and merged with the amounts in this account and shall be used for purposes under this account''.

On page 45, after line 18, insert the following:

''(d) Public and Assisted Housing Rents, Income Adjustments and Preferences.

''(1) Section 402(a) of The Balanced Budget Downpayment Act, I is amended by striking ''fiscal year 1997'' and insert in lieu thereof ''fiscal year 1998.

''(2) Section 402(f) of The Balanced Budget Downpayment Act, I is amended by striking ''fiscal years 1996 and 1997'' and inserting in lieu thereof ''fiscal years 1997 and 1998''.

On page 47, beginning on line 24, strike out ''Account Transition'' and all that follows through line 7 on page 48, and redesignate the sections accordingly.

On page 51, line 11, insert before the period ''or demolition''.

''HOME PROGRAM FORMULA

''SEC. 217. The first sentence of section 217(b)(3) of the Cranston-Gonzalez National Affordable Housing Act is amended by striking ''only those jurisdictions that are allocated an amount of $500,000 or greater shall receive an allocation'' and inserting in lieu thereof the following: ''jurisdictions that are allocated an amount of $500,000 or more, and participating jurisdictions (other than consortia that fail to renew the membership of all of their member jurisdictions) that are allocated an amount less than $500,000, shall receive an allocation''.

Mr. BOND. Mr. President, I think this should take care of the amendments for tonight. In the managers' amendment, the first item is a technical correction to EPA language related to cross-collateralization of State revolving funds. The language has been requested by the Environment and Public Works Committee.

The second item, requested by Senators MACK and GRAHAM, is to enable the State of Florida to use funds obligated and available to the State of Florida under title II of the Clean Water Act to make a grant to Monroe County, FL. This is budget neutral, and similar to other amendments on VA–HUD bills.

Third, this would ensure that the Council on Environmental Quality use only those resources provided to its direct appropriations to support its activity.

The fourth item deletes the prohibition on FEMA disaster relief expenditures relative to beaches. It is expected that the authorizing committee will be addressing this shortly.

There is another amendment, a very important amendment, on page 16, which readjusts the section 8 contract renewal account from $9.2 billion to $8.666 billion, as provided by the Budget Committee, to put the bill in compliance with the budget resolution and the 602(b) allocation.

The sixth amendment limits locality pay increases for VA employees found guilty of sexual harassment.

The seventh amendment makes $1 million available in transition funds for the Neutral Buoyancy Simulator Program.

The eighth amendment authorizes HUD to bar persons violating the Indian block grant housing program from participating in the program in the future.

The other eight amendments are truly technical amendments. The HOPE Six account, the preservation account, McKinney homeless account, PHA account, account structure, demolition grants as part of HUD multifamily disposition authority, and grandfathering all existing home jurisdictions for home funding allocations.

Mr. President, I ask my ranking member if there are any further items that she has.

Ms. MIKULSKI. Mr. President, this side of the aisle has no additional amendments to add to the managers' amendment.

Mr. BOND. Mr. President, I gather we are ready to move to adoption of the amendments.

The PRESIDING OFFICER. The question is on agreeing to the amendments, en bloc.

The amendments (Nos. 956 through 960) were agreed to.

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

Ms. MIKULSKI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

FEMA

Mr. GREGG. Would the Senator from Missouri yield for a question?

Mr. BOND. I would be glad to yield.

Mr. GREGG. Would the chairman of the Appropriations Subcommittee on Veterans Affairs, Housing and Urban Development and Independent Agencies agree that the Federal Emergency Management Agency should act in a swift manner to settle its account with the Rockingham County jail in Brentwood, NH? As the Senator from Missouri may know, the county jail sustained flooding of more than 3 feet of water during a storm this past October. The county has been looking to FEMA for reimbursement of 75 percent of the damage it usually covers when there is a disaster.

Mr. BOND. Has FEMA settled any of this?

Mr. GREGG. Yes, the county has received roughly $150,000 from FEMA, but there is still about $178,000 outstanding. Most of the money paid to Rockingham County came only after a meeting this past March 3, which I hosted in my office with officials from FEMA and Rockingham County Commissioner Tom Battles. At that meeting, we were encouraged by FEMA that the outstanding balance would be settled within the next few months after some more flood mapping was conducted. With adequate time having passed and a new fiscal year on the way, it is only fair to Rockingham County and the State of New Hampshire that this issue be settled as budgets have to be structured.

Mr. Bond. I would say that I do agree that FEMA should work very quickly on this.

PARTICULATE MATTER RESEARCH

Mr. BROWNBACK. Mr. President, the VA-HUD-Independent Agencies appropriations bill for fiscal year 1998 that we are considering today allocates $35 million in the administration's budget request for research on the public health effects of airborne particulate matter. I have an amendment that simply states that these studies employ some basic sound scientific methods. This is an extremely important provision, but I would withdraw my amendment, if we could engage in a colloquy to assure that the issue will be addressed in conference.

This language will be an important part of assuring that we protect public health. Last week, the EPA finalized its rule on particulate matter. Many have questioned the science behind this rule and a great deal of uncertainty exists over the effect of particulate matter on public health. As we reach this juncture, we must remember the reason for this standard: to enhance public health. The only way we can be sure that the standard will, in fact, provide the desired benefits is through sound science. Lacking sound science, we may end up with standards that don't provide any benefit, but cost the public dearly. While we often hear about costs on industry, we must remember that those costs are passed down to individuals in the form of higher prices and higher State and local taxes. When individuals truly gain significant benefits from a standard, they are indeed better off. However, if we raise their costs for nothing or little in return, we simply make them poorer and less able to pay for basic necessities, such as health care. Last week you may recall, one District of Columbia woman died

in her apartment because of the heat and the fact that she could not afford air conditioning. Such stories remind us that poverty represents one of the greatest risk to public health. Hence, we should make sure that new regulations do not simply make people poorer. If we don't pursue sound science, we may impose regulations that actually decrease public health. By demanding that particulate matter research relies on the best available scientific methods, we can gain better knowledge over the impacts of the regulations and reform them to assure that we are actually enhancing overall public health.

Mr. BOND. I thank my colleague from Kansas for his comments. In a memorandum from the President to the Administrator of the Environmental Protection Agency that accompanied this rule, the President committed that no new controls on businesses would be imposed until the science behind this rulemaking is reviewed 5 years from now. The results of this research will help in that decision. This is why the bill almost doubles funding for particulate matter research over last year's level.

Mr. BROWNBACK. I thank the Senator from Missouri for recognizing the importance of these studies and my recommendation. Given the significance of this research and overall limitations on funding, I think it is important that we are assured that the research will include those studies that will help us determine whether a cause-effect relationship exists between exposure to particulate matter and adverse health impacts. These include: First, controlled inhalation studies that will allow us to determine the effects of exposure to particulate matter at different concentration levels and the mechanism by which particulate matter could affect health; second, prospective epidemiology studies based on individual exposure measurements that will allow us to better examine the role of possible alternative causes of the measured increase in risk; and third, the relationship of outdoor, indoor, and personal exposures to particulate matter. Without these types of studies, we may not be any further along in resolving the scientific uncertainties associated with this rulemaking. I further believe that the results of this research should be made available for independent scientific review.

Mr. SHELBY. If my colleagues would yield for a moment, I would like to endorse the well-reasoned recommendations made by the Senator for Kansas. The recently issued particulate matter rule is troubling given the scientific uncertainties and the significant costs that will be imposed on the government, citizens, and businesses in Alabama—and in the rest of the Nation—that are already struggling to meet the air quality standards required by the Clean Air Act Amendments of 1990. The cost of implementing the new particulate matter standards is staggering, especially considering the questions that remain about the actual public health benefit. Further scientific examination of the matter is necessary prior to placing additional economic burdens on the American public. Premature implementation of the standards could be far more damaging to the Nation and I strongly recommend taking the time to fully review the scientific basis of the rulemaking.

Mr. BOND. My colleagues from Kansas and Alabama are correct. these studies are critical to determining whether the EPA's rulemaking is appropriate. I concur with the Senators in the importance of this research and ensuring that the particular research projects funded address the most critical questions associated with particulate matter exposure.

Mr. BROWNBACK. I also believe it is important that the research program include funding for the reanalysis of the American Cancer Society study on particulate matter that was used as the basis for EPA's risk estimate. My understanding is that the Health Effects Institute, an independent research organization that is already reviewing some of the epidemiology data, is willing to undertake this reanalysis and has received permission from the American Cancer Society, but currently lacks adequate funding to do a complete reanalysis.

Mr. BOND. I thank my colleagues for their recommendations. This will be an important issue to address when we go to conference with the House.

LYONS VA MEDICAL CENTER

Mr. LAUTENBERG. Mr. President, I would like to express my support for a provision in the House version of the fiscal year 1998 VA–HUD appropriations bill to provide $21.1 million in funding for the construction of an ambulatory care addition at the Lyons, NJ, VA Medical Center. This facility is sorely needed by the veterans in New Jersey, and I hope the Senate will recede to the House on this issue during the conference.

The Lyons VA Medical Center serves nearly 75 percent of New Jersey's veterans, and this funding will provide vital medical care for veterans who receive care on an outpatient basis. It will provide for necessary construction and renovations to enhance Lyons' clinics, diagnostic and treatment services, emergency department, and support functions. The funding will make a significant contribution to improving the access to quality medical care by New Jersey's veterans.

At a time when New Jersey's aging veteran population has an increasing need for VA health care services, we have an obligation to ensure that their health care needs are met. As a member of the VA–HUD Appropriations Subcommittee, I urge my colleagues on the committee to include this funding in the conference agreement.

Mr. BOND. As the Senator from New Jersey is aware, the outcome of the conference cannot be forecast. However, I will give strong consideration to the funding for the Lyons VA Medical Center ambulatory care addition in conference.

Ms. MIKULSKI. I, too, appreciate the Senator's support for the ambulatory care addition at the Lyons VA Medical Center, and I will join Senator BOND in doing all I can to support this funding during the conference.

PLANT GENOME INITIATIVE

Mr. BOND. Mr. President, I bring to the attention of my colleagues a provision in this measure which directs $40 million to begin the new plant genome initiative to help keep U.S. agriculture on top in the 21st century. The United States currently has a robust Federal investment in biotechnology in the human health field. While this remains a national priority, I think it is critical that we begin building on the common foundation in basic science to bring the power of biotechnology to bear in agriculture. We cannot sit idly and expect to remain the world's leader in agriculture production. U.S. agriculture currently exports a record $60 billion in agricultural products with a net trade surplus of $30 billion. This is about the long-term sustainability and competitiveness of U.S. agriculture which means that it is about meeting the world's growing nutritional needs, protecting U.S. jobs, and preserving the environment.

The future of corn and other plant species is written in the genetic code and genome mapping will give us the precise locations of genes that control important traits that can be manipulated to make corn and other vital commodities more drought tolerant; freeze tolerant; tolerant to certain chemicals, weeds, or bugs; disease resistant; less toxic and more digestible which is critical because it could lower phosphorous and nitrogen levels in animal waste.

This action incorporates the initial recommendations of the interagency working group on plant genomes [IWG] which was formed recently at my request to develop a scientific and administrative consensus on how best to accomplish this ambitious new effort to address the needs of 21st Century. The world population wants more food, less expensive food, more nutritious food, and they want it produced on less land in a more environment-friendly way. In this half century, we have seen U.S. agriculture double production by utilizing new technologies. Biotechnology will be the key in the next century to meet the needs of a world population which is expected to double in the next 30 years while protecting the world's natural resources.

According to scientists, today, biotechnology makes it possible to enter the genetic world of plants to gain a greater degree of control over the selection of genes than was possible with traditional breeding. It is now possible to locate the genes for certain traits, cut them from one organism, and paste them into another, even if the target organism is of another species. In order

to accomplish a genetic transfer between organisms using biotechnology, scientists have to be able to find the location of the genes that control a given characteristic, such as size, color, or resistance to disease. This new initiative seeks to provide a map of these locations so that scientists and producers can capitalize on this vast potential to benefit humankind and the environment.

The original idea was introduced to me by the Missouri Corngrowers Association who presented a comprehensive business plan to map the corn genome devised by the National Corngrowers Association working in conjunction with private and public scientific experts. With this additional money provided in this legislation the initiative can be expanded beyond corn to include other economically significant crops such as rice, soybeans, and wheat. After consulting with a number of scientists in Missouri and elsewhere, I have concluded that this is the kind of research that will unlock the information which holds the promise of addressing dramatically the challenges facing the world in the coming century. My hat is off to those who argued convincingly that this blockbuster initiative is vital to address the economic, nutritional, and environmental needs of the next century and worthy of blockbuster support from the Federal Government. I also applaud the administration's IWG for their strong support in beginning to formate the most scientifically and administratively feasible way to proceed so that we can maximize the return on the taxpayers' investment.

The IWG on plant genomes which was empaneled at my request to make recommendations on the plant genome initiative, consists of representatives from the Department of Agriculture, National Science Foundation, National Institutes of Health, Department of Energy, Office of Science and Technology Policy and the Office of Management and Budget. In its recently-released report, while funding sources were not identified, the value of this initiative was validated and recommendations were advanced to provide for international cooperation, private-public partnerships, and open public access to all the information discovered. The money awarded under this act will be done so by the National Science Foundation on a competitive basis with peer review.

Finally, I note that it is imperative that work continue to be done to integrate this initiative into the interagency effort that the IWG recommends. This means that the U.S. Department of Agriculture will have to work with us on coordinating their efforts with NSF and other agencies and they will have to provide recommendations on additional sources of funds for the effort within their budget.

PLANT GENOME RESEARCH

Mr. GRASSLEY. Mr. President, I commend my colleague from Missouri, the chairman of the VA/HUD Appropriations Subcommittee, for his foresight in providing funding through the National Science Foundation for plant genome research. This is a critical program for American agriculture involving a meaningful amount of money—$40 million—to advance work on plant genome projects for farm crops that contribute significantly to our economy. It has been my pleasure to work with Senator BOND for some time on the plant genome mapping effort.

Iowa is a national leader in the production of corn and soybeans. These two crops are mainstays of the Iowa economy. In order to remain competitive in the world market, we need to understand in increasing detail what the genetic mechanisms of these crops are and how they work. Researchers in many fields can use the results of the genome mapping effort to enhance these crops. The genome mapping research results will help us to understand new and better ways to increase crop yields, discover new uses and products, better the health of the plant by reducing risks to disease and pests, and to help protect the environment. This bodes well for the corn grower and soybean producer by increasing the value of the crop and, thus, increasing farm income.

I will continue to work with Senator BOND to see that this effort receives proper funding both through the NSF and the Department of Agriculture. An interagency effort, along with a strong, effective, meaningful public/private partnership is key to the ultimate success of the plant genome mapping project. We must also be aware of international genome mapping efforts. Where possible it is necessary to cooperate with those efforts.

Mr. KERREY. Mr. President, I rise today to support the National Science Foundation plant genome initiative that is funded in the VA/HUD, Independent Agencies appropriations bill. I want to commend Senator BOND, chairman of the appropriations subcommittee, for his leadership in developing this initiative. This project will be funded with new money and will not affect current NSF programs.

The plant genome initiative, as included in the bill, is an expansion of the current, NSF Arabidopsis genome project to map and sequence the Arabidopsis genome. The plant genome initiative will advance the current Arabidopsis project and will move us beyond the current programs to more economically significant crops, such as corn, soybeans, wheat, and rice.

To compete in the global market, U.S. agriculture must continually strive to efficiently and economically improve production capabilities—such as combating serious threats from disease, pests, and climate changes—without harming the environment. The plant genome initiative will provide us the information necessary to significantly improve the environment and reduce crop and livestock production costs at the same time. It is a win-win project for producers, for consumers, and for the environment.

This project will give us the basic, fundamental knowledge necessary to ensure that our consumers continue to receive an abundant supply of high quality, wholesome food at reasonable prices. To meet the growing demand for U.S. agricultural products, we will need to increase production approximately three-fold in the next 50 years. The plant genome initiative will set us on the right path toward meeting that goal without harming the environment.

The plant genome initiative will have other far-reaching benefits, as well. It may lead to significant reductions in crop losses while also reducing our reliance on pesticides. It will allow us to improve animal nutrition to increase meat productivity. It will, also, allow us to meet consumer demands for higher quality food at reasonable prices. These are just a few of the benefits that are possible with the plant genome initiative.

I, again, want to commend Senator BOND for his foresight in providing funding for the building of a foundation that will allow us to meet the challenges of the 21st Century. Mr. President, this initiative is critically important to U.S. consumers and to U.S. agriculture. I urge my colleagues to support the NSF plant genome initiative as included in the VA/HUD appropriations bill.

MARK-TO-MARKET

Mr. MACK. I would like to commend Senator BOND for addressing the section 8 contract expiration issue by including S. 513, the Multifamily Assisted Housing Reform and Affordability Act of 1997 in the VA/HUD appropriations bill. This legislation, which is cosponsored by my colleague from Missouri and Senators D'AMATO, BENNETT, DOMENICI, FAIRCLOTH, GRAMS, and CHAFEE, is a national priority for reforming the Department of Housing and Urban Development's HUD multifamily housing programs and reducing the escalating costs of project-based section 8 renewals. According to preliminary estimates by the Congressional Budget Office, this legislation will save the American taxpayer about $4.6 billion in section 8 funds over the next 10 years. This legislation not only saves scarce Federal resources, it also protects the Federal investment in affordable housing by screening out distressed properties and noncompliant owners from the Federal programs and addresses HUD's management problems with this portfolio by utilizing capable public and private third parties.

It is critical to enact this legislation into law this year. The Banking Committee unanimously approved S. 513 as part of its budget reconciliation package this June. Unfortunately, the Senate and House subconferees were unable to come to an agreement on this legislation and subsequently, it was dropped out of the reconciliation package. Accordingly, I will continue to

push this legislation and strongly support Senator BOND's effort in passing S. 513 as part of the appropriations bill.

When Secretary Cuomo testified before the Banking Committee on S. 513, he raised several concerns about the restructuring process outlined in the bill. But he also indicated his willingness to address those concerns through negotiations with the Senate. I want to point out that significant progress has been made to address the administration's concerns with the bill. Two major areas where agreement was reached relate to the use of third parties or participating administrative entities [PAE] and the use of tenant-based assistance. On the use of PAE's, HUD has agreed to maintain the Senate's priority for State and local housing finance agencies to serve as restructuring entities. However, the Senate has agreed to provide additional flexibility to the Secretary in selecting qualified PAE's while protecting the public purpose. Also, the Senate and administration have agreed to provide discretion to PAE's in determining whether tenant-based or project-based assistance will be provided for qualified properties after restructuring.

I would like to ask Senator BOND for his assurance that, as this process moves forward, he will endeavor to assure that the agreements made with the administration are incorporated into the bill.

Mr. BOND. I congratulate Senator MACK for his work in developing a workable solution to the section 8 contract renewal problem, and also Secretary Cuomo for his willingness to work with the Senate. Needless to say, it is my hope that this issue still can be resolved in budget reconciliation or through the regular authorization process. However, if it becomes necessary, we will pursue this issue through the appropriations process. I look forward to working with the Banking Committee as we move forward and I will endeavor to include any changes that are based on agreements between your committee and HUD. It is likely that those agreements would be incorporated during the conference with the House.

As a member of the Banking Committee during the last Congress and as a cosponsor of the bill, I appreciate the work that the authorizing committee has done on this legislation. Multifamily portfolio restructuring is an urgent priority. I look forward to continuing our work together in resolving the contract renewal crisis.

Mr. MACK. I thank the Senator very much for his work and dedication to this issue. I look forward to our continued cooperative effort in resolving this critical issue.

Ms. SNOW. Mr. President, I would like to take a moment to address my colleagues on a matter of critical importance to veterans in the Northeast. First, I would like to express my appreciation to the Appropriations Committee and the VA–HUD Subcommittee for their hard work on this bill.

This package contains over $40 billion for the VA, including an increase in funding for VA medical care and research. The committee's recommendation for the VA represents an increase of almost $93 million above the President's budget request. The committee rejected the budget agreement recommendation to reduce VA discretionary funding by $273 million below the President's fiscal year 1998 request, arguing that such a reduction would result in fewer eligible veterans receiving comprehensive medical care, reductions to basic maintenance and repair of medical facilities, and additional delays in the processing of benefits claims. The committee stated that the outcome of such budget reductions would be completely unacceptable. I strongly agree with this sentiment, and I would like to congratulate my colleagues on their efforts.

In this spirit, I would also like to comment on changes in the VA health care system affecting a number of veterans health care facilities in the Northeast and elsewhere.

Under the new regional allocation formula being implemented by the VA, the New England network could be cut by as much as 6.36 percent from its fiscal year 1996 funding level. I realize that the New England region cut may actually be lower than the 6.36 percent over 3 years originally projected, and the numbers will be reevaluated every year. However, under the new allocation plan, many States will lose funding while others will receive considerable increases.

The VA says there will be no reduction in services to veterans in facilities experiencing cuts and that cost-savings achieved through consolidation of operations and greater efficiencies in the system will make up for the shortfalls. However, it is not clear whether this will, in fact, be the case. I appreciate the fact that the committee is waiting for the results of a General Accounting Office study, due in September, on the allocation formula. I think it is very important that we ensure that funding under this new system is fair and equitable.

Maine has a very large veterans population—152,000—dispersed throughout the State. Togus is the only veterans community hospital in my State to serve this population. Currently, Togus provides services almost exclusively to mandatory—category A—veterans. In fact, less than 1 percent of Togus' services go to nonmandatory veterans. Togus cannot be viewed as overfunded compared to other VA medical facilities. And yet, this facility, which has already made great strides in increasing efficiency and rooting out waste, may experience a reduction in funding under the new allocation formula.

I believe there is a limit to the kind of restructuring that some of these facilities can be expected to absorb without undermining the quality of care and the availability of basic services. Moreover, I am concerned that a redistribution of funds away from New England presents a potential danger that the programs under the draft strategic plan could be underfunded.

I would remind my colleagues once again that the Senate Appropriations Committee rejected the budget agreement recommendation to reduce VA discretionary funding by $273 million below the President's fiscal year 1998 request because such a reduction would result in fewer eligible veterans receiving comprehensive medical care

I strongly believe that each veteran must be treated with the dignity and respect he or she deserves by virtue of having worn our Nation's uniform, and we have a commitment to ensure that all veterans receive the benefits they deserve.

A fair allocation of VA resources must take into account the regional impact of all of the regional networks. As such, I look forward to working with my colleagues in the Senate and in the House to ensure that the bill we send to the President provides a fair and equitable allocation of funding for VA hospitals.

COMMUNITY OUTREACH PARTNERSHIP CENTERS PROGRAM

Mr. D'AMATO. Mr. President, I rise today in support of my friend, Senator KIT BOND and his efforts to include funding for important community development programs within the VA–HUD Appropriations Act for fiscal year 1998. In particular, I would like to highlight the provision of $12 million for the Community Outreach Partnerships Centers [COPC] program. I commend the subcommittee for its diligence in funding this program at this level.

The COPC program provides assistance to public or private nonprofit institutions of higher education for a wide range of community outreach activities. These colleges and universities may utilize COPC funds to address a variety of local needs, including housing, economic development, neighborhood revitalization, job training, and crime prevention. The program thus utilizes and leverages the enormous resources of our institutions of higher learning to establish partnerships with local neighborhoods and communities to solve their common problems.

Mr. President, I would like to applaud the outstanding community outreach efforts of Long Island University [LIU] located in my home State of New York and bring these efforts to the attention of the Subcommittee on VA–HUD Appropriations. Long Island University, founded in 1886, has a current enrollment of 24,000 students and conducts a variety of community oriented programs at each of its six New York campuses.

LIU's various community outreach programs at its Brooklyn campus are particularly successful and well suited to the COPC program. For instance, the university operates a number of educational programs for senior citizens and New York City school students, including underprivileged and

minority students. In addition, the university operates a small business development institute, a speech and pathology clinic which serves needy persons with disabilities free of charge, and a collaborative career development and cooperative education initiative.

Mr. President, Long Island University has an outstanding track record of community involvement. It has formed successful partnerships with state and local governments, including the New York City Board of Education, as well as community and business groups. It has successfully leveraged additional funding from a wide variety of sources. I believe that its activities are a successful example of positive and constructive change within the community.

I thank Senator BOND for his efforts and I commend the community outreach activities of Long Island University as a model for funding under the COPC program.

Mr. BOND. Mr. President, I appreciate my friend Senator D'AMATO's kind words in support of the VA–HUD appropriations bill. The subcommittee is aware of the extensive community oriented programs of Long Island university. The University is to be commended to HUD as a model for successful involvement within the surrounding community and is worthy of consideration for funding under the Community Outreach Partnerships Center Program.

Mr. GRAHAM. Mr. President, I am pleased that once again the Senate has chosen to continue our Nation's commitment to the future through the exploration and study of space. Especially as we stand here today knowing that the Sojourner Rover continues its unprecedented exploration of the surface of Mars. NASA is now turning its attention to the many new missions scheduled for future, including the construction of the international space station. Mr. President, we must continue to invest in this pursuit of knowledge.

No one can predict the outcome of our investment in the space program, but one thing is certain, and that is generations to come will benefit from the knowledge and experience gained from the investment we have made, and continued exploration of space will present many more opportunities to learn.

First, the space program will provide significant contributions not only to Americans, but people all around the world. We have already seen results of space-related research in life science. Recently I learned of a NASA technology which is now being used to help diagnose vision problems in our children. This coming school year, the State of Florida will be using this technology to screen all students in kindergarten. By discovering vision problems at such an early age, we will prevent many of these children from falling behind because of undetected impairments. This type of commercial application of NASA born technology is virtually limitless.

Second, our Nation's leadership role in high technology research and development must be maintained and enhanced. The aerospace industry is a significant area of America's international competitiveness.

Third, projects such as the international space station help to continue and expand cooperation among the world's nations. Our collaborative efforts with the Europeans, Japanese, and Russians only serve to strengthen our relations in a global community. Our space program enables us to exchange exciting ideas with the world, and accelerate the pace of our own technology and space exploration.

Mr. President I believe that these are very compelling reasons for continued support of our space program. NASA deserves our support. Congress and the administration should provide the appropriate resources needed for NASA to successfully manage and enhance our space program. We must invest in our future, and invest in ourselves.

PILOT PROGRAM FOR AFFORDABLE DRUGS FOR THE TERMINALLY ILL

Mr. KOHL. Mr. President, I rise to address a critical need in our society, the need for affordable health care for the terminally ill. Today, in the fiscal year 1998 Treasury and general government appropriations bill, a bill which I otherwise supported, I believe we did a disservice to those suffering from the HIV virus, cancer, and other terminal diseases. We failed to authorize a pilot program which might have severely reduced the cost of essential, and at this time very expensive, drugs which significantly prolong patients' lives and enhance their quality of life.

The Treasury and general government appropriations bill includes a repeal of section 1555 of the Federal Acquisition Streamlining Act of 1994. This so-called cooperative purchasing provision would have allowed local governments to purchase items from the schedule of prices established by the Government Services Administration [GSA] for the Federal Government. On the face of it, this provision had some appeal, as a measure that might save money for local governments. However, many argued that section 1555 would bankrupt small businesses, increase all prices in the long term, and undermine the reliability and safety provided by a local manufacturing and distribution network. The concern about section 1555 was widespread and profound and, therefore, I supported a repeal of the provision. However, I favored one exception, which would address a critical need and give us a chance to observe the effects of section 1555. I favored the authorization of a carefully defined pilot program in cooperative purchasing of drugs for terminally ill patients.

Public hospitals in cities and counties throughout the United States are desperate to reduce the cost of health care for the terminally ill. Last year, the Nation's largest city, county, and State hospitals lost an average of $86 million per year by providing care to uninsured an underinsured patients. To avoid closure or bankruptcy, many of these institutions have to limit their more expensive services, such as the new generation of life-prolonging AIDS drugs. At the same time, many AIDS patients are deprived of adequate care because they cannot afford $15,000 per year for AIDS drug therapy. State and local programs must purchase these drugs for them.

The Department of Health and Human Services has agreed to coordinate a pilot program which would enable State and local governments to benefit from Federal Government rates when they purchase drugs for life-threatening conditions. Recent studies suggest that this could save public hospitals more than 25 percent of their current expenditures on these essential drugs. These savings would, in turn, make it possible for hospitals to help more Americans battling against terminal illness.

I think we all agree that the terminally ill and those who serve them deserve our support in making their medical care more affordable and available. At the same time, I am acutely aware of the concern of veterans' groups and others that this kind of program could eventually result in higher health care costs for all. Therefore, this pilot program would be narrowly focused and of finite length. I encourage concerned groups to contribute suggestions as we define those program constraints. Furthermore, I acknowledge that this pilot program may fail. If so, we will have learned from our error. If the program works, however, if it truly brings down the costs of life-prolonging and potentially life-saving drugs, could we live with ourselves if we refused to give it a chance?

DRUG ELIMINATION GRANT PROGRAM

Mr. D'AMATO. Mr. President, I would like to state my strong support for the VA–HUD Subcommittee's efforts to support funding in this legislation to combat the twin scourges of drugs and crime in low-income housing throughout the Nation. I am greatly encouraged by the subcommittee's action in maintaining $290 million in funding for the Drug Elimination Grant Program.

Under this important program, the Department of Housing and Urban Development [HUD] makes funds available to local housing authorities for the purpose of combating and preventing crime, including drug-related crime. Housing authorities have great flexibility in determining how best to use these funds to address local needs. Many authorities have used drug elimination funding to create and expand community policing efforts, to make capital improvements to improve security, to fund drug awareness, prevention, and treatment programs and to organize tenant patrols and neighborhood watch programs.

I am also fully aware of the subcommittee's inclusion of $30 million for the New Approach antidrug program and I strongly support this provision. This funding will be available to help combat drugs and crime in non-federally assisted low-income housing which is too often overlooked in the traditional public housing programs.

However, I would like to state my concern with one aspect of the structure of the account which provides funding for the Drug Elimination Program. This troubling aspect is the expansion of a set-aside for the Operation Safe Home initiative, administered by the HUD Office of Inspector General, within that account. Let me be clear, I do not question the effectiveness or usefulness of the Operation Safe Home initiative. This initiative has had gratifying success in confiscating guns and drugs from public housing.

However, I am concerned with the source of funding for this initiative. By reducing the amount of funding available for drug elimination grants, we are effectively cutting into local efforts to combat crime and drugs. As chairman of the Senate Banking Committee, the committee with authorizing jurisdiction over the multitude of HUD programs, I was pleased to cosponsor S. 462, the Public Housing Reform and Responsibility Act of 1997. This legislation, which was passed out of the Banking Committee on May 8, 1997 by a unanimous 18–0 vote, contains an important provision which would allow funding for the Operation Safe Home initiative to be provided from the HUD headquarters' reserve fund. I am convinced that this is a far more appropriate funding vehicle for this initiative.

Like many other important HUD programs, such as public housing operating assistance and housing for the elderly and disabled, the administration requested a cut in the Drug Elimination Grant Program. This proposed $20 million cut would occur as a result of a set-aside within the program to fund the HUD inspector general's Operation Safe Home initiative.

Mr. President, I am grateful that the VA–HUD Subcommittee did not follow the approach adopted in the House, and instead reduced the administration's recommended cut of $20 million to a $15 million cut. However, I believe that even this reduced cut in antidrug funding is too much and the full amount should be restored to the program.

I express my wish to continue to work with the VA-HUD Subcommittee as we move toward conference with the House of Representatives on this important legislation. I am confident that attempts to increase this set-aside at conference will be unsuccessful and I am hopeful that together the Banking and Appropriations Committees can agree upon a more appropriate source of funding for the Operation Safe Home initiative.

Mr. President, in conclusion, let me once again thank my good friend Senator BOND for his leadership and diligence in crafting a VA–HUD appropriations bill which makes tough choices with the limited amount of funds available. I look forward to working together as the process continues.

SELF-HELP HOUSING

Mr. D'AMATO. Mr. President, I would like to express my appreciation to Senator KIT BOND for his efforts to provide funding within the VA-HUD Appropriations bill to expand homeownership activities through the Department of Housing and Urban Development [HUD]. In this regard, I note with particular appreciation the provision of $30 million in funding for the Capacity Building for Community Development and Affordable Housing program.

This program was expanded and reauthorized by the Housing Opportunity Program Extension Act [HOPE Act], which I was pleased to sponsor. It provides an unparalleled opportunity to support local housing and homeownership initiatives. Specifically, the HOPE Act provided for the support of housing organizations which utilize a self-help approach to homeownership opportunities.

Mr. President, I would like to commend and bring to the attention of the VA–HUD Appropriations Subcommittee the outstanding efforts of one particular self-help housing provider located in my home state of New York. The Riverhead Revitalization and Preservation Corp. [Riverhead Corp.], under the guidance and leadership of Ms. Patricia Stark, utilizes donated labor from volunteers and potential homeowners to develop and rehabilitate homes on Long Island, NY.

The Riverhead Corp. is helping to reverse the decline of neighborhoods by renovating blighted homes and providing a stake in the community for first-time homeowners. In addition, the Riverhead Corp. employs a revolving loan-fund strategy which reinvests proceeds from home sales in the further development of housing opportunities. Thus, the Riverhead Corp. helps to stimulate community revitalization, promotes job and business creation, and provides housing for deserving low- and moderate-income working families.

I commend the efforts of the Riverhead Corp. to the Subcommittee and to HUD as a model of success which would be worthy of support under the self-help homeownership auspices of the Capacity Building program funded by this legislation. Once again, I would like to thank Senator KIT BOND for his efforts to support increased homeownership throughout the Nation.

Mr. BOND. I thank Senator ALFONSE D'AMATO for his support of this VA–HUD Appropriations legislation and for our joint efforts to bring the benefits of homeownership to as many American families as possible. The subcommittee recognizes the local efforts of the Riverhead Corp. Revitalization and Preservation to increase access to homeownership on Long Island, where I know housing and development costs can often be prohibitive. I urge the Department of Housing and Urban Development to seriously consider any application for assistance on the part of the Riverhead Corp. under the Capacity Building program initiative. I too commend the Riverhead Corp. for its successful and innovative efforts to improve communities and enhance homeownership opportunities.

VETERANS PROGRAMS

Mr. ROCKEFELLER. Mr. President, as the ranking member of the Committee on Veterans Affairs, I am pleased to express my support for S. 1034, the fiscal year 1998 Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies appropriation bill, and most particularly for title I, the part of the bill dealing with VA.

I realize that this has again been a very difficult year for funding issues, with a reduced 602(b) allocation, agency spending being cut by reconciliation measures, and increased competition for what limited funding remained available. The Chair of the VA–HUD Subcommittee, Senator BOND, the ranking member, Senator MIKULSKI, and the other members of the subcommittee deserve credit for their remarkable efforts with regard to veterans' needs, as evident in this bill.

Mr. President, I remind my colleagues that the budget resolution included proposed reductions in VA spending below the current fiscal year 1997 level, and below what is generally considered the current services level. At the time that the Senate passed the balanced budget resolution, I took strong exception to the proposal funding for veterans. In my view, the budget resolution asked veterans to carry a disproportionate share of the burden to balance the Federal budget. Realizing, too, that slashing discretionary spending—especially for health care—was inappropriate, the Committee on Appropriations [Committee] saw fit to alter the spending priorities for veterans. Instead, the committee was able to increase funding for VA medical care, research, and the State Veterans Home Program. This is a tremendous achievement. While I would always want to increase support for veterans programs further, I am enormously pleased with the result of their efforts, and would like to highlight several accomplishments in particular.

For health care, the committee recommended $17.02 billion for VA medical care, an increase of $68 million over the President's request. The committee also recognized that VA is to retain, under new authorizing legislation which is part of the budget agreement, the so-called medical care cost recovery [MCCR] collections estimated to reach $604 million in fiscal year 1998. Because collections of these third-

party receipts has grown from $267 million in fiscal year 1991 to over $557 million in fiscal year 1996, I am encouraged by VA's ability to generate non-appropriated revenue. I note with caution however, that VA's outpatient billing remains problematic. Along with my colleague, Senator MIKULSKI, I intend to be attentive to VA's collection activities.

When combined, the committee's recommendation and the authorization for the retention of insurance moneys bring total discretionary resources for medical care to $17.6 billion. As we proceed with Senate approval of the VA appropriations bill, it is important to note that this amount constitutes an increase of $617 million over current spending.

I am also particular gratified by the committee's report language on the need for a community-based outpatient clinic [CBOC] in Charleston, the capital of my home State of West Virginia. Indeed, the committee noted that a Charleston CBOC would improve service to more than 27,000 veterans in Kanawha and surrounding counties, including Boone, Putnam, Lincoln, and Logan. Thousands of these veterans reside in rural areas, many miles from the nearest VA medical center. Many of them live in areas with no public transportation, where just a trip to the doctor can take several hours of driving time on winding, mountainous roads. A VA outpatient clinic in this part of West Virginia is long overdue.

Throughout my tenure on the Committee on Veteran's Affairs, I have witnessed the direct benefits of a strong research program, such as higher quality clinicians and discoveries in prosthetics, cancer, AIDS, and aging. These discoveries directly affect the everyday activities of veterans. After several years of flat funding, I believe that the time has come to increase the VA research appropriation. The Appropriations Committee agreed and included an increase in the VA medical and prosthetic research account. Although the increase—$5 million—is modest, it sends an important signal to the VA research community that we value their work and the direct impact it has on our veterans.

The increase in research funding will help support important work on the health problems of atomic veterans, Vietnam-era veterans, and gulf war veterans. Over the years, we have witnessed the emergence of special health problems associated with each war. In response, VA researchers have made important gains in the understanding of each of these populations and their clinical needs. Their challenges continue, and we must make sure that their research efforts are well supported.

I also express my strong support for the committee's action to fully fund the Court of Veterans Appeal's Pro Bono Representation Program. This program is of utmost importance to our Nation's veterans. At a time when the court is experiencing a dramatic increase in the number of appeals filed, it would be devastating to cut the funding of a program that matches up pro bono attorneys with indigent veterans. It is a small program, but it's impact is great. In fact, the Pro Bono Program will be assigning its one thousandth case to a pro bono attorney on July 24, 1997.

Mr. President, although I am pleased with the overall outcome of this bill, I have concerns about the effect of the bill's appropriation for VA's general operating expenses account. The bill provides for $786 million, which is $41 million below the current budget and $60 million below the budget request. This is a significant cut for VA to absorb, especially at a time when it is still taking VA an average of 135 days to process an original compensation claim. However, as we strive toward deficit reduction, Congress cannot continue to throw money at problems in the absence of effective leadership at agencies to bring about the change that is needed. Sadly, that absence has been profound at the Veterans Benefit Administration in recent years. It is time for VA to manage the benefits process, not just administer it. It is past time for VA to change, in major ways, beginning with the implementation of many of the recommendations contained in the recent reports of the Veterans' Claims Adjudication Commission and the National Academy of Public Administration.

Mr. President, there is no doubt that this is a very exciting time. VA has the potential for meaningful change. Whether it is in the area of a medical care or benefits administration, I believe that, on balance, the Committee on Appropriations has given VA the resources it needs to move forward with much needed reforms. I applaud the leadership of all the members of the Appropriations Committee, and especially those members on the VA–HUD Subcommittee.

Mr. President, in closing, I express my deepest gratitude to my esteemed colleague, Senator MIKULSKI, the ranking Democrat on the Senate VA–HUD Subcommittee, for her continued efforts with respect to veterans' programs. This year, as she does every year, Senator MIKULSKI has shown her unwavering support for veterans. I am pleased to call her my colleague and friend.

CSOC

Mrs. HUTCHISON. I would like to engage the Senator from Maryland in a colloquy regarding the intent of report language included on her behalf in the Senate Report accompanying S. 1034, the fiscal year 1998 VA-HUD and Independent Agencies appropriations bill concerning NASA's Consolidated Space Operations Contract.

Ms. MIKULSKI. I would be pleased to engage in a colloquy concerning CSOC.

Mrs. HUTCHISON. Would the Senator agree that it is not the intent of her report language to expand the CSOC procurement to include elements of the Space Flight Operations Contract not presently envisioned to be part of the SCOC contract, as stipulated in the pending request for proposals.

Ms. MIKULSKI. The Senator is correct. The intent of the report language is simply to ensure that NASA include all appropriate common support functions at all NASA centers under CSOC, as defined in the request for proposals.

DON'T UNDERFUND CRITICAL TOXIC CLEANUP

Mr. LAUTENBERG. Mr. President, the VA-HUD and Independent Agencies appropriations bill presents an all too common dilemma—inadequate funds and very deserving programs—and the choices we must make are very difficult indeed.

I appreciate the difficult job the chairman and ranking member had in dealing with an insufficient Section 602(b) allocation.

However, as a strong advocate for our environment, and as ranking on the Budget Committee, I am very disappointed at the level of funding for the Environmental Protection Agency's operating budget. The mark for EPA's operation is $200 million below the President's request and the budget agreement.

I am specifically concerned that we are continuing to add duties to EPA without the accompanying resources. This budget does not provide the funding needed to meet Congress's demands that EPA carry out more cost-benefit analysis in its regulations, for additional outreach to small businesses, and for fuller consideration of stakeholders in the regulatory process.

Nor does it provide adequate funding to combat global warming. Indeed, at a recent Environment and Public Works Committee hearing the only issue on which all the witnesses agreed was the need for more funding for critical climate change research.

I am also disappointed that the mark does not include any funding increase for superfund. I understand the chairman believes that superfund must be reauthorized before that money is appropriated. I disagree with that assessment. However, I am working closely with Senators SMITH, BAUCUS, and CHAFEE and I expect we soon will have a bipartisan bill.

If that bill comes after this appropriations cycle, I will urge my colleagues to support a supplemental that funds hazardous waste clean up to the level in the budget agreement. The millions of people living near superfund sites deserve our efforts to fully fund this program.

I am also disappointed that the chairman's mark zeros-out Community Development Financial Institutions, or CDFI. One hundred twenty-five million dollars was included in the budget agreement. I understand the House included full funding for this important program and I look forward for a better outcome during the conference.

Mr. President, I am very pleased the Appropriations Committee, the members unanimously agreed to my amendment to transfer money for investigations of chemical accidents from EPA and OSHA to the Chemical Safety Board.

An independent Chemical Safety Board, with its expertise and objectivity, is the proper body to investigate and identify steps needed to prevent future accidents. In 1990, Congress established the independent Chemical Safety and Hazard Investigation Board to do just that. The board was modeled on the respected and influential National Transportation Safety Board. As part of its reinventing government program, the administration cut funding for the chemical board and tried to transfer its authority to EPA and OSHA. Subsequent events, including an investigation in New Jersey, show that this reorganization was ill-advised.

By reviving the board, Congress is reasserting its authority and protecting the workers and communities around chemical industrial sites.

I want to thank those who helped revive this board. First, I want to acknowledge the help of Senator BOND and MIKULSKI. I also want to thank the public interest groups, the oil, chemical, and atomic workers, and the companies that have publicly recognized the advantage of having this board. I want to single out for acknowledgment Marathon Oil and the Rohm & Haas Corp. in that regard.

Mr. President, I ask that a letter signed by 19 public interest groups in support of the Lautenberg amendment to fund the Chemical Safety Board be printed in the RECORD following my remarks.

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

(See exhibit 1.)

Mr. LAUTENBERG. Finally, I want to thank the Chairman of the Committee for including report language assuring the citizens of Toms River, N.J. that the study of the cancer cluster will be completely carried out. The language in the report underscores the Federal commitment to pursuing the cause of the cancer cluster and making sure this research is completed.

Mr. President, as I close my statement, I want to once again acknowledge Senator BOND and MIKULSKI for the difficult job they did in face of inadequate resources.

EXHIBIT 1

July 17, 1997.

Hon. TED STEVENS,
Committee on Appropriations,
Capitol, Washington, DC.

DEAR CHAIRMAN STEVENS: As members of social justice, environmental, religious, and labor organizations we are writing to express our full support for a $6 million appropriation to fund the Chemical Safety and Hazard Investigation Board. We request your support and that of others on your committee in passing the Lautenberg amendment which would provide this funding.

Modelled after the respected and influential National Transportation Safety Board (NTSB), the Chemical Safety and Hazard Investigation Board (CSHIB) was established by the 1990 Clean Air Act to independently investigate the root causes of chemical accidents and offer recommendations on ways to prevent accidents in the future. However, seven years after its authorization and several years after the confirmation of three of its members, the board is still without funding.

In 1994, the Administration decided that the Board was redundant in light of efforts to reinvent government. Thus, the Board's duties were subsequently passed to two regulatory agencies, EPA and OSHA. To date these two agencies have done an abominable job in investigating chemical accidents. For example, 27 months following a major accident at Napp Technologies in Lodi, N.J., which claimed the lives of five workers, an accident investigation report has yet to be released. This is not the fault of the dedicated compliance personnel in the field. OSHA and EPA are primarily concerned with determining violations of specific standards, not with the kind of comprehensive investigations needed to determine the root causes of major chemical accidents. Further, questions have been raised about the legal jurisdiction of those agencies. For example, following an accident at a Tosco oil refinery in Martinez, Calif., EPA was barred from entering the facility to investigate the accident because the agency could not provide proof of their authority to enter. Finally, jurisdictional problems have plagued the attempt to delegate authority to investigate the causes of chemical accidents within two separate agencies

The Chemical Safety Board, on the other hand, is an independent, non-regulatory body, and the Board's findings, conclusions, and recommendations cannot be admitted as evidence or used in litigation. In both this case and the case of transport accidents, Congress wisely chose to separate the regulatory agencies from those charged with investigations. Thus, the Board can investigate the root causes of industrial accidents, conduct research, oversee the performance of chemical safety standards, and recommend improvements in chemical manufacturing, processing, transport and storage free from political and industrial interference. Federal agencies, such as EPA and OSHA, are required to respond to, but are not bound to adopt, the high-profile recommendations issued by the Board. As is the case with recommendations made by the highly regarded NTSB, we would hope that those made by the Chemical Safety Board would be quickly and efficiently adhered to by industry.

Chemical accidents continue to occur on average 21 times a day in the United States, costing human lives, causing untold damage to property and the environment, and increasing health care and environmental clean-up costs. Recent chemical disasters clearly illustrate the need for this independent board and its work to refine, coordinate, direct, and improve federal chemical safety activities. Proper oversight could have prevented many of these tragedies, such as an accident last month at a fertilizer factor in Helena, Ark., which claimed the lives of several firefighters. This accident parallels a similar accident three years ago at another fertilizer factory near Sioux City, Iowa, which claimed the lives of three individuals.

We strongly support an appropriation of $6 million to fund and finally make operational the Chemical Safety and Hazard Investigation Board for the health and safety of our workers, communities, and environment. Thank you for your favorable consideration.

Sincerely,

RABBI DANIEL SWARTZ,
Coalition on the Environment and Jewish Life;
PHIL CLAPP,
Environmental Information Center;
RICK HIND,
Greenpeace;
DENNY LARSON,
National Oil Refinery Action Network, Communities for a Better environment California;
RICK ENGLER,
New Jersey Work Environment Council, New Jersey Right to Know and Act Coalition;
CAROLYN RAFFENSPERGER,
Science and Environmental Health Network;
CAROLYN HARTMANN,
U.S. Public Interest Research Group;
MICHAEL J. WRIGHT,
United Steelworkers of America;
JOANNE ROSSI,
Community/Labor Refinery Tracking Committee, Philadelphia;
JOEL A. TICKNER,
Work Environment Program, University of Massachusetts Lowell, Clean Production Action;
CAROL ANDRESS,
Environmental Defense Fund;
SANFORD LEWIS,
Good Neighbor Project for Sustainable Industries;
HILLEL GRAY,
National Environmental Law Center;
DR. DAVID WALLINGA,
Natural Resources Defense Council;
RICHARD MILLER,
Oil, Chemical, and Atomic Workers International Union;
DEBBIE SEASE,
Sierra Club;
DR. THOM WHITE WOLF FASSETT,
General Board of Church and Society of the United Methodist Church;
SUSAN GOBRESKI,
Clean Water Action Pennsylvania; and
DR. NEIL CARMAN,
Sierra Club, Lone Star Chapter;

LOW-INCOME HOUSING PRESERVATION FUNDING

Mr. D'AMATO. Mr. President, I would like to commend Senator BOND and Ranking Minority Member MIKULSKI for their steadfast recognition of the need to preserve our Nation's dwindling supply of affordable rental housing units. The Low-Income Housing Preservation and Resident Homeownership Act of 1990 [LIHPRHA] is an important tool for maintaining this scarce resource. I appreciate your bill's

provision of a structure for continuing a modified capital grant-capital loan program for housing preservation activities under the existing LIHPRHA program.

As you are aware, there are almost 30,000 low-income rental units in 37 States that have been approved by HUD and are awaiting funding through this program. This represents a critical need for preservation of the existing stock, particularly in tight rental markets. In low vacancy rate areas, tenant-based rental assistance is often ineffective in meeting the housing needs of deserving low-income Americans. In New York City, for example, housing development and land acquisition costs are high and production of new affordable housing is very limited. Therefore, retaining the current housing stock is a cost-efficient and desirable means of meeting shelter needs.

Mr. BOND. Thank you for your remarks. It is my full intention to work with you to improve the LIHPRHA program. It is this subcommittee's desire to ensure that a cost-effective approach to preserving our much needed housing is adequately funded. I am especially concerned about the detrimental effects of the loss of stock on areas of the country with low vacancy rates.

Mr. D'AMATO. I thank you for your consideration and your continued commitment. I appreciate your willingness to continue this dialog and look forward to working with you throughout conference committee action to resolve this significant housing crisis in a fair and equitable manner.

Mr. DEWINE. Mr. President, I would like to take a moment to discuss several other projects that currently are funded in the House version. I am hopeful these will get full consideration by the conference committee, and be included in the final bill.

Mr. President, I believe that it is our responsibility to ensure that Federal research and its subsequent data is shared, whenever possible, with the taxpayers who fund these research programs. To this end, I would like to state my support for the $5.8 million provided in the House bill to the National Aeronautics and Space Administration's [NASA] Commercial Technology Program. These funds would be used to support existing successful program goals, as well as new initiatives to link businesses from distressed communities to NASA commercial technologies.

It is critical to the competitiveness of our economy that we promote the shared use of research material between Federal agencies such as NASA and the private sector. Support for this program is an important step in that direction. The program will allow highly successful outreach efforts such as the NASA Lewis Business and Industry Summit to be carried forward and will help to ensure NASA Lewis' long-term viability as an economic force in northeastern Ohio.

Mr. President, I also believe it is our responsibility to use the success of Federal investments in technology to improve, whenever feasible, our education system. Therefore I hope the conferees will agree with the House Appropriation Committee's decision to increase NASA's Science, Engineering, Mathematics, and Aerospace Academy [SEMAA] and Mobile Aeronautics Education Laboratory [MAEL] programs $3.3 million. This increase would enable the NASA Lewis Research Center and Cuyahoga Community College to expand their already successful programs to the Cuyahoga Community College's western campus. In addition, the workstations included in the Mobile Aeronautics Education Laboratory can be replicated in Cleveland area schools.

Mr. President, as we are all too well aware, flooding disasters tragically struck the Midwest this past spring. While there is little we can do to prevent natural disasters, we must take every step possible to respond to these disasters in order to minimize potential loss of life and property. I sincerely hope the conferees will agree with the House Appropriations Committee's decision to provide $5 million to support the replacement and upgrading of outdated Federal Emergency Management Agency [FEMA] emergency response equipment. Upgraded, functional equipment is critical to protecting our citizens from unfortunate natural disasters and I strongly believe safety issues such as the support of this equipment should be a priority in our budget discussions. I specifically believe the mobile emergency response support and mobile air transportable telecommunications deserve particular attention.

Mr. President, I note the presence on the floor of my good friend from Missouri, Senator BOND, chairman of the Appropriations Subcommittee on VA–HUD. I would hope that he, and the Senator from Maryland, Senator MIKULSKI, will give serious consideration to the programs I described.

Mr. BOND. I thank the Senator from Ohio for his statement. I have listened very carefully to his remarks and I recognize his concern for the two programs he mentioned. As the Senator is aware, the VA–HUD Appropriations Subcommittee had to respond to a vast number of requests with a limited pool of resources to do it. The Senator from Ohio has raised very compelling arguments and I will carefully consider his request during the conference committee deliberations.

Mr. DEWINE. I thank my distinguished friend, and I yield the floor.

YOUTHBUILD

Mr. D'AMATO. Mr. President, I would like to commend my friend, Senator KIT BOND for his efforts as chairman of the VA-HUD Subcommittee to include $35 million in funding for the Youthbuild program. This innovative and successful program allows disadvantaged and at-risk youth to acquire educational and job skills and develop leadership abilities within their communities. In the process, the program helps to develop and rehabilitate physically distressed housing in order to provide decent, safe and affordable housing opportunities to low and moderate-income families.

I also note that the subcommittee has instructed HUD to provide a priority in funding for program applicants that demonstrate an ability to leverage private and nonprofit funding. In this era of limited Federal funding, it is essential that our program dollars are stretched to the maximum extent possible. I fully support this important provision and believe it will result in a greater benefit for each Federal dollar provided and a greater amount of local community coordination and decision-making.

I would like to bring one particular organization to the attention of the chairman and the ranking member, Senator MIKULSKI. The Bedford-Stuyvesant Restoration Corp. [Restoration] located in central Brooklyn has a 30-year legacy of economic development, job creation, and community building. Restoration currently operates an education and job training initiative, known as Career Path, which assists economically disadvantaged young adults, ages 16–24, to become productive members of the community by providing education and developing employment, citizenship, and leadership skills.

I note that the Restoration Corp. has an outstanding record of successfully leveraging local, State, and private funding through private charities, foundation support, corporate sponsorship, and a variety of private fundraising efforts. One such effort recently resulted in Restoration receiving a 5 year $1.75 million grant from Cablevision, Inc. I believe Restoration's Career Path initiative represents a successful model which leverages private funding, invests in our youth and helps to revitalize the stock of affordable housing.

By helping to fund Restoration's Career Path initiative, HUD can help to restore economic viability to the neighborhoods of central Brooklyn and assist at-risk young adults to become active and productive members of the community. Once again, I would express my appreciation and support for Senator BOND's continuing efforts to support successful housing and economic development initiatives.

Mr. BOND. Mr. President, I thank my friend Senator ALFONSE D'AMATO for his support of our efforts to fund and improve the operation of existing HUD programs. The subcommittee is fully aware of the Bedford-Stuyvesant Restoration Corp. and its 30-year legacy of economic and cultural development in New York. I am confident that the Career Path initiative will receive a full and fair consideration from HUD in any future competition under the Youthbuild program.

ECONOMIC DEVELOPMENT INITIATIVE

Mr. DEWINE. Mr. President, I see my friend from Missouri, the chairman of the VA–HUD Appropriations Subcommittee, on the floor and would like

to call to his attention an important project in Ohio that I believe is deserving of funding under the Community Development Block Grant [CDBG] Program. Specifically, I am interested in the economic development initiative funding for various community development projects. A number were listed by the committee in its report on the bill. I am very interested in a community-wide effort in Lorain, OH, to convert a soon-to-be-closed hospital into a community resource center. This is an area that is economically depressed, and in addition to the economic losses associated with the closure of the hospital, the community recently discovered that the local Ford production plant will soon be closing its doors. Would the Senator from Missouri agree that an initiative which attempted to convert the hospital space into a community resource and training center be a worthy candidate for funding under the committee's EDI provision?

Mr. BOND. Mr. President, I appreciate the Senator from Ohio raising this issue. I agree with him that the project he has described in Lorain would appear to be well-suited for the EDI program.

Mr. DEWINE. Mr. President, I thank the chairman of the subcommittee for his comments. Were it not for the fact that the hospital is scheduled to close at the end of the year, I would be content to seek funding for this project through traditional funding channels. However, the hospital is set to close in just a few months. Therefore, I have little choice but to request that the chairman of the subcommittee take a very close look at this project as he proceeds to conference with the House on the final version of this appropriations bill. Specifically, what I am seeking is consideration for support of funds to allow for renovation and conversion of this space. What I am trying to avoid is seeing this hospital close and having this wonderful facility stand empty. Should this happen, I am concerned that it stands vulnerable to deterioration, and even vandalism, to a point that the only option left for the community is to tear down the structure.

Mr. BOND. Mr. President, I understand the Senator from Ohio's concerns, and commend him for his efforts to seek a positive solution. As I am sure he well knows, this has been a difficult year for community development projects, such as the one he has discussed. All the same, I am impressed by the overall project, ranging from job training to child care to community service activities. I will give the Senator's request all due consideration as we go to conference on this bill. Is that satisfactory to the Senator?

Mr. DEWINE. Mr. President, that is satisfactory and I thank the distinguished chairman for his willingness to work with me and the members of the Ohio congressional delegation, as well as the community of Lorain to turn the closure of the hospital into a new, positive beginning for the people of Lorain.

Mrs. BOXER. Mr. President, the Subcommittee on VA, HUD, and Independent Agencies has included funding for economic development initiatives in S. 1034. I am pleased that the committee report mentions a worthy project at the University of San Francisco that will provide important economic development in international business opportunities for this campus.

In the weeks ahead, I will be working with my colleagues in the Senate and House, as well as with Secretary Cuomo and his staff at HUD, to secure funds for the Center for International Business Education at the University of San Francisco, a model program for training and international commerce, environmental management and business ethics. The EDI funds would play an important role in promoting economic vitality in northern California. The center will provide jobs at home and abroad, while enhancing America's international economic competitiveness. EDI funding will assist in renovation of critical facilities and completion of a distance learning facility, while adding new programs for an important program initiative.

I thank Chairman BOND and Senator MIKULSKI for recognizing this worthy project.

AMENDMENT NO. 930

Mr. KOHL. Mr. President, last Thursday Senator HATCH and myself, along with Senators LEAHY and DURBIN, offered an amendment to the Treasury-Postal appropriations bill that would delink Federal judicial pay raises from those of the Congress and senior level executive branch officials. Our amendment, which was accepted without objection, will allow judges' salaries to be adjusted automatically on an annual basis. I am pleased that it is part of the measure that will pass the Senate today.

For too many years, Congress has refused to take the political heat for accepting pay raises, and held judicial salaries hostage in the process. This congressional scheme of hiding behind judicial robes has created a tremendous financial gulf between Federal judges and the lawyers who come before them. The likelihood that this salary gap will only get worse is driving some of our best jurists from the Federal bench and making it increasingly difficult to attract top-quality replacements. Such a talent drain threatens the quality of American justice at a time when our already overburdened courts need our best and most experienced legal minds.

The numbers offer their own warning. Between 1960 and 1970, only three Federal judges resigned. But since 1980 more than 50 judges have left the bench early, many citing inadequate compensation as the reason. Indeed, a study several years ago by the American Bar Association estimated that more than one-fourth of the Nation's Federal judges may quit their jobs.

While this exodus grows, it is becoming increasingly difficult to attract the best and the brightest to Federal judicial service. Judicial candidates can clearly see the ink fading on their checkbooks. Many say they want to serve the public, but they just can't afford it.

The solution to this problem is simple, and by delinking judicial pay raises, the Senate today takes an important step toward ensuring that this situation will not be repeated. I am hopeful and optimistic that we can retain this provision when we conference the measure with the House.

Mr. President, we in Congress have taken the opportunity to show our commitment to fairness. We have recognized the mistake Congress made 20 years ago when it tied its own salary increases to those of Federal judges. This backdoor way of securing congressional pay raises hasn't worked. But by this amendment we have freed the hostages, the Nation's Federal judges, and helped to ensure the continued high quality of America's judicial system.

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND

Mr. LEAHY. Mr. President, I rise today to express my concern that funding for the Community Development Financial Institutions [CDFI] Fund has not been included in the VA/HUD appropriations bill for fiscal year 1998.

The CDFI Fund is an economic development initiative that was adopted with overwhelming bipartisan support several years ago. The program is an important investment tool for economically distressed communities. Overall, Senator BOND and Senator MIKULSKI have done an excellent job of producing a bill which makes the most of the limited funding available. However, by not funding CDFI, I believe the committee has missed the opportunity to make a substantial and cost-effective investment in our distressed communities.

CDFI leverages private investment to stretch every Federal dollar. The VA/HUD appropriations bill reported by the House Appropriations Committee includes the $125 million requested by the President for this valuable program. Senator MIKULSKI has discussed her intention to revisit the issue of CDFI funding in conference. I too believe the CDFI Program deserves the opportunity to demonstrate its effectiveness in bringing economic development resources to distressed communities. I look forward to working with Senator MIKULSKI and Senator BOND during conference to restore funding for this program.

Mr. DOMENICI. Mr. President, I rise in support of S. 1034, the Departments of Veterans Affairs and Housing and Urban Development and independent agencies appropriations bill for 1998.

This bill provides new budget authority of $91.5 billion and new outlays of $52.6 billion to finance the programs of the Departments of Veterans Affairs and Housing and Urban Development, the Environmental Protection Agency, NASA, and other independent agencies.

I congratulate the chairman and ranking member for producing a bill that, with adoption of the manager's amendment, is within the subcommittee's revised 602(b) allocation. This is one of the most difficult bills to manage with its varied programs and challenging allocation, but I think the bill meets most of the demands made of it while staying under budget and is a strong candidate for enactment, so I commend my friend the chairman for his efforts and leadership.

When outlays from prior-year budget authority [BA] and other adjustments are taken into account, the bill totals $90.7 billion in BA and $99.8 billion in outlays. The total bill is at the Senate subcommittee's 602(b) nondefense allocation for budget authority and outlays. The subcommittee is also under its defense allocation by $1 million in BA.

I ask members of the Senate to refrain from offering amendments which would cause the subcommittee to exceed its budget allocation and urge the speedy adoption of this bill.

Mr. President, I ask unanimous consent that a table displaying the Budget Committee scoring of the bill be inserted in the RECORD.

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

S. 1034, VA–HUD APPROPRIATIONS, 1998—SPENDING COMPARISONS, SENATE-REPORTED BILL [Fiscal year 1998, In millions of dollars]

	Defense	Nondefense	Crime	Mandatory	Total
Senate-reported bill:					
Budget authority	128	69,263		21,332	90,723
Outlays	128	79,561		20,061	99,750
Senate 602(b) allocation:					
Budget authority	129	60,065		21,332	81,526
Outlays	128	76,154		20,061	96,343
President's request:					
Budget authority	129	76,965		21,332	98,426
Outlays	128	80,313		20,061	100,502
House-passed bill:					
Budget authority	128	69,823		21,332	91,283
Outlays	128	80,403		20,061	100,592
SENATE-REPORTED BILL COMPARED TO:					
Senate 602(b) allocation:					
Budget authority	(1)	9,198			9,197
Outlays		3,407			3,407
President's request:					
Budget authority	(1)	(7,702)			(7,703)
Outlays		(752)			(752)
House-passed bill:					
Budget authority		(560)			(560)
Outlays		(842)			(842)

Note.—Details may not add to totals due to rounding. Totals adjusted for consistency with current scorekeeping conventions.

Mr. SARBANES. Mr. President, I rise to support the VA-HUD appropriations bill. Chairman BOND, a former colleague of mine on the Banking Committee, and Senator MIKULSKI, the ranking member and my good friend from Maryland, both have a deep understanding of the importance of housing programs that are so crucial to creating safe, decent, and affordable housing for the American people. I want to thank them for their hard work.

The committee did a good job of juggling many competing needs and interests that go far beyond housing programs. I want to recognize their good work in both appropriating enough funds to renew expiring section 8 contracts and in adopting the mark-to-market legislation passed as part of the reconciliation bill but unfortunately dropped in conference. This legislation, sponsored by Senators MACK, D'AMATO, BOND, and others addresses what Secretary Cuomo calls the biggest crisis facing HUD in a way that saves money and ensures the long-term preservation of the section 8 housing stock.

We have worked very hard on a bipartisan basis in a short period of time to iron out differences with HUD on the section 8 legislation. It is my hope that, as the appropriations bill moves forward, the committee will adopt the agreements we reached with HUD which will make the program easier to implement and generally more efficient. Solving this problem will rank as one of our best accomplishments for this Congress and I again want to thank the chairman and ranking member for their interest and dedication in putting the section 8 housing program on a sound financial and management footing.

Unfortunately, while these efforts on the section 8 portfolio should bear real fruit, the committee has been forced to try to squeeze too many high-priority programs into too small a box. There is simply not enough money in this bill to address the overall housing needs we face in this country.

For example, consider the public housing funding. While public housing has become a much-maligned program, this view is unwarranted. The vast majority of public housing is in good shape. Fewer than 100 of more than 3,300 public housing authorities [PHA's] are troubled. Public housing serves hundreds of thousands of elderly households and nearly 1½ million children. In many neighborhoods, public housing is indistinguishable from the privately owned housing that may be next door.

As in everything, problems do exist. There are bad housing projects and bad housing authorities. However, the Banking Committee is working on legislation that will require the Secretary to react quickly to put the bad PHA's in receivership and to demolish bad projects. We are also reforming the program to create more mixed-income communities and help make it possible for additional working families to get access to public and assisted housing. In fact, public housing represents about one-third of the housing stock affordable to minimum wage workers in ths country. It is for this reason, among others, that Secretary Cuomo called public housing a precious resource.

While these reforms will contribute greatly to the overall health of the public housing program, in order to succeed, public housing needs more funding. The bill before us provides $2.9 billion for public housing operating subsidies, the same as this year. Operating subsidies are needed to cover the shortfall between what public housing authorities can collect in rent and what it costs to run the projects. I am pleased that the committee preserved this funding at current levels.

Even with the committee's best efforts, however, the $2.9 billion covers only about 85 percent of what the PHA's need to pay for their day-to-day operations. We have put public housing authorities in a bind. They are asked to serve the poor, but not given the funding necessary to ensure that they can house the poor adequately. To close the gap, PHAs are forced to put off routine maintenance and small capital projects. In effect, the housing stock faces slow deterioration just so the housing authorities can pay the heating bill.

The capital account in this bill also stays steady at $2.5 billion. These are much-needed funds, and again, I welcome the committee's effort to protect this crucial spending. But the fact is, the National Commission on Severely Distressed Public Housing said that PHA's need $4.5 billion per year for 10 years to take care of backlogged capital needs, in addition to keeping up with routine maintenance, which, by itself, costs $1.7 billion annually.

This combination of low operating subsidies and inadequate capital funding means that we are slowly bleeding our public housing stock to death. All the hard work and good intentions of the committee cannot make up for the fact that the chairman and ranking

member were simply not given the allocation necessary to fund these crucial housing programs at necessary levels.

Similarly, homeless funding remains level in this bill, although homelessness, despite good progress, continues to be a serious problem. While economic growth is strong, it has not reached down to the people who live on the bottom rung of society's ladder. In fact, the Conference of Mayors estimates that homelessness increased by 5 percent last year. Moreover, as we try to make public and assisted housing more available to the working poor, a worthy goal that I support, we reduce the number of assisted housing units available to the very worst off in our country. In the end, this will mean more homelessness. In my view, Congress ought to recognize that truth and expand the homeless program.

One casualty of the fiscal constraints that the committee labored within is the Low Income Housing Preservation and Homeownership Act [LIHPRH], better known as the Preservation Program. This program has preserved over 80,000 units of affordable housing permanently. Another 30,000 units await funding. I urge the committee to work in conference to find some funding for this critical program. I know of the chairman's interest in accomplishing this goal, along with appropriate reforms to the program.

Mr. President, I thank my colleagues for all their hard work. I support this bill and urge my colleagues to do so, as well. I will continue to work for additional funding for housing programs, and look forward to the day when we are able to adequately address the many existing demands.

Mr. BYRD. Mr. President, I wish to commend the managers of the Fiscal Year 1998 VA–HUD and Independent Agencies Appropriation Bill, Chairman BOND and Senator MIKULSKI, for their hard work in fashioning this measure, and for bringing it to the Floor in a timely manner. The bill appropriates $90,901,535,000 for programs in Fiscal Year 1998, is within its 602(b) allocations, and is below the amount requested by the administration by about $70,903,000.

Mr. President, I specifically commend the chairman and ranking member for taking an extremely tight 602(b) allocation and spreading it across the twenty-one agencies. There were also additional constraints posed by the budget agreement resolved to accomplish a unified Federal budget in fiscal year 2002.

This bill funds a diversity of agencies and programs. It is a challenge every year to develop a passable bill that addresses a variety of concerns from all Members of the Senate, the Federal agencies, and the American people.

Mr. President, this bill matches the President's request for Veterans Affairs, the Federal Emergency Management Agency, the National Aeronautics and Space Administration, and the National Science Foundation. The managers also protected several key programs in the Department of Housing and Urban Development, namely CDBG, HOME, and the McKinney Homeless programs. In addition, many cuts made in the proposed budget were restored. The highest priority was to adequately fund Veteran's medical programs, despite the proposed cut in the budget agreement. This bill matches the President's request for Veterans Medical Care, and restores the $27 million cut in Veterans Medical Research.

Mr. President, I congratulate the chairman and ranking member of the subcommittee, as well as their dedicated, hardworking staff: Andy Givens and Liz Blevins for the minority and John Kamarck, Carrie Apostolou, and Lashawnda Leftwich for the majority.

Mr. BOND. 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.

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

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

Ms. MIKULSKI. Mr. President, in a few minutes we will vote on the VA-HUD appropriations bill for fiscal year 1998. I want to take this opportunity to thank the chairman, Senator BOND, and his staff for working with those of us on this side of the aisle in such a collegial way. I think the fact that we were able to finish this bill tonight says a lot about the bipartisan cooperation that we have received, or has occurred between both Senator BOND, myself, and the other Members of the U.S. Senate.

Today, I note that we had robust discussions on important policy matters. But if one would note, the whole tone was one of civility, consideration, and collegiality. I am very proud of the way this bill has moved.

I am also very proud of the substance in this bill. We have met compelling human need with veterans and the poor. We have stood sentry over the important issues related to the environment, protected consumers, and ensured that Arlington Cemetery would be as fit for duty as the brave people were who lie therein. And we have, at the same time, had a very serious issue addressed in the area of science and technology funding.

So veterans' health research that will be looking at issues related to both women's health and prostate cancer, to our important space program that shows it is the best in the world, to the National Science Foundation which is looking at how we can ensure that brilliant young investigators are going to be able to have the new ideas for the 21st century that are going to lead to new products says a lot about what this bill does.

I enjoy very much serving as the ranking member and my job is made easier, more delightful, and gives me pride because of the cooperation of the majority, both its chairman and staff.

I would also like to take this opportunity to thank my own staff because it takes a lot of reviewing of a lot of line items when you have seven Cabinet-level agencies and 25 other independent agencies. I would like to thank Andy Givens, my chief clerk; David Bowers for his hard work, and our excellent detailee, Stacy Closson.

So as we move on to the rollcall vote, I again look forward to working with my very able chair in the conference and bringing a great conference report back to the Senate where we can continue the pride we feel as we vote on this bill tonight.

Mr. President, I yield the floor.

Mr. BOND. Mr. President, let me very briefly express my sincere appreciation to my ranking member for her great cooperation. The expeditious way in which this measure was handled is something that is rather unusual for the VA–HUD bill. When she indicated she thought we could wrap this up today, I said I am a skeptic; I am from Missouri; I have to be shown. And thanks to the cooperation of all Senators we have been able to do it.

I really appreciate the cooperation of Senators on both sides. Senator MIKULSKI has been very effective. I would like to add my thanks to Andy Givens, to Stacy Closson and David Bowers, and particular thanks to my staff. This is the first time that Jon Kamarck has gone through this as the chief clerk. It is quite an experience. We appreciate the work he has done. We are delighted to have the steady hand of Carrie Apostolou guiding us on EPA, veterans, FEMA matters with great skill, and Sarah Horrigan has been a great addition on the NASA and science accounts, and I very much appreciate all of that assistance.

Mr. President, since I think many Members are anxious to get started on the vote, and I do not expect anyone will be disadvantaged, I will now ask unanimous consent that we begin the vote and I ask for the yeas and nays.

The PRESIDING OFFICER. The clerk will report the House bill.

The assistant legislative clerk read as follows.

A bill (H.R. 2158) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development and for sundry independent agencies, commissions, corporations, and offices for the fiscal year ending September 30, 1998, and for other purposes.

The PRESIDING OFFICER. Under the previous order, all after the enacting clause is stricken, the text of S. 1034 is inserted, and the bill is deemed read a third time.

The yeas and nays are requested. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER (Mr. ALLARD). The question is, Shall the bill pass? The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 99, nays 1, as follows:

[Rollcall Vote No. 194 Leg.]

YEAS—99

Abraham	Faircloth	Lott
Akaka	Feingold	Lugar
Allard	Feinstein	Mack
Ashcroft	Ford	McCain
Baucus	Frist	McConnell
Bennett	Glenn	Mikulski
Biden	Gorton	Moseley-Braun
Bingaman	Graham	Moynihan
Bond	Gramm	Murkowski
Boxer	Grams	Murray
Breaux	Grassley	Nickles
Brownback	Gregg	Reed
Bryan	Hagel	Reid
Bumpers	Harkin	Robb
Burns	Hatch	Roberts
Byrd	Helms	Rockefeller
Campbell	Hollings	Roth
Chafee	Hutchinson	Santorum
Cleland	Hutchison	Sarbanes
Coats	Inhofe	Sessions
Cochran	Inouye	Shelby
Collins	Jeffords	Smith (NH)
Conrad	Johnson	Smith (OR)
Coverdell	Kempthorne	Snowe
Craig	Kennedy	Specter
D'Amato	Kerrey	Stevens
Daschle	Kerry	Thomas
DeWine	Kohl	Thompson
Dodd	Landrieu	Thurmond
Domenici	Lautenberg	Torricelli
Dorgan	Leahy	Warner
Durbin	Levin	Wellstone
Enzi	Lieberman	Wyden

NAYS—1

Kyl

The bill (H.R. 2158), as amended, was passed.

[The text of H.R. 2158 will be printed in a future edition of the RECORD.]

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

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

The motion to lay on the table was agreed to.

Mr. BOND. Mr. President, I now ask unanimous consent that the Senate insist on its amendment and request a conference with the House, and the Chair be authorized to appoint conferees on the part of the Senate, and S. 1034 be placed back on the calendar.

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

There being no objection, the Chair appointed Mr. BOND, Mr. BURNS, Mr. STEVENS, Mr. SHELBY, Mr. CAMPBELL, Mr. CRAIG, Mr. COCHRAN, Ms. MIKULSKI, Mr. LEAHY, Mr. LAUTENBERG, Mr. HARKIN, Mrs. BOXER, and Mr. BYRD conferees on the part of the Senate.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I have already expressed appreciation to my staff, and particularly my ranking member. I want to make a special mention of my chief of staff, Julie Dammann, whose second child was due today and she stayed with us throughout the whole proceedings and wanted to see the VA-HUD bill delivered first. She has been an invaluable help in all legislative activities and helped us shepherd this through. So, a very special thank you, and best wishes to Julie, to Rolf and their other daughter, Monica. Again, I express my appreciation.

Ms. MIKULSKI. I would also echo the comments to Julie and her husband. I hope that she can go home, rest easy, put her feet up and we are looking forward to being the proud Godparents of Bond-Mikulski. Maybe we will name something after her in conference.

Mr. BOND. Mr. President, I thank the Chair. I don't know whether Mikulski-Dammann would be a good name for her, maybe, but it is one we can always offer, to show a little diversity.

MORNING BUSINESS

Mr. BOND. Mr. President, I now ask unanimous consent that there be a period for the transaction of morning business, with Senators permitted to speak for up to 5 minutes each.

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

RETIREMENT OF MARK LACOVARA

Mr. LOTT. Mr. President, I want to take a few moments to recognize the work of Mr. Mark Lacovara, who has retired after more than 27 years' employment in the Senate.

Mark came to the Senate in 1969 as a reference assistant in the Senate Library and has since served in various capacities with the Official Reporters of Debates, the Sergeant at Arms, the Secretary of the Senate, and administrative services. The position from which he leaves us is that of assistant Journal clerk.

To those of us who are a part of the Senate, Mark's regard for this institution is well-known and highly valued. Such dedication is no doubt rooted in his early years. Mark grew up in the Washington, DC, area and observed his father, the late John Lacovara, in service as the Senate's Republican Deputy Sergeant at Arms. Mark began employment with the Senate as a young man of 18. As he worked, he also earned a college degree and served in the U.S. Air Force Reserve.

Mark has been committed to the best interests of the Senate and to the United States throughout his career. This is evident in both the quality of his work and his enthusiasm for it.

I want to thank Mark for his outstanding service in the U.S. Senate; we will miss him. I'm certain my colleagues join me in expressing appreciation and in wishing him well.

THE RETIREMENT OF JOHN ''MARK'' LACOVARA

Mr. DASCHLE. Mr. President, an individual with over 27 years of dedicated service to the U.S. Senate has retired. This conscientious and hard working individual is John ''Mark'' Lacovara, the assistant Journal clerk of the Senate.

Mark, a native-born Washingtonian, has served in numerous capacities in the Senate over the past 27 years. During those years of service, Mark completed his college education and earned a degree from the University of Maryland.

In March, 1969, Mark began his Senate service as a reference assistant in the Senate Library. Shortly thereafter, he moved to a doorkeeper position at the pass desk under the auspices of the Senate Sergeant at Arms. From the doorkeeper's position, Mark had the opportunity to return to work for the Secretary of the Senate as a clerk in the Senate stationery room.

In 1974, Mark was appointed clerk of enrolled bills on the legislative staff of the Secretary. In 1979, Mark was named second assistant Journal clerk, and by 1984 was working as editor of morning business for the CONGRESSIONAL RECORD.

In his capacity as morning business editor, Mark had the responsibility of producing, compiling, and formatting copy for the Morning Business section of the CONGRESSIONAL RECORD. This section includes Presidential messages, House messages, Executive communications, petitions and memorials, committee reports, the introduction of legislation, as well as additional statements. Anyone who takes a look at the RECORD will get a notion of the responsibility of the morning business editor.

As I mentioned earlier, Mark once served as second assistant Journal clerk. In 1993, Mark returned to that office in the capacity of assistant Journal clerk, where he remained until his retirement.

Often referred to as the ''bible'' of the Senate, the Journal reflects the official legal record of Senate proceedings. An individual with the responsibility of making the entries plays a critical role in the history of the Senate. Mark served in exemplary fashion as assistant Journal clerk, and took great pride in his work.

Mark loved the Senate. He served here with distinction. He believed in the Senate as a great institution and throughout his long service demonstrated his loyalty and dedication.

Mr. President, I say to Mark, thank you for your long and distinguished service. You will be missed.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Monday, July 21, 1997, the Federal debt stood at $5,363,682,543,589.87. (Five trillion, three hundred sixty-three billion, six hundred eighty-two million, five hundred forty-three thousand, five hundred eighty-nine dollars and eighty-seven cents)

Five years ago, July 21, 1992, the Federal debt stood at $3,982,450,000,000. (Three trillion, nine hundred eighty-two billion, four hundred fifty million)

Ten years ago, July 21, 1987, the Federal debt stood at $2,314,700,000,000. (Two trillion, three hundred fourteen billion, seven hundred million)

Fifteen years ago, July 21, 1982, the Federal debt stood at $1,084,261,000,000.

(One trillion, eighty-four billion, two hundred sixty-one million)

Twenty-five years ago, July 21, 1972, the Federal debt stood at $434,462,000,000 (Four hundred thirty-four billion, four hundred sixty-two million) which reflects a debt increase of nearly $5 trillion—$4,929,220,543,589.87 (Four trillion, nine hundred twenty-nine billion, two hundred twenty million, five hundred forty-three thousand, five hundred eighty-nine dollars and eighty-seven cents) during the past 25 years.

TRIBUTE TO THE LATE JOANNE RAINSFORD

Mr. THURMOND. Mr. President, throughout the Nation, whenever a community leader passes, his or her death is noticed and mourned by many. In small towns, however, the impact of such a loss is always magnified, for in such places, the deceased is more than a well known, but distant figure, he or she is a neighbor, a member of the local church, and more often than not, a friend. Such was the case on June 29 when Edgefield, SC suffered a tremendous loss with the passing of my friend, Joanne Tisdale Rainsford.

Mrs. Rainsford first came to Edgefield to work as a teacher, and it was not long before she became a well known and liked figure around town. Her civic mindedness led her to become involved in a multitude of organizations and causes, and though not originally from Edgefield, she worked hard on behalf of her new hometown. Among other groups, the Edgefield United Way, the Olde Edgefield Trade Association, and the Edgefield Community Development Association all benefited from the efforts of this tireless, devoted, and enthusiastic woman.

One of the cornerstones of a small town is the community newspaper, and Joanne Rainsford played an important role in helping produce the local paper, the Citizen News. In the mid-1980's, she spent about a year and a half as the managing editor of that publication, and she later became the president of Edgefield County Communications, the parent company of the Citizen News.

Though Mrs. Rainsford enjoyed many pursuits, she was particularly interested in history, and she worked hard to save and showcase the unique and rich history of Edgefield County. In recognition of her service as their president, and her leadership in any number of preservation projects, the Edgefield County Historical Society just this past June voted to rename its museum the Joanne T. Rainsford Heritage Center. This was an honor of which I know she was especially proud and the action of the society is all the more meaningful as they approved this recognition shortly before Mrs. Rainsford's death.

Whether it was through her work as a teacher, in her role as a newspaper executive, or as a civic booster, Joanne Rainsford worked hard to promote Edgefield, to build the local economy, and to make her hometown an even more prosperous and desirable place to live. She was an articulate proponent of the heritage corridor, a unique project that blends history and tourism together over a 14-county region in our State stretching from the coast to the mountains. I was so impressed by her desire to bolster tourism, the No. 1 industry in the Palmetto State, that I appointed her as a delegate from South Carolina to the White House Conference on Tourism.

Mr. President, many people in Edgefield and throughout South Carolina mourned the passing of Mrs. Joanne T. Rainsford, as she was a woman who was liked and admired by all those who knew her. She was also a woman who approached life with great enthusiasm and who sought to leave her mark on the world through projects that benefited others. I can say without reservation that the work of the late Mrs. Rainsford had a positive effect on Edgefield County and that her work strengthened that community in many different ways. I ask unanimous consent that a copy of an article from the Citizen News be included in the RECORD following my remarks, it very nicely captures Mrs. Rainsford's accomplishments and her spirit. Her husband, Ben Rainsford; her stepchildren, Neely and Todd; her two sisters, Nancy and Mary; and all her friends and relatives, have my deepest condolences on this terribly sad event. We shall all miss Joanne Rainsford.

TRIBUTE TO THE LATE JULIA RAVENEL DOUGHERTY

Mr. THURMOND. Mr. President, I am saddened to report the passing of a longtime friend, a great supporter, and one of the stalwart members of the South Carolina Republican Party, Mrs. Julia Ravenel Dougherty.

In the not so distant past, South Carolina was what was known as a one party State, where a victory in a primary election was all one needed to secure office, and where a significant segment of the population had no outlet for its views, opinions, and politics. All of that began to change in the 1960's when a cadre of forward looking politicians and interested citizens began to fight to create a true Republican Party in South Carolina.

One of the pioneers in that effort was Mrs. Dougherty, who is roundly recognized as having been a woman of great humor, strong organizational skills, and inexhaustible energy, as well as someone who was a tremendous motivator. From the Charleston County Republican Party to the gubernatorial races, and from my own Senate campaigns to the bids of GOP candidates for the White House, Julia Dougherty was always eager to roll up her sleeves and to lend her considerable talents to an election effort. Her loyalty to the party, and activism on its behalf, earned her not only the thanks and admiration of countless people, but also an appointment as a delegate to the 1964 and 1968 Republican Conventions. Her loyalty and efforts were further recognized when in 1968, she was a member of the electoral college, and cast her vote for Richard M. Nixon.

In addition to her partisan political work, Mrs. Dougherty had a strong commitment to public service, and over the years, she made many contributions to building South Carolina into an even better, safer, and more prosperous State for all its citizens. She was the first female to ever serve on the South Carolina Highway Commission, and in that role, she was a forceful advocate for the modernization of the highway patrol, as well as the increased professionalization of that force. She later served as the State chairwoman of President Carter's friendship force, and during the Reagan administration, she served on an advisory committee to the Department of Transportation. Truly an impressive record, and one of which I know Julia was justifiably proud.

Despite her great love for politics and her commitment to public service, Mrs. Dougherty never sought elected office herself. This is truly a shame for I believe she would have made even more contributions to the Palmetto State as an elected official, and she certainly would have set a high standard for ability, integrity, and dedication for others to follow.

The death of Julia Ravenel Dougherty leaves a tremendous void in South Carolina politics and life in the lowcountry. Her family, which includes her cousin and my good friend, State Senator Arthur Ravenel; husband Francis; son Park; daughters Renee and Frances; and four grandchildren, all have my deepest sympathies. Their wife, mother, grandmother, and cousin will be missed by all those who knew this most remarkable woman.

LOUISIANA SENATE ELECTION CONTEST

Mr. FORD. Mr. President, nearly 3 months ago, the Senate Committee on Rules and Administration voted to begin a preliminary investigation to determine the factual basis, if any, for a contest of the 1996 Senate election in Louisiana. I want to take a few minutes today to review where the committee stands in this matter, how we got there, and why I believe it is past the time to bring an end to this investigation and to dismiss the petition of Louis ''Woody'' Jenkins contesting the November 1996 Senate election in Louisiana.

The Rules Committee is currently faced with a decision: whether or not to allow an election contest to proceed, under the Senate's authority and duty under the Constitution, without any evidence of fraud or irregularities affecting the outcome.

This is not the first such decision the committee has faced in this matter.

Senators will recall that the initial bipartisan report of the committee's outside counsel found no evidence to support the claims in the petition, and suggested only the most limited review to determine whether or not Mr. Jenkins' more sensational claims of paid multiple voting had any merit. My colleagues will also recall that the committee, on a party-line vote, rejected that recommendation and moved forward with a substantially broader investigation at dramatically increased costs. Subject to a protocol negotiated by outside counsel for the majority and the minority, committee Democrats agreed to participate in a joint investigation.

Two teams of attorneys, accompanied by active duty and retired FBI agents, were dispatched to New Orleans, while here in Washington a pair of highly skilled Government Accounting Office [GAO] detailees reviewed tens of thousands of documents subpoenaed from state and local election officials in Louisiana. In addition, Committee staff spent countless hours conferring with counsel, establishing procedures for the investigation, assisting GAO with its review, and managing the day-to-day operations in New Orleans.

In the course of the joint investigation, over 130 subpoenas were issued; key witnesses were interviewed, in some instances more than once; voters were contacted in an effort to validate their election day sign-in at the polls; numerous election officials were interviewed; and hundreds of documents were produced by both Mr. Jenkins' and Senator LANDRIEU's campaign organizations.

What has the committee learned as a result of all this effort, which has cost the taxpayers well in excess of the $250,000 originally budgeted, Mr. President?

We have learned that there is no evidence—I repeat, no evidence, Mr. President—of any fraud or irregularity on election day in Louisiana that would have affected the outcome of this election.

We have learned that key witnesses to alleged vote buying and multiple voting were paid and schooled in fabricating their stories—none of which were confirmed by other records—and may have even been threatened once they revealed the truth about the attempt to mislead this committee. Those allegations of witness tampering which occurred after the election have been referred to the proper law enforcement officials for review.

We have learned that virtually none of the thousands of so-called ''phantom votes'' identified by Mr. Jenkins exist, nor are they corroborated by the mounds of election documents subpoenaed.

We have learned that numerous other so-called irregularities in the election are not violations of the Louisiana Election Code, but are simply technical violations or are so insignificant that Louisiana State law would not recognize them as a valid basis for overturning an election.

Some have suggested that the committee suspend the investigation until such time as the law enforcement authorities conclude their separate investigations into allegations of witness tampering. I believe such sentiment—which I would like to believe is the product of caution and not partisanship—is misguided.

Investigations of criminal tampering with committee witnesses are not designed to turn up evidence that is relevant to, let alone sufficient for, a finding by the Senate that but for fraud or irregularity, the 1996 Louisiana Senate election would have been decided differently. Specifically, evidence that witnesses were paid after the election to lie about illegal activities that did not occur, did not affect the outcome of the election itself, and would not be a basis for overturning the election.

I would like to respond to the allegation, made by Mr. Jenkins, at least one of my Republican colleagues on the committee, and Mr. Jenkins' attorney that the Democrats on the committee are hostile to this investigation and have decided to kill it for partisan reasons. In response, let me remind my colleagues and everyone else present about the time line in this case:

After his defeat on November 5, 1996, Mr. Jenkins claimed that his loss was due to massive voting by dead or incompetent voters. He also alleged that certain African-American precincts in New Orleans had turned out at greater than 90 percent—in one case at more than 100 percent—and in support of Senator LANDRIEU. Both allegations proved false after petitioner sought a court order for death and incompetency records—which yielded nothing—and after an Orleans Parish official revealed that no precinct had turned out at more than 82 percent and that 8 of the top 10 precincts had been majority-white and supported Jenkins in the election.

On November 14, 1996, Jenkins then brought a State law election challenge, making no mention of dead or incompetent voters or abnormally high turnouts. Instead, he alleged that so-called precinct audits prepared by volunteers from election records—which themselves were produced under court order—yielded thousands of phantom votes and mismatched signatures on election documents, plus evidence of improper assistance by poll workers. Jenkins dismissed his own suit, citing an inability to gather sufficient evidence—despite the judge's offer to extend the statutory deadline for filing an amended complaint.

On December 5, 1996, Jenkins filed a contest petition with the Senate—which he then amended on December 17—in which he restated his allegations of phantom voting and mismatched signatures, adding a serious of sensational allegations of vote buying, multiple voting, fraudulent voter registration and other election fraud, as well as a laundry list of other complaints including vote hauling, malfunctioning voting machines, failure of poll workers to identify voters, and campaign finance violations. After Senator LANDRIEU responded on January 17, 1997, Mr. Jenkins filed a response on February 7, 1997, reiterating his earlier allegations and presenting more supporting material to the committee. Eventually, Mr. Jenkins' submissions to this committee totaled over 9,000 pages. Key portions of this material were blacked out by Jenkins to obscure the names of individuals claiming to have participated in or having witnessed fraud on election day.

In response to these extensive submissions, the Rules Committee retained two outside counsels to wade through the material and make a recommendation to the committee regarding the sufficiency of the petition. On April 8, 1997, counsel presented the committee with a report recommending dismissal of the bulk of Jenkins' allegations, with counsel to conduct a limited investigation into the most sensational allegations of vote buying, multiple voting, and fraudulent voter registration. On April 15, 1997, Mr. Jenkins testified against the bipartisan report, claiming that it would result in the committee overlooking or ignoring serious evidence of fraud and irregularity in the November 1996 election.

On April 17, the Rules Committee—on a party-line vote—rejected the counsels' report and instead initiated a wide-ranging investigation. Although the committee Democrats disagreed strenuously with the decision to open up the scope of the investigation, we agreed to continue to participate in a bipartisan investigation.

Beginning the next week, our outside counsel met with the majority's choice of outside counsel, and together they drafted a protocol not only to guide our investigation but to serve as a basis for the detail of FBI agents and GAO personnel to the committee on a nonpartisan basis. The agents were especially important, because Mr. Jenkins refused to turn over his documents to the committee or our outside counsel—including the crucial names of his fraud witnesses—until he was assured that they would be delivered to FBI agents detailed to the committee.

On May 12, the majority and minority chief counsels traveled to New Orleans to select space in the Federal building to serve as temporary committee office space. Chairman WARNER subsequently requested a 60-day lease of the space which expires on July 31.

On May 13, committee staff were joined in Louisiana by members of both the majority and minority outside counsel teams. The group conducted interviews with the Governor, the leadership of the Louisiana Legislature, the secretary of state, the commissioner of elections, and the State district attorney for East Baton Rouge. It was during these interviews that the

then-lead attorney, Richard Cullen, advised that the 45-day investigative period began that day.

During the week of May 19, with the concurrence of committee Democrats, Chairman WARNER issued over 130 subpoenas to Louisiana election officials. The vast majority of the subpoenas were answered in a timely manner.

On May 30, 1997, again with concurrence of committee Democrats, Chairman WARNER issued subpoenas to political committees affiliated with both Senator LANDRIEU and Mr. Jenkins. Senator LANDRIEU delivered her documents on June 3, the deadline for delivery in New Orleans, but Mr. Jenkins—despite having months to prepare documents in support of a case brought at his behest—sought and received an extension until Monday, June 9.

Meanwhile, GAO evaluators detailed to the committee had begun work on June 2, 1997, reviewing petitioner's allegations of the existence of more than 7,400 so-called phantom votes in the November 1996 Louisiana senate election. Included in the materials Mr. Jenkins submitted on June 9 was a substantial revision of the phantom vote totals downward to just over 5,700 votes—less than the margin of difference in the November election. Nevertheless, Mr. Jenkins continued to express the belief that upon further scrutiny, the election records would yield enough phantom votes to more than make up the difference. As has been widely reported, we now know from the GAO evaluators detailed to the committee that this is not true. In fact, GAO detailees have concluded that further investigation of the allegations they have reviewed to date would be unwarranted.

Back in New Orleans, investigators were interviewing individuals named in the unredacted materials finally provided to the committee by Mr. Jenkins on June 9. Within a week, a disturbing pattern emerged. Not only were the allegations of fraud untrue, the witnesses revealed that they had been paid by agents of the petitioner to tell their stories.

Subsequently, on June 20, committee investigators discovered that at least one of these witnesses had been threatened, by agents of Mr. Jenkins, and told to reaffirm their original stories of fraud. For his part, Mr. Jenkins denies paying any witness and claims no knowledge of any payments by his agents for testimony.

Once I learned that the only evidence of election fraud in this matter was clearly false and purchased by agents of Mr. Jenkins, I decided that I could not, in good conscience, continue Democratic participation in the joint investigation. On June 23 I advised Chairman WARNER of my concerns. On June 25, the committee Democrats announced our withdrawal from the investigation.

On that same day, June 25, I asked the U.S. Department of Justice to investigate whether the witnesses were threatened in violation of Federal law, 18 U.S.C. § 1505, which prohibits obstruction of a Senate investigation.

It is my understanding that Chairman WARNER subsequently made a similar referral to the Republican district attorney for East Baton Rouge Parish, Mr. Doug Moreau, who has scheduled interviews with both the witnesses and the agents of Mr. Jenkins who allegedly paid them to lie. According to press reports, Mr. Moreau and his staff are also currently reviewing allegations that poll workers may not have followed the Louisiana Election Code to the letter. Mr. Jenkins has said that he supports these parallel investigations, but believes that the Rules Committee should continue its probe as well.

I should add that when committee staff and the two teams of outside counsel met with Mr. Moreau on May 13, he advised them that his office had neither the resources nor the expertise to conduct a full-scale investigation of alleged election fraud that may have occurred in the 1996 Senate election fraud that may have occurred in the 1996 Senate election. Mr. Moreau was also reluctant to state unequivocally that his office, located in Baton Rouge, had jurisdiction over alleged criminal activity in New Orleans Parish. And yet, that is exactly what Chairman WARNER has requested Mr. Moreau to investigate.

Based upon the review of evidence to date, it is unfair for petitioner or anyone else to claim that Democrats want to kill this probe prematurely. This case has consumed over 7 months, hundreds of thousands of dollars—not to mention hundreds of thousands more in the parties' legal fees, a portion of which they are customarily reimbursed by the Senate—and countless hours of staff time. After all this expenditure, the investigation has produced no evidence—none at all—that would support continued investigation, let alone action by the Senate to overturn the election.

Finally, in the interest of fairness I believe we should remember our colleague Senator LANDRIEU, who has faithfully continued serving the people of Louisiana while patiently enduring countless allegations and months of uncertainty in order for the Rules Committee to pursue each and every one of Mr. Jenkins' charges—none of which have produced a shred of credible evidence.

As has been widely reported, I am currently involved in negotiations with Chairman WARNER and other members of his caucus regarding the appropriate way to close this investigation in an orderly fashion. Whatever resolution we reach on this issue should, in my opinion, first, acknowledge that the investigation to date has produced no evidence of any fraud, error, or irregularity in the 1996 Louisiana Senate election, and second, set a fixed, firm date on which the Rules Committee will meet to vote on whether to terminate the investigation and dismiss the petition of Mr. Jenkins.

I join my entire Caucus in expressing our full and complete support for our colleague, Senator MARY LANDRIEU, and call on Chairman WARNER and members of the majority to end this investigation and remove the unjustified cloud of doubt overshadowing Senator LANDRIEU and the elected officials and good people of Louisiana.

THE OMNIBUS PATENT ACT OF 1997

Mr. LEAHY. Mr. President, I am delighted that the report is finally available for S. 507, The Omnibus Patent Act of 1997. The Senate Judiciary Committee voted 17 to 1 in favor of a Hatch-Leahy substitute to this bill on May 22. I urge all Members to take the time to learn about this legislation, which is designed to assist American innovation.

The Omnibus Patent Act would reform the U.S. patent system in important ways. The bill would:

Reduce legal fees that are paid by inventors and companies;

Slash redtape in the Patent and Trademark Office;

Increase the value of patents to inventors and companies; and

Facilitate U.S. inventors and companies' research, development, and commercialization of inventions.

In Vermont, we have a wide variety of independent inventors and small companies. It is especially important to me that this bill help them as well as larger, more specialized firms. I have spoken with independent inventors and representatives of smaller companies to learn what reforms they recommended. I have tried to ensure that their recommendations were incorporated into the Hatch-Leahy substitute amendment that was reported by the Judiciary Committee.

I am especially gratified that the Hatch-Leahy substitute responds to the concerns of independent inventors and small businesses concerning the matter of 18-month publication. These concerns were articulated at the Senate Judiciary Committee hearing by the president of the Vermont Inventors Association, Bill Parker. Mr. Parker suggested giving applicants who only file in the United States a choice whether or not to publish early. He also recommended that we enhance the protections granted to those who choose 18-month publication if we wish to encourage them to take that course.

The substitute does both of these things. In particular, it allows any applicant to avoid publication before the granting of the patent simply by making such a request upon filing the application and by certifying that the application has not—and will not—be published abroad. The substitute also provides for the issuance of patents on individual claims in published applications as they are approved, rather than waiting for the disposition of all claims contained in such an application, as

now occurs. This allows applicants to gain full patent protection—including reasonable royalties, damages, and attorneys fees when appropriate—for some of their component inventions earlier than they would have under the original draft of the bill.

I was also concerned that, as introduced, the bill did not adequately protect an applicant who is diligently prosecuting a patent but whose application takes more than 3 years to process. The ability to have a full 17 years of patent protection is important to small and large patent applicants alike. The Hatch-Leahy substitute makes clear than a applicant who diligently prosecutes a patent application before the PTO should receive a full 17 years of patent protection.

Another matter of special importance to me is the section I suggested be added in the Hatch-Leahy substitute to enhance access to patent information. I have long thought that electronic access should be more widespread, and I want to work with the Patent and Trademark Office to ensure the effective implementation of statewide electronic accessibility of patent information in rural Sates and eventually in all areas to make it easier for inventors to study prior art and make further advances. This should be of particular benefit to Vermont, which is only now getting a patent and trademark depository library.

Although the goal of the reexamination provisions—reducing legal bills for patent applicants—was laudable, I was concerned that the legislation protect again harassment by third parties. The Hatch-Leahy substitute enhances protection against harassment by strengthening the estoppel provisions, to prevent a party from raising an issue that was raised or could have been raised in one forum from raising it in some other forum thereafter. In this way, the reexamination provision in the Hatch-Leahy substitute will provide an alternative to the current costly and time-consuming process of Federal litigation and, at the same time, protect patent applicants against undue harassment.

I am also glad that the substitute amendment clarifies that it is not the Senate Judiciary Committee's intent to undercut the Copyright Office in any way. The Copyright Office has served this country well for over a hundred years, and it should continue in that role.

Vermont has a great tradition of ''Yankee ingenuity.'' In fact, the very first U.S. patent was granted to Samuel Hopkins, a native of Pittsford, VT, who discovered a process for making potash. Today's inventors can be much like the inventors of Thomas Jefferson's day—individuals in a shop, garage, or home lab. They can also be teams of scientists working in our largest corporations or at our colleges and universities. Our Nation's patent laws should be fair to American innovators of all kinds—independent inventors, small businesses, venture capitalists, and larger corporations. To maintain America's preeminence in the realm of technology, which dates back to the birth of this republic, we need to modernize our patent system and patent office. Our inventors know this and that is why they support this legislation.

I am delighted that our Democratic leader, Senator DASCHLE, has joined as a cosponsor of this important legislation. I urge the Republican leadership to proceed to Senate consideration of S. 507 without delay.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, 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 a nomination which was referred to the Committee on Foreign Relations.

(The nomination received today is printed at the end of the Senate proceedings.)

MEASURE READ THE FIRST TIME

The following bill was read the first time:

H.R. 748. An act to amend the prohibition of title 18, United States Code, against financial transactions with terrorists.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–2544. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, a report of a rule relative to prescribed rates for tax purposes, received on July 17, 1997; to the Committee on Finance.

EC–2545. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a report relative to finances under the Treasury Forfeiture Act of 1992 for fiscal year 1996; to the Committee on Finance.

EC–2546. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, a report of a rule relative to extraordinary dividends (RIN1545–AU16), received on July 15, 1997; to the Committee on Finance.

EC–2547. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Child Support Enforcement 20th Annual Report to Congress under the Social Security Act; to the Committee on Finance.

EC–2548. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, a report of a rule relative to electronic funds transfer (RIN1545–AS79), received on July 11, 1997; to the Committee on Finance.

EC–2549. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, a report of a rule relative to the electronic remittance processing system, received on July 11, 1997; to the Committee on Finance.

EC–2550. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, a report of a rule relative to guidance relating to waiver of penalties, received on July 11, 1997; to the Committee on Finance.

EC–2551. A communication from the Director, Regulations Policy Management Staff, Office of Policy Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, a report of a rule relative to medical devices (RIN0910–AA09), received on July 21, 1997; to the Committee on Labor and Human Resources.

EC–2552. A communication from the Secretary of Agriculture, transmitting, pursuant to law, a violation of the Anitdeficiency Act; to the Committee on Appropriations.

EC–2553. A communication from the Director, Office of Congressional Affairs, U.S. Nuclear Regulatory Commission, transmitting, pursuant to law, a rule relative to radiological criteria, received on July 21, 1997; to the Committee on Environment and Public Works.

EC–2554. A communication from the Acting Executive Director, U.S. Commodity Futures Trading Commission, transmitting, pursuant to law, a report of a rule relative to use of electronic media by commodity pool operators, received on July 21, 1997; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2555. A communication from the Acting General Counsel, Department of Energy, transmitting, pursuant to law, two rules including one relative to contract reform initiative (RIN1991–AB28), received on July 21, 1997; to the Committee on Energy and Natural Resources.

EC–2556. A communication from the Secretary of Agriculture, transmitting, a draft of proposed legislation relative to the Wild and Scenic Rivers Act; to the Committee on Energy and Natural Resources.

EC–2557. A communication from the Secretary, U.S. Department of Housing and Urban Development, transmitting, pursuant to law, a report relative to Gateway Housing Program; to the Committee on Banking, Housing, and Urban Affairs.

EC–2558. A communication from the Managing Director, Federal Housing Finance Board, transmitting, pursuant to law, a report of a rule entitled ''Procedure For Imposing Assessments on the FHLBanks'' (RIN3069–AA51), received on July 21, 1997; to the Committee on Banking, Housing, and Urban Affairs.

EC–2559. A communication from the Secretary of Defense, transmitting, pursuant to law, a notice of authorization of a contract for the H–60 program; to the Committee on Armed Services.

EC–2560. A communication from the Secretary of Defense, transmitting, notice of retirement; to the Committee on Armed Services.

EC–2561. A communication from the Assistant Secretary of the Navy, Department of the Navy, transmitting, a notification of a study for private contractors; to the Committee on Armed Services.

EC–2562. A communication from the Secretary of Defense, transmitting, a notice of retirement; to the Committee on Armed Services.

EC–2563. A communication from the Secretary of Defense, transmitting, a notice of retirement; to the Committee on Armed Services.

EC–2564. A communication from the Secretary of Defense, transmitting, a notice of retirement; to the Committee on Armed Services.

EC–2565. A communication from the Secretary of Defense, transmitting, pursuant to law, a report relative to dual use technology for fiscal year 1997; to the Committee on Armed Services.

EC–2566. A communication from the Assistant Secretary of Legislative Affairs, U.S. Department of State, transmitting, pursuant to law, certification of a license for the export of defense equipment under the Arms Export Control Act; to the Committee on Foreign Relations.

EC–2567. A communication from the Assistant Secretary of Legislative Affairs, U.S. Department of State, transmitting, pursuant to law, certification of a Manufacturing License Agreement relative to aerial target systems under the Arms Export Control Act; to the Committee on Foreign Relations.

EC–2568. A communication from the Assistant Secretary of Legislative Affairs, U.S. Department of State, transmitting, pursuant to law, certification of a license for export of defense services to Brazil under the Arms Export Control Act; to the Committee on Foreign Relations.

EC–2569. A communication from the Assistant Secretary of Legislative Affairs, U.S. Department of State, transmitting, pursuant to law, certification of a license for export of defense equipment to Sweden under the Arms Export Control Act; to the Committee on Foreign Relations.

EC–2570. A communication from the AMD-Performance Evaluation and Records Management, Federal Communications Commission, transmitting, pursuant to law, a report relative to Contract with America Advancement Act of 1996; to the Committee on Commerce, Science, and Transportation.

EC–2571. A communication from the AMD-Performance Evaluation and Records Management, Office of Managing Director, Federal Communications Commission, transmitting, pursuant to law, a report relative to Regulatory Flexibility Analysis; to the Committee on Commerce, Science, and Transportation.

EC–2572. A communication from the AMD-Performance Evaluation and Records Management, Federal Communications Commission, transmitting, pursuant to law, a report relative to allotments for FM broadcast stations; to the Committee on Commerce, Science, and Transportation.

EC–2573. A communication from the AMD-Performance Evaluation and Records Management, Federal Communications Commission, transmitting, pursuant to law, a report relative to allotments; to the Committee on Commerce, Science, and Transportation.

EC–2574. A communication from the AMD-Performance Evaluation and Records Mangement, Federal Communications Commission, transmitting, pursuant to law, a report relative to allotments in California; to the Committee on Commerce, Science, and Transportation.

EC–2575. A communication from the AMD-Performance Evaluation and Records Management, Federal Communications Commission, transmitting, pursuant to law, a report relative to allotments in Idaho; to the Committee on Commerce, Science, and Transportation.

EC–2576. A communication from the AMD-Performance Evaluation and Records Management, Federal Communications Commission, transmitting, pursuant to law, a report relative to allotments for Weston, Idaho; to the Committee on Commerce, Science, and Transportation.

EC–2577. A communication from the AMD-Performance Evaluation and Records Management, Federal Communications Commission, transmitting, pursuant to law, a report relative to allotments for Mendota, California; to the Committee on Commerce, Science, and Transportation.

EC–2578. A communication from the AMD-Performance Evaluation and Records Management, Federal Communications Commission, transmitting, pursuant to law, a report relative to allotments for Mahnomen, Minnesota; to the Committee on Commerce, Science, and Transportation.

EC–2579. A communication from the AMD-Performance Evaluation and Records Management, Federal Communications Commission, transmitting, purusuant to law, a report relative to allotments for Portsmouth, Ohio; to the Committee on Commerce, Science, and Transportation.

EC–2580. A communication from the AMD-Performance and Records Management, Federal Communications Commission, transmitting, pursuant to law, a report relative to allotments for Cooperstown, Pennsylvania to the Committee on Commerce, Science, and Transportation.

EC–2581. A communication from the AMD-Performance Evaluation and Records Management, Federal Communciations Commission, transmitting, pursuant to law, a report relative to allotments for Superior, Montana; to the Committee on Commerce, Science, and Transportation.

EC–2582. A communication from the AMD-Performance Evaluation and Records Management, Federal Communications Commission, transmitting, pursuant to law, a report relative to allotments for Gillette, Wyoming; to the Committee on Commerce, Science, and Transportation.

EC–2583. A communication from the AMD-Performance Evaluation and Records Management, Federal Communications Commission, transmitting, pursuant to law, a report relative to allotments for Kingfisher, Oklahoma; to the Committee on Commerce, Science, and Transportation.

EC–2584. A communication from the AMD-Performance Evaluation and Records Management, Federal Communications Commission, transmitting, pursuant to law, a report relative to allotments for Greenwood, Arkansas; to the Committee on Commerce, Science, and Transportation.

EC–2585. A communication from the AMD-Performance Evaluation and Records Management, Federal Communications Commission, transmitting, pursuant to law, a report relative to allotments for Lexington, Illinois; to the Committee on Commerce, Science, and Transportation.

EC–2586. A communication from the AMD-Performance Evaluation and Records Management, Federal Communications Commission, transmitting, pursuant to law, a report relative to allotments for Steamboat Springs, Colorado; to the Committee on Commerce, Science, and Transportation.

EC–2587. A communication from the AMD-Performance Evaluation and Records Management, Federal Communications Commission, transmitting, pursuant to law, a report relative to allotments for Randolph, Utah; to the Committee on Commerce, Science, and Transportation.

EC–2588. A communication from the AMD-Performance Evaluation and Records Management, Federal Communications Commission, transmitting, pursuant to law, a report relative to allotments for Huntsville, Utah; to the Committee on Commerce, Science, and Transportation.

EC–2589. A communication from the AMD-Performance Evaluation and Records Management, Federal Communications Commission, transmitting, pursuant to law, a report relative to allotments for Manistique, Michigan; to the Committee on Commerce, Science, and Transportation.

EC–2590. A communication from the AMD-Performance Evaluation and Records Management, Federal Communications Commission, transmitting, pursuant to law, a report relative to allotments for Durango and Dolores, Colorado; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SHELBY, from the Committee on Appropriations, without amendment:

S. 1048. An original bill making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1998, and for other purposes (Rept. No. 105–55).

By Mr. GORTON, from the Committee on Appropriations, with amendments:

H.R. 2107. A bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1998, and for other purposes (Rept. No. 105–56).

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. DASCHLE:

S. 1045. A bill to prohibit discrimination in employment on the basis of genetic information, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. JEFFORDS (for himself, Mr. KENNEDY, Mr. FRIST, and Ms. COLLINS):

S. 1046. A bill to authorize appropriations for fiscal years 1998 and 1999 for the National Science Foundation, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. MACK (for himself and Mr. GRAHAM):

S. 1047. A bill to settle certain Miccosukee Indian land takings claims within the State of Florida; to the Committee on Indian Affairs.

By Mr. SHELBY:

S. 1048. An original bill making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1998, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. SMITH of Oregon:

S. 1049. A bill to require the Secretary of Agriculture to make a minor adjustment in the exterior boundary of the Hells Canyon Wilderness in the States of Oregon and Idaho to exclude an established Forest Service road inadvertently included in the wilderness; to the Committee on Energy and Natural Resources.

By Mr. JEFFORDS (for himself, Mrs. MURRAY, and Ms. SNOW):

S. 1050. A bill to assist in implementing the Plan of Action adopted by the World Summit for Children; to the Committee on Foreign Relations.

By Mr. CAMPBELL:

S. 1051. A bill to amend the Communications Act of 1934 to enhance protections against unauthorized changes of telephone service subscribers from one telecommunications carrier to another, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. BOXER:

S. 1052. A bill to amend the Andean Trade Preference Act to prohibit the provision of

duty-free treatment for live plants and fresh cut flowers described in chapter 6 of the Harmonized Tariff Schedule of the United States; to the Committee on Finance.

By Mr. BIDEN:

S. 1053. A bill to reauthorize the Office of National Drug Control Policy, and for other purposes; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DASCHLE:

S. 1045. A bill to prohibit discrimination in employment on the basis of genetic information, and for other purposes; to the Committee on Labor and Human Resources.

THE GENETIC JUSTICE ACT

Mr. DASCHLE. Mr. President, the advent of testing for genes that may indicate a predisposition to disease has presented us with a new series of opportunities and challenges. While prior awareness of susceptibility to disease offers millions the chance to take preventive measures that will help them live healthier and longer lives, there also exists the possibility that genetic information will be misused. It is for that reason that I am introducing S. 1045, The Genetic Justice Act. This legislation will ensure that employees will not suffer adverse employment consequences as a result of improper use of genetic information and that employee privacy is protected.

Scientific advances now make it possible to identify genes that may indicate a predisposition to disease. For example, tests for genes associated with hereditary breast cancer will soon be commercially available. Genetic information may prove highly beneficial in areas related to prevention, treatment, diet, or lifestyle. While this is profoundly good news for patients, it also raises fears regarding how genetic information will be used in the workplace. Advances in genetic testing and screening, accelerated by the National Institutes of Health Human Genome Initiative, increase physicians' ability to detect and monitor chromosomal differences. These technologies and their resulting genomic data will enhance medical science, but may also lead to discrimination.

Regrettably, many employers may not hire individuals whom they believe will require time off or medical treatment at some point in the future due to a genetically transmitted disease. This discrimination could result despite the fact that genetic testing only indicates that an individual may be predisposed to a disease—not whether that disease will develop.

Anecdotal evidence suggests that fear of discrimination already has inhibited people who may be susceptible to disease from getting genetic testing. In some cases, this means that gene carriers will miss out on early diagnosis, treatment or even prevention. If consumers avoid taking advantage of available diagnostic tests out of fear of discrimination, they may suffer much more serious—and more expensive—health problems in the long run.

We will pay the price in more than increased health care costs if we allow genetic information to be used in a discriminatory manner. Discrimination based on genetic factors can be as unjust as that based on race, national origin, religion, sex, or disability. In each case, people are treated inequitably, not because of their inherent abilities, but solely because of irrelevant characteristics. Genetic discrimination that excludes qualified individuals from employment robs the marketplace of skills, energy, and imagination. Finally, genetic discrimination undercuts the Human Genome Initiative's fundamental purpose of promoting public health. Investing resources in the Genome Initiative is justified by the benefits of identifying, preventing, and developing effective treatments for disease. But if fear of discrimination deters people from genetic diagnosis or from confiding in physicians and genetic counselors, and makes them more concerned with job loss than with care and treatment, our understanding of the humane genome will be for naught.

Because genetic information could be used unfairly, Congress must expand the scope of employment discrimination law to include a ban on genetic discrimination. Our bill forbids employers from discriminating in hiring or in the terms and conditions of employment, and limits their ability to acquire genetic information. In order to acquire such information, an employer must show that the information is job-related and that the employee has consented to the disclosure.

Now, before the use of genetic information becomes widespread, we must make sure that dramatic scientific advances do not have negative consequences for the public. We have an historic opportunity to preempt this problem.

Mr. President, I ask unanimous consent that the bill text be printed in the RECORD and hope my colleagues will join me in supporting this important legislation.

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

S. 1045

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''The Genetic Justice Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) EMPLOYEE; EMPLOYER; EMPLOYMENT AGENCY; LABOR ORGANIZATION; MEMBER.—The terms ''employee'', ''employer'', ''employment agency'', and ''labor organization'' have the meanings given the terms in section 701 of the Civil Rights Act of 1964 (42 U.S.C. 2000e). The terms ''employee'' and ''member'' include an applicant for employment and an applicant for membership in a labor organization, respectively.

(2) GENETIC INFORMATION.—The term ''genetic information'', used with respect to an individual, means information (including information regarding carrier status and information derived from a laboratory test that identifies mutations in specific genes or chromosomes, a physical medical examination, a family history, and a direct analysis of genes or chromosomes) about a gene, gene product, or inherited characteristic that derives from the individual or a family member of the individual.

(3) GENETIC SERVICES.—The term ''genetic services'' means genetic evaluation, genetic testing, genetic counseling, and related services.

SEC. 3. EMPLOYER PRACTICES.

It shall be an unlawful employment practice for an employer—

(1) to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to the compensation, terms, conditions, or privileges of employment of the individual, because of genetic information with respect to the individual, including an inquiry by the individual regarding genetic services;

(2) to limit, segregate, or classify the employees of the employer in any way that would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect the status of the individual as an employee, because of genetic information with respect to the individual, including an inquiry by the individual regarding genetic services; or

(3) to request or require the collection for the employer or disclosure to the employer of genetic information with respect to an individual unless the employer shows that—

(A) the employer made the request or requirement after making an offer of employment to the individual;

(B) the information is job-related for the position in question and consistent with business necessity; and

(C) the knowing and voluntary written consent of the individual has been obtained for the request or requirement, and the collection or disclosure.

SEC. 4. EMPLOYMENT AGENCY PRACTICES.

It shall be an unlawful employment practice for an employment agency to fail or refuse to refer for employment, or otherwise to discriminate against, any individual because of genetic information with respect to the individual, including an inquiry by the individual regarding genetic services.

SEC. 5. LABOR ORGANIZATION PRACTICES.

It shall be an unlawful employment practice for a labor organization—

(1) to exclude or to expel from the membership of the organization, or otherwise to discriminate against, any individual because of genetic information with respect to the individual, including an inquiry by the individual regarding genetic services;

(2) to limit, segregate, or classify the members of the organization, or to classify or fail or refuse to refer for employment any individual, in any way that would deprive or tend to deprive any individual of employment opportunities, or would limit the employment opportunities or otherwise adversely affect the status of the individual as an employee, because of genetic information with respect to the individual, including an inquiry by the individual regarding genetic services; or

(3) to cause or attempt to cause an employer to discriminate against an individual in violation of this section.

SEC. 6. TRAINING PROGRAMS.

It shall be an unlawful employment practice for any employer, labor organization, or

joint labor-management committee controlling apprenticeship or other training or retraining, including on-the-job training programs, to discriminate against any individual because of genetic information with respect to the individual, including an inquiry by the individual regarding genetic services, in admission to, or employment in, any program established to provide apprenticeship or other training or retraining.

SEC. 7. CONFIDENTIALITY.

If an employer, labor organization, or employment agency possesses genetic information about an employee, the employer, labor organization, or employment agency—

(1) shall maintain the information on separate forms and in separate medical files, and treat the information as a confidential medical record, except that, if the employee provides knowing and voluntary written consent—

(A) the employer may inform a supervisor or manager of the employee regarding a necessary restriction on the work or duties of, or a necessary accommodation for, the employee;

(B) the employer may inform first aid and safety personnel (when appropriate, within the meaning of section 102(d)(3)(B)(ii) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12112(d)(3)(B)(ii))); and

(C) the employer shall provide relevant information to a government official investigating compliance with this Act, on request;

(2) shall disclose the information to the employee at the request of the employee; and

(3) shall not otherwise disclose the information.

SEC. 8. CIVIL ACTION.

(a) IN GENERAL.—An employee or member of a labor organization may bring an action in a Federal or State court of competent jurisdiction against an employer, employment agency, labor organization, or joint labor-management committee who violates this Act.

(b) CLASS ACTIONS.—The employee or member may bring the action for and in behalf of—

(1) the employee or member; or

(2) the employee or member, and other employees or members of the labor organization who are similarly situated.

(c) REMEDY.—The court in which the action is brought may award any appropriate legal or equitable relief.

SEC. 9. CONSTRUCTION.

Nothing in this Act shall be construed to limit the rights or protections of an employee or member of a labor organization under the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

By Mr. JEFFORDS (for himself, Mr. KENNEDY, Mr. FRIST, and Ms. COLLINS):

S. 1046. A bill to authorize appropriations for fiscal years 1998 and 1999 for the National Science Foundation, and for other purposes; to the Committee on Labor and Human Resources.

THE NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT OF 1997

Mr. JEFFORDS. Mr. President, I rise to introduce, with my colleagues Senators KENNEDY, FRIST, and COLLINS, the National Science Foundation Authorization Act of 1997. Our legislation authorizes the National Science Foundation [NSF] for fiscal years 1998 and 1999 and is similar to the legislation that was approved by the House of Representatives by voice vote on April 24, 1997.

The strong bipartisan support which NSF enjoys is a product of its historic contribution to American security and competitiveness. The prominent role of science in the American war effort during World War II left Americans with a new appreciation of the importance of research in establishing and preserving economic and military security. Federally funded research provided the American war effort with radar, sonar, the proximity fuse, blood plasma, sulfanilamide, penicillin, and the atomic bomb. In 1944, President Roosevelt charged Vannevar Bush, his chief science adviser, with evaluating the most effective way to harness this technological infrastructure in peacetime. The Bush report—Science—The Endless Frontier—established a strategy and rationale for Federal support of basic research. The report argued that ''a nation which depends upon others for its new basic scientific knowledge will be slow in its industrial progress and weak in its competitive position in world trade regardless of its mechanical skill.'' This report provided the blueprint for creation of the National Science Foundation.

NSF was established in 1950 to ''develop and encourage the pursuit of a national policy for the promotion of basic research and education in the sciences.'' Eight years later, following the 1957 Soviet launch of the Sputnik satellite, this mission was expanded to provide greater support for science education and literacy. Over the next three decades, NSF became the primary Federal sponsor of basic scientific research in mathematics, physical sciences, computer science, engineering, and environmental science at colleges and universities. Equally important to the future of our Nation, NSF has become a primary catalyst for math and science education reform.

NSF'S ROLE IN FEDERAL RESEARCH AND DEVELOPMENT

The legislation which I am introducing with my colleagues authorizes $3.5 billion for the National Science Foundation in fiscal year 1998 and $3.6 billion in fiscal year 1999. Although the National Science Foundation's budget accounts for only 4 percent of Federal research and development funding, NSF provides 25 percent of Federal support to academic institutions for research. NSF's contribution is even greater in some disciplines—NSF provides nearly 50 percent of all Federal support for basic research in certain fields of science, including math, computer science, and environmental science. This funding supports approximately 19,000 research and education projects at more than 2,000 colleges, universities, primary, elementary, and secondary schools, businesses, and other research institutions. Competition for these grants is fierce. NSF funds only about one-third of the 30,000 proposals it reviews annually.

The importance of this investment cannot be exaggerated. Over the past decade, private sector investment in research and development has eclipsed Federal investment in public science. However, the Federal investment in basic science plays a preeminent role in industrial innovation in the United States. A recent review of American industrial patent applications revealed that the Government or nonprofit foundations supported 75 percent of the main papers cited as the foundation for the new industrial innovation. The remaining 25 percent were funded by industry.

NSF'S ROLE IN SCIENCE EDUCATION AND TECHNOLOGY LITERACY

This bill authorizes $645 million for the education and human resources directorate [EHRD] in fiscal year 1998. EHRD has primary responsibility for NSF's education and training activities. In contrast with the programs of the Department of Education, NSF science and math education programs are experiments which link learning and discovery. Proposals are selected by outside peer review panels on the basis of their potential to provide long-lasting and broad impact. NSF has made notable contributions in the areas of curriculum and instructional material development, professional development, and improved the participation in science research and science education of women, minorities, and individuals with disabilities. This legislation strengthens and enhances these efforts.

And finally, I would be remiss if I did not speak about the partnership which has been forged between the State of Vermont and the National Science Foundation. Last year, NSF grants were provided to the Barre Town Elementary School, Mountshire Museum of Science, Cabot School, Charlestown Elementary School, St. Michael's College, Johnson State College, and the University of Vermont. In 1992, the Vermont Institute for Science, Math, and Technology received a 5-year award of $7.9 million to establish a collaborative statewide education reform effort linking business, higher education, government, and community sectors.

Our bill builds upon partnerships like that forged with the State of Vermont and offers a credible bipartisan response to the research and science education challenges facing our Nation. I urge the support of all my colleagues in the Senate for this worthwhile legislation.

Mr. KENNEDY. Mr. President, it is a privilege to join Senator JEFFORDS and Senator FRIST as a sponsor of the National Science Foundation Authorization Act of 1997. This bipartisan legislation looks to the future by strengthening our national commitment to research and development. It also ensures the continued success of NSF's teacher training and professional development programs. In addition, it will improve science and math education from kindergarten to graduate school, and maintain America's competitive edge into the 21st century.

Few Federal agencies deliver as much bang for the buck as the National Science Foundation. The NSF funds 19,000 peer-reviewed science and education projects at more than 2,000 colleges, universities, schools, businesses, and research facilities in the United States.

NSF accounts for only 4 percent of total Federal research and development funding, yet it provides 25 percent of basic research support at academic institutions, and as much as half of all Federal funding for research in fields such as mathematics, computer science, environmental science, and the social sciences.

The NSF also plays an important role in training teachers and developing math and science curricula to prepare students for tomorrow's challenges. It has promoted innovative education programs in partnership with colleges, universities, elementary and secondary schools, science museums, and state and local governments. These programs encourage the discovery of new knowledge and its application to real-world problems.

NSF support for basic research and science education has played an important role in encouraging economic growth over the last 50 years. According to a recent study, each dollar that the Federal Government has spent on basic research has contributed 50 cents or more to the national output. These economic benefits are spread throughout the economy, enhancing the productivity of the Nation's work force and improving the quality of life of all Americans.

At the Massachusetts Institute of Technology, for example, NSF funds have encouraged scientists to explore the commercial applications of their research. Technology developed at MIT had a role in the launching of 13 companies in 1995. They manufacture products ranging from computer chips to communication networks. These enterprises have bolstered the State and local economies, and provided jobs and opportunities for many citizens.

In Massachusetts, the National Science Foundation is funding a wide range of projects on the cutting edge of research. NSF grants have been instrumental in building the State's biotechnology industry, mapping the oceans at the Woods Hole Oceanographic Institute, developing new superconductors at Harvard University's Material Research Science and Education Center, and fostering cooperative partnerships with schools, parents, businesses, and community organizations to strengthen math and science education programs.

Nationwide, NSF grants also cover a broad range of projects from health care to crime-fighting to protecting the environment. Specific grants are improving the treatment of arrythmia, facilitating the accurate identification of crime suspects, developing new biotechnology techniques to clean hazardous waste sites, and analyzing an Antarctic meteorite to determine whether or not life existed on Mars.

NSF funds benefit the humanities as well. The Next Generation Internet project will give researchers access to information from the world's libraries and museums at rates that are 100 to 1,000 times faster than today's Internet.

Recent budget projections by the American Association for the Advancement of Science paint a bleak picture for future funding of research and development. Discretionary spending, which funds all R&D programs including NSF grant support, is expected to shrink from one-sixth to one-seventh of the Federal budget by the year 2000. As a result, funds for NSF research and development will likely face reductions of 18 percent. At the same time, Germany, Japan, and France are projected to begin to overtake the United States in R&D expenditures. These developments will jeopardize America's leadership in science and technology as the 21st century approaches.

The impact of these cuts will be felt heavily in Massachusetts, which ranks third among States in NSF funding. Nearly 1,400 projects at over 140 sites in Massachusetts are funded at more than $224 million annually, and an 18-percent decrease in grant support would adversely affect students, scientists, researchers, and citizens in all 50 States.

The National Science Foundation Authorization Act of 1997 that we are sponsoring will place research and development on a more secure footing over the next 2 years. It will increase NSF funding by 7.2 percent in fiscal year 1998 and 3.7 percent in fiscal year 1999. The legislation also strengthens efforts to improve science, mathematics, engineering, and technology training for teachers and students, and will enable NSF to continue to play an important role in developing a faster and more powerful Internet. In addition, it authorizes the Office of Science and Technology Policy to prepare a report analyzing indirect costs, which play a vital but poorly understood part of Federal R&D spending.

The National Science Foundation is doing an outstanding job of fulfilling their missions, and I urge all of my colleagues to support this important legislation.

By Mr. MACK (for himself and Mr. GRAHAM):

S. 1047. A bill to settle certain Miccosukee Indian land takings claims within the State of Florida; to the Committee on Indian Affairs.

MICCOSUKEE SETTLEMENT ACT OF 1997

Mr. MACK. Mr. President, I rise today with my colleague from Florida, Senator GRAHAM, to introduce legislation approving an agreement between the Miccosukee Tribe of Indians of Florida, and the State of Florida. This agreement arose from disputes surrounding the construction of Interstate 75 through the Miccosukee Reservation in Florida.

By way of background, Mr. President, when the interstate was built from Naples across to Fort Lauderdale, the Florida Department of Transportation dredged fill dirt off the northern Miccosukee Indian Reservation and used it to construct the roadbed. The Miccosukees subsequently sued in Federal District Court on the basis of an unlawful taking of property.

The State and the Miccosukees subsequently worked out a settlement whereby Florida would keep the fill-dirt and the Indians would get several parcels of State land. One parcel is adjacent to the tribe's permit lands on Tamiami Trail and another is near the Krome Detention Center in Miami. This agreement has been signed by the Miccosukees and the Department of Interior and was endorsed unanimously by the Governor and Cabinet of Florida.

The bill we are introducing today will direct the Secretary of the Interior—as the Federal trustee of the Miccosukees—to:

First, aid and assist in the fulfillment of the settlement agreement in a reasonable manner; second, upon finding that the agreement is legally sufficient, the Secretary should sign the agreement on behalf of the United States; third, facilitate the transfer of Miccosukee land—the fill-dirt—to the Florida Department of Transportation under the terms of the agreement, and; fourth, receive in Federal trust—on behalf of the Miccosukees—the land put up by the State for the swap—adjacent to Permit Area and Krome.

Mr. President, this legislation has also been introduced by Representative DIAZ-BALART in the House of Representatives. The enactment of this legislation is very important to the Miccosukee Tribe and I urge my colleagues to join us in this effort.

Thank you, Mr. President.

By Mr. SMITH of Oregon:

S. 1049. A bill to require the Secretary of Agriculture to make a minor adjustment in the exterior boundary of the Hells Canyon Wilderness in the States of Oregon and Idaho to exclude an established Forest Service road inadvertently included in the wilderness; to the Committee on Energy and Natural Resources.

HELLS CANYON NATIONAL RECREATION AREA LEGISLATION

Mr. SMITH of Oregon. Mr. President, today I introduce a bill that corrects a Forest Service mapping error on the border of the Hells Canyon National Recreation Area [HCNRA], in northeast Oregon, that has led to the closure of an important access road. The bill will restore public access to Hells Canyon, while preserving additional wilderness acreage for the enjoyment of generations to come.

In 1975, Congress created the Hells Canyon National Recreation Area which includes the Wilderness Area and overlooks the Snake River and the Oregon-Idaho border. Along the western

rim of Hells Canyon lies Forest Service Road 3965. The 1975 act directed the development of a comprehensive management plan for the HCNRA and specifically addressed the need to analyze road access on the western rim of the canyon. The 1982 Comprehensive Management Plan, developed with extensive public participation, provided for continued motor vehicle use of Road 3965 for recreation and fire prevention purposes. The road existed prior to the HCNRA designation, but upon the discovery that the road crossed into the designated wilderness area, the road was closed.

The Forest Service inadvertently erred in its location of the wilderness boundary in question. This legislation will, therefore, adjust the wilderness boundary to bring it in line with what Congress intended when the wilderness was established. This correction will actually increase wilderness acreage.

For decades, Oregon residents have traveled this service road to experience the natural beauty of Hells Canyon. The recreation area is an important part of our heritage, and public access to it is vital. I look forward to the Forest Service managing the road with continued sensitivity to all cultural, environmental, and economic impacts.

Mr. President, I ask unanimous consent that this legislation be printed in the RECORD.

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

S. 1049

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. BOUNDARY ADJUSTMENT, HELLS CANYON WILDERNESS, HELLS CANYON NATIONAL RECREATION AREA.

The Secretary of Agriculture shall revise the map and detailed boundary description of the Hells Canyon Wilderness designated by section 2 of Public Law 94–199 (16 U.S.C. 460gg–1) to exclude Forest Service Road 3965 from the wilderness area so that the road may continue to be used by motorized vehicles to its historical terminus at Squirrel Prairie, as was the original intent of the Congress. The road shall continue to be included in the Hells Canyon National Recreation Area also established by such Act.

By Mr. JEFFORDS (for himself, Mrs. MURRAY, and Ms. SNOWE):

S. 1050. A bill to assist in implementing the plan of action adopted by the World Summit for Children; to the Committee on Foreign Relations.

THE JAMES P. GRANT WORLD SUMMIT FOR CHILDREN IMPLEMENTATION ACT

Mr. JEFFORDS. Mr. President, I rise today, on behalf of myself, Senator MURRAY, and Senator SNOWE, to introduce the James P. Grant World Summit for Children Implementation Act of 1997.

At the 1990 World Summit for Children, the United States and 158 other nations made a promise to the world's children. In signing the summit declaration and plan of action, they pledged, by the year 2000, to reduce child mortality rates by at least one-third, to reduce maternal deaths and child malnutrition by one-half, to provide all children access to basic education, and to provide all families access to clean water, safe sanitation and family planning information, and services. In the declaration they stated, ''We are prepared to make available the resources to meet these commitments.''

We have, in fact, made some progress over the last several years in meeting these admittedly ambitious objectives. Child mortality rates have fallen. Over 80 percent of the world's children are now immunized, saving 3 million lives annually. Nonetheless, millions of children are still dying every year for want of a vaccine costing just a few dollars or a Vitamin A capsule costing a few cents. It is estimated that 12 million children still die each year from preventable diseases and malnutrition.

The objective of the legislation Senators MURRAY and SNOWE and I are introducing today is to keep the United States focused on the commitments it made at the World Summit on Children. The bill would shift funds within the existing foreign assistance budget to meet the needs of children—without increasing overall foreign assistance. Specifically, it calls for increased allocations of funds for child survival, basic education, Vitamin A and other micronutrients, UNICEF, AIDS prevention and care, refugee assistance, family planning, and tuberculosis prevention and treatment.

This is not just a foreign assistance bill. We can and must do more in our own country to improve the health and welfare of children at risk. Therefore, this legislation also calls for increased funding of domestic programs which touch the lives of children, namely Head Start and the Special Supplemental Food Program for Women, Infants, and Children, also known as WIC. Both of these programs have proven track records of improving the lives and prospects of children from low-income families.

Mr. President, I appreciate that Congress is in the midst of serious fiscal belt tightening in order to meet our balanced budget objectives. This means that we must focus on our highest priorities. I would maintain, though, that we have no higher priority than our children and providing for their future. The programs cited in this bill, if properly funded, will improve the quality of life of children, here and abroad, and help them grow into healthy, productive adults. Moreover, it will do so without increasing our overall foreign assistance and with only a modest increase in the two domestic programs cited.

Mr. President, this bill is good for children, good for their families, and good for our future. I urge my colleagues to support it.

Mrs. MURRAY. Mr. President, I am delighted to once again join my colleague from Vermont, Senator JAMES JEFFORDS, in introducing the James P. Grant World Summit for Children Implementation Act. I particularly want to pay tribute to Senator JEFFORDS for his continuing leadership in the effort to aid all children.

The World Summit for Children Implementation Act is our effort to ensure that the United States implements the plan of action adopted at the 1990 United Nations World Summit for Children. Our legislation proposes a series of life-saving, cost-effective programs to protect the health and well-being of children worldwide. Importantly, while this legislation proposes several increases in individual foreign assistance programs, it does not call for an increase in overall foreign aid levels.

Specifically, the Jeffords-Murray bill increases funding allocations for child survival, basic education, vitamin A and other micronutrients, UNICEF, AIDS prevention and care, refugee assistance, and family planning. Our bill also calls for an increase in funding for two important domestic programs: WIC and Head Start.

The world's children have a right to adequate nutrition, full immunization, a decent education, and health care. The United States has traditionally led the way in promoting the well-being of children. Because the nations of the world are more interdependent than ever before, the well-being of children around the globe affects us here in the United States. Children are not just the foundation of our society and our future; they are truly the foundation of the future of the world.

According to UNICEF, more than 33,000 children die each and every day; most from easily preventable diseases. The under 5 mortality rate for children in the least developed countries is 20 times greater than that of the United States and other industrialized nations.

More than 2 million children under age 5 die each year from vaccine preventable diseases like diphtheria, measles, pertussis, polio, tuberculosis, and tetanus. Diarrhoeal diseases, often caused by a total lack of clean sanitation facilities and clean water, kill an additional 3 million children per year. And for every child that dies, several more live on with stunted growth, ill health, and diminished potential.

The world's political leadership can ill-afford to ignore these statistics. These are just the mortality statistics for young children. Equally disturbing figures are available regarding access to education, the treatment of young girls, nutrition, and child labor. Clearly, our work on behalf of children is far from completed. While we have much to celebrate, we have much more to do. And I am delighted to be joining Senator JEFFORDS to unequivocally state our belief that the United States must continue to champion the future health, education, and economic well-being of children everywhere.

Importantly, to reach children, we must reach out to the world's women including young mothers, family providers, and elders. Women are often overlooked in tradition development programs. Fortunately, the World

Summit for Children recognized to improve the lot of children, the status of women also had to improve.

For example, recognizing the important link between child survival and family planning, the World Summit for Children called for universal access to family planning education and services by the end of this decade.

Family planning saves the lives of both women and children. We know that babies born in quick succession to a mother whose body has not yet recovered from a previous birth are the least likely to survive. Increasing funds in this area has been a top priority for me in my work in the Senate, and is addressed positively in the legislation we are introducing today.

Basic education is another important component of this legislation. Of the 143 million children in the developing world not attending school, 56 percent are girls. Of the world's 900 million illiterate adults, nearly two thirds are women. World Bank studies have estimated that each additional year of education for a young girl results in a 10-percent decrease in birth rates and child death rates, and a 10 to 20 percent increase in wages earned.

Foreign aid is never a popular item. I applaud Secretary of State Madeleine Albright for her advocacy work in support of foreign aid and U.S. assistance abroad. And I am pleased that the both bodies of the Congress have voted to provide additional moneys for foreign assistance in fiscal year 1998. In my view, our foreign aid dollars are best spent when we are investing in programs that strengthen families around the globe, and give a special hand to women and children.

That is exactly what Senator JEFFORDS and I propose to do with the James P. Grant World's Summit for Children Implementation Act. I urge my colleagues to review and support this important legislation.

By Mr. CAMPBELL:

S. 1051. A bill to amend the Communications Act of 1934 to enhance protections against unauthorized changes of telephone service subscribers from one telecommunications carrier to another, and for other purposes; to the Committee on Commerce, Science, and Transportation.

THE INTERSTATE SLAMMING PREVENTION ACT OF 1997

Mr. CAMPBELL. Mr. President, today I am introducing legislation that will address a significant consumer issue—the unauthorized change of telecommunications subscribers from one carrier to another, otherwise known as slamming.

Consumers have the right to choose their primary long distance company and to change companies whenever they wish. Sometimes a consumer's telecommunications company is changed without the consumer's knowledge or consent, a practice known as slamming. As competition among telecommunications carriers has increased, so has the number of complaints arising from unauthorized or unknowingly authorized changes of consumers' telecommunications carriers.

To give an idea of the scope of the problem, the Federal Communications Commission [FCC] reports that it received over 1,700 complaints during fiscal year 1993. By 1995, that number had escalated to over 38,000 consumer telephone complaints and over 25,000 written complaints. In fact, the FCC says slamming complaints are their fastest growing category of consumer complaint, and my home State of Colorado ranks among the top five States in 1996 slamming complaints per million customers.

The FCC reports that a slammed consumer may lose important service features, get lower quality service, or be charged higher rates for his or her telephone calls. Slamming also distorts the telecommunications competitive market by rewarding companies that engage in deceptive and misleading marketing prices. The Telecommunications Act of 1996 includes provisions designed to reduce slamming, and it charges the FCC to adopt rules to implement these provisions.

The bill I am introducing today will give teeth to the Commission's efforts to curb slamming. I firmly believe that enforcement, streamlined processing of slamming complaints, and consumer education will help stem the tide of unauthorized carrier changes.

My bill, the Interstate Slamming Prevention Act of 1997, imposes a deadline of April 30, 1998 for the completion of the FCC's rulemaking on slamming.

Currently, the Telecommunications Act does not define a deadline for action, and one is needed to ensure that consumers are protected as soon as possible from companies that engage in deceptive marketing practices. Nine months is sufficient time for the FCC to build a full record, solicit input from all interested parties, and put forth new antislamming rules.

My legislation directs the FCC, in its rulemaking, to develop rules and regulations regarding penalties and liabilities—including substantial fines or forfeitures under section 503 of the Communications Act—for the unauthorized switching of a customer's preferred telecommunications carrier.

It also directs the FCC to consider whether telecommunications carriers should be required to set up toll-free numbers dedicated to reporting unauthorized long distance carrier switches, with the obligation for a customer service representative to answer incoming calls within 2 minutes.

I support such a toll-free number with call answering standards. Requiring consumers to pay for a call to report a slamming incident or having them endure a long wait before speaking to a customer service representative, would pose real barriers to accurate reporting.

My legislation further directs the Commission to consider a process that would secure facts and statistical data from telecommunications carriers related to the number of consumer complaints they receive regarding slamming.

By October 31, 1998, the bill directs the FCC to report to Congress the identities of those telecommunications carriers that represent the 10 top slammers for 1997—based on the ratio of annual customer complaints regarding unauthorized carrier changes to the total number of customers served by such carriers.

It is my hope that such a list will serve as an effective deterrent to companies contemplating deceptive marketing campaigns. Negative publicity could be the best defense in the fight against slamming.

This report also should identify whether telecommunications carriers have been assessed fines or forfeitures by the Commission—including the amount of the fine or forfeiture, and whether the assessment was the result of a full prosecution or pursuant to a consent decree.

After the first report in October 1998, the bill requires an annual report be submitted by the FCC to Congress each April 30.

Before Congress takes more dramatic action in this regard, my bill would look to the FCC for its recommendations on the following issues: Whether consumers should be provided a private cause of action, with minimum statutory penalties, relating to unauthorized slamming; whether the FCC's current fine and forfeiture authority is sufficient to meaningfully address and curb actions of telecommunications carriers that engage in slamming; and what penalties should be applied to telecommunications carriers which switch a customer's preferred telecommunications carrier without a customer's authorization either willfully and knowingly or by means of a forged document?

It is simply unfair for unsuspecting consumers, especially senior citizens, who in good faith select a long distance carrier only to have their long distance phone service changed without their knowledge. Slamming is unfair and against the law. My bill will help protect consumers from this unfair practice.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

Mr. President, I urge my colleagues to support this bill.

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

S. 1051

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Interstate Slamming Prevention Act of 1997''.

SEC. 2. ENHANCEMENT OF PROTECTIONS.

(a) LIABILITY FOR ADDITIONAL CHARGES.—Subsection (b) of section 258 of the Communications Act of 1934 (47 U.S.C. 258) is amended—

(1) by striking ''(b) LIABILITY FOR CHARGES.—Any telecommunications carrier'' in the first sentence and inserting the following:

''(b) LIABILITY FOR CHARGES.—

''(1) CHARGES COLLECTED AFTER VIOLATION.—Any telecommunications carrier''; and

(2) by striking the second sentence and inserting the following:

''(2) FEES FOR CHANGING BACK.—Any telecommunications carrier described in paragraph (1) shall also be liable to the carrier previously selected by the subscriber concerned for any fees associated with changing the subscriber back to the carrier previously selected, in accordance with such procedures as the Commission may prescribe.

''(3) RELATION TO OTHER AUTHORITY.—The remedies provided by this subsection are in addition to any other remedies available by law.''.

(b) ADDITIONAL PENALTIES.—Such section 258 is further amended by adding at the end the following:

''(c) ADDITIONAL PENALTIES.—Any telecommunications carrier that violates the verification procedures described in subsection (a) shall be subject to such additional fines and penalties, including a forfeiture penalty under section 503(b)(1)(B) of this Act, as the Commission shall prescribe.''.

(c) ADDITIONAL PROTECTIONS.—Such section 258 is further amended by adding at the end the following:

''(d) ADDITIONAL PROTECTIONS.—In order to provide subscribers with additional protections against changes in providers of telephone exchange service or telephone toll service in violation of the verification procedures described in subsection (a), the Commission may prescribe the following:

''(1) A requirement that telecommunications carriers establish toll-free telephone numbers in order to permit subscribers to register complaints regarding the execution of such changes in service, including the requirement that calls to such numbers be answered in not more than two minutes.

''(2) A requirement that telecommunications carriers provide the Commission such information relating to the complaints made to such carriers regarding such changes in service as the Commission considers appropriate.''.

(d) DEADLINE FOR RULEMAKING.—The Federal Communications Commission shall prescribe the regulations required by section 258 of the Communications Act of 1934, as amended by this section, not later than April 30, 1998.

(e) REPORTS TO CONGRESS.—

(1) INITIAL REPORT.—Not later than October 31, 1998, the Commission shall submit to Congress a report on unauthorized changes of subscribers' selections of providers of telephone exchange service or telephone toll service. The report shall include the following:

(A) A list of the ten telecommunications carriers that, during the one-year period ending on the date of the report, were subject to the highest number of complaints of having executed unauthorized changes of subscribers from their selected providers of telephone exchange service or telephone toll service when compared with the total number of subscribers served by such carriers.

(B) The telecommunications carriers, if any, assessed fines or penalties under section 258(c) of the Communications Act of 1934, as added by subsection (c) of this section, during that period, including the amount of each fine or penalty, and whether the fine or penalty was assessed as a result of a court judgment or an order of the Commission or was secured pursuant to a consent decree.

(C) Whether or not subscribers should be authorized to bring a private cause of action against telecommunications carriers that change subscriber selections of providers of telephone exchange service or telephone toll service in violation of the procedures prescribed under section 258(a) of the Communications Act of 1934 and, if so, the advisability of establishing minimum statutory penalties for violations addressed by such causes of action.

(D) Whether or not the fines and penalties imposed by the Commission under section 258(c) of the Communications Act of 1934, as so added, are sufficient to deter telecommunications carriers from changing subscriber selections of providers of telephone exchange service or telephone toll service in violation of such procedures.

(2) UPDATE.—Not later than one year after the date on which the Commission submits the report required by paragraph (1), and each year thereafter, the Commission shall submit to Congress an update of the previous report under this subsection which sets forth the information specified in subparagraphs (A) and (B) of that paragraph for one-year period preceding the date of the report concerned.

By Mrs. BOXER:

S. 1052. A bill to amend the Andean Trade Preference Act to prohibit the provision of duty-free treatment for live plants and fresh cut flowers described in chapter 6 of the Harmonized Tariff Schedule of the United States; to the Committee on Finance

THE ANDEAN TRADE PREFERENCE ACT FLOWER EXEMPTION AMENDMENT ACT OF 1997

Mrs. BOXER. Mr. President, in 1991 Congress enacted the Andean Trade Preference Act which provided for duty-free treatment, or reduced duties, on many products, including fresh-cut flowers, imported from the four South American Andean countries of Bolivia, Colombia, Ecuador, and Peru. This legislation was proposed as a means of promoting alternatives to coca cultivation and production by offering broader access to U.S. markets for legal products.

However, the impact of the ATPA on our domestic flower industry, particularly in my home State of California, has been devastating. Colombian fresh-cut flowers have been the greatest beneficiary of the ATPA. In 1992, Colombia exported $87.7 million worth of fresh cut flowers to the United States. By 1995, Colombian exports increased to over $374.4 million. This represents a 427-percent increase over that 3-year period.

Domestic growers of roses and carnations have been particularly hard-hit. In 1996, Colombia exported approximately 1.7 billion roses and carnations to the United States. Colombia now controls more than 50 percent of the United States market for roses and 80 percent of the carnation market. Overall, Colombian flowers account for about 65 percent of the United States fresh-cut flower market.

The preferential treatment accorded Colombian fresh-cut flowers under the ATPA has had a direct and dire impact on the United States flower industry—approximately 58 percent of which is located in California. This preferential treatment, however, does not appear to be serving its intended purpose.

In 1996, an International Trade Commission report found that the ''ATPA had little effect on drug crop eradication in the Andean region * * *.'' In fact, quite the opposite has happened. The number of hectares devoted to coca cultivation in Colombia increased from 37,500 in 1991 to more than 50,000 in 1995. The ITC report also found that ''[the] ATPA had a small and indirect * * * effect on crop substitution during 1995 * * *.'' Thus, the intended goal of reducing drug crop cultivation by providing market access for alternative crops has not been achieved.

Mr. President, I applaud and support the goals of the Andean Trade Preference Act. We must do all we can to encourage Colombia to seek alternatives to drug production. The impact of the ATPA on our domestic flower industry, however, has been far too great to justify the continued inclusion of fresh-cut flowers. It is imperative, therefore, that we exempt fresh-cut flowers from the ATPA.

In enacting the ATPA, Congress specifically exempted certain products, that is textiles and apparel, watches and watch parts, and petroleum products, which were considered particularly sensitive to import competition. Fresh-cut flowers should be considered a similarly sensitive domestic product, and thus also exempted from the ATPA. Thank you, Mr. President.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1052

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PROHIBITION ON PROVISION OF DUTY-FREE TREATMENT FOR LIVE PLANTS AND FRESH CUT FLOWERS UNDER THE ANDEAN TRADE PREFERENCES ACT.

(a) IN GENERAL.—Section 204 of the Andean Trade Preference Act (19 U.S.C. 3203) is amended—

(1) in subsection (b)—

(A) in paragraph (7), by striking ''or'' at the end;

(B) in paragraph (8), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(9) live plants and fresh cut flowers described in chapter 6 of the HTS.''; and

(2) in subsection (e)(5)—

(A) by striking subparagraph (A); and

(B) by redesignating subparagraph (B) through (D) as subparagraphs (A) through (C), respectively.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to goods entered, or withdrawn from warehouse for consumption, on or after the date that is 15 days after the date of enactment of this Act.

By Mr. BIDEN:

S. 1053. A bill to reauthorize the Office of National Drug Control Policy, and for other purposes; to the Committee on the Judiciary.

REAUTHORIZATION OF THE OFFICE OF NATIONAL DRUG CONTROL POLICY

Mr. BIDEN. Mr. President, since I released my first annual drug strategy in

1990, I have argued that it was imperative that we needed to act, instead of just talk, in order to confront the problem of drug abuse and drug related crime. This means focusing quickly on the risks confronting our youth, identifying practical steps our communities can take to reduce these risks, and committing ourselves to the hard work and resources needed to steer young people to productive lives instead of wasted lives.

The administration's 1998 national drug strategy provides significant steps toward these goals. Under the leadership of General McCaffrey, the administration's 1998 drug strategy calls for a 10-year antidrug plan and a 1998 budget request that includes full funding for drug control efforts that have proven to work.

The administration's budget request includes: $8.4 billion for domestic drug enforcement; $3.3 billion for drug treatment; $2.2 billion for drug education and prevention—including $680 million for Safe and Drug-Free Schools; and $2.1 billion for interdiction and international antidrug efforts—including broad, across-the-board increases for law enforcement agencies like the FBI, DEA, INS, and U.S. Attorneys.

In addition to funding these existing programs, the budget request establishes a national media campaign of prime-time antidrug television advertisements to stop kids from trying drugs in the first place—funded by $175 million from Federal Government and $175 million from private industry.

These are all positive steps which I urge my colleagues to pass into law.

What is more, these positive steps illustrate just how vital the office of the Drug Director truly is. Because, if we did not have an office—a single, responsible office charged with overseeing the Federal antidrug policy we could not even debate whether General McCaffrey's drug strategy makes sense. I believe it does. But, there may be others who do not. My key point is that without a Drug Director, we would have lost even the chance to have an informed debate over a specific proposal.

I remind my colleagues what we faced on the drug policy front when I first began calling for a drug office in 1980: it was pretty simple, there was no drug office, there were more than 50 Federal departments, agencies, and offices putting together a hodge-podge of antidrug efforts with no coherant plan.

Contrast this to what we have today, General McCaffrey has submitted a strategy and a budget—and we can now all debate what a majority of us favor and what a majority of us oppose.

This is the fundamental reason why I am today introducing legislation to reauthorize the Office of National Drug Control Policy. I know that the administration, led by General McCaffrey, has worked hard to craft this legislation, and I believe that it deserves speedy consideration—and the votes—of my colleagues.

One of the important refinements offered in this legislation is to build in some long-term planning while at the same time adding some greater accountability for the drug strategy and all its component parts.

This legislation does so by calling on the Drug Director to develop a 10-year plan, a 5-year budget coupled with a detailed annual status report assessing the progress on the strategy, as well as a detailed, program-by-program, annual budget.

In other words, this legislation would keep the Drug Director's key power to develop, define, and submit to Congress a detailed annual drug budget. A process which holds unique powers to focus congressional debate on the topic of drug policy, and which is the strongest institutional power of the Office of National Drug Control Policy within the executive branch.

In addition, this legislation will enhance a function which too often is ignored—that function: accountability. Here, the Drug Director has called for long- and short-term measureable objectives. In fact, as part of General McCaffrey's on-going efforts at the Drug Office, the General has already identified more than 54 performance targets and another nearly 80 measures of program effectiveness.

The legislation I am introducing today will help formalize this process. Let me also add, that calling on the Drug Director to provide a 10-year plan will not prevent any future administration—nor even this administration—from changing or refining that plan. It is simply to recognize that we are at a stage in our effort against drugs where we must focus on implementation and results. And, this is exactly what the legislation I offer today is all about.

I urge my colleagues to support the legislation I offer today.

ADDITIONAL COSPONSORS

S. 89

At the request of Ms. SNOWE, the name of the Senator from South Dakota [Mr. JOHNSON] was added as a cosponsor of S. 89, a bill to prohibit discrimination against individuals and their family members on the basis of genetic information, or a request for genetic services.

S. 370

At the request of Mr. GRASSLEY, the name of the Senator from North Carolina [Mr. FAIRCLOTH] was added as a cosponsor of S. 370, a bill to amend title XVIII of the Social Security Act to provide for increased medicare reimbursement for nurse practitioners and clinical nurse specialists to increase the delivery of health services in health professional shortage areas, and for other purposes.

S. 394

At the request of Mr. HATCH, the name of the Senator from Utah [Mr. BENNETT] was added as a cosponsor of S. 394, a bill to partially restore compensation levels to their past equivalent in terms of real income and establish the procedure for adjusting future compensation of justices and judges of the United States.

S. 397

At the request of Ms. MIKULSKI, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 397, a bill to amend chapters 83 and 84 of title 5, United States Code, to extend the civil service retirement provisions of such chapter which are applicable to law enforcement officers, to inspectors of the Immigration and Naturalization Service, inspectors and canine enforcement officers of the United States Customs Service, and revenue officers of the Internal Revenue Service.

S. 412

At the request of Mr. LAUTENBERG, the name of the Senator from New York [Mr. MOYNIHAN] was added as a cosponsor of S. 412, a bill to provide for a national standard to prohibit the operation of motor vehicles by intoxicated individuals.

S. 537

At the request of Ms. MIKULSKI, the name of the Senator from Indiana [Mr. LUGAR] was added as a cosponsor of S. 537, a bill to amend title III of the Public Health Service Act to revise and extend the mammography quality standards program.

S. 599

At the request of Mrs. BOXER, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 599, a bill to protect children and other vulnerable subpopulations from exposure to certain environmental pollutants, and for other purposes.

S. 608

At the request of Mr. FEINGOLD, the name of the Senator from Michigan [Mr. LEVIN] was added as a cosponsor of S. 608, a bill to authorize the enforcement by State and local governments of certain Federal Communications Commission regulations regarding use of citizens band radio equipment.

S. 755

At the request of Mr. CAMPBELL, the name of the Senator from Washington [Mr. GORTON] was added as a cosponsor of S. 755, a bill to amend title 10, United States Code, to restore the provisions of chapter 76 of that title (relating to missing persons) as in effect before the amendments made by the National Defense Authorization Act for Fiscal Year 1997 and to make other improvements to that chapter.

S. 852

At the request of Mr. LOTT, the name of the Senator from Arkansas [Mr. HUTCHINSON] was added as a cosponsor of S. 852, a bill to establish nationally uniform requirements regarding the titling and registration of salvage, nonrepairable, and rebuilt vehicles.

S. 943

At the request of Mr. SPECTER, the names of the Senator from Oklahoma

[Mr. INHOFE] and the Senator from New York [Mr. D'AMATO] were added as cosponsors of S. 943, a bill to amend title 49, United States Code, to clarify the application of the act popularly known as the ''Death on the High Seas Act'' to aviation accidents.

S. 969

At the request of Mr. D'AMATO, the name of the Senator from Vermont [Mr. LEAHY] was added as a cosponsor of S. 969, a bill ordering the preparation of a Government report detailing injustices suffered by Italian-Americans during World War II, and a formal acknowledgement of such injustices by the President.

S. 982

At the request of Mr. MCCONNELL, the name of the Senator from Ohio [Mr. DEWINE] was added as a cosponsor of S. 982, a bill to provide for the protection of the flag of the United States and free speech, and for other purposes.

S. 1002

At the request of Mr. ABRAHAM, the name of the Senator from Wyoming [Mr. ENZI] was added as a cosponsor of S. 1002, a bill to require Federal agencies to assess the impact of policies and regulations on families, and for other purposes.

SENATE CONCURRENT RESOLUTION 30

At the request of Mr. HELMS, the name of the Senator from Alaska [Mr. MURKOWSKI] was added as a cosponsor of Senate Concurrent Resolution 30, a concurrent resolution expressing the sense of the Congress that the Republic of China should be admitted to multilateral economic institutions, including the International Monetary Fund and the International Bank for Reconstruction and Development.

SENATE RESOLUTION 98

At the request of Mr. HAGEL, the name of the Senator from Indiana [Mr. LUGAR] was added as a cosponsor of Senate Resolution 98, a resolution expressing the sense of the Senate regarding the conditions for the United States becoming a signatory to any international agreement on greenhouse gas emissions under the United Nations Framework Convention on Climate Change.

AMENDMENTS SUBMITTED

THE DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1998

BUMPERS AMENDMENT NO. 944

Mr. BUMPERS proposed an amendment to the bill (S. 1034) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, commissions, corporations, and offices for fiscal year ending September 30, 1998, and for other purposes; as follows:

On page 70, strike lines 17 through 18, and insert in lieu thereof the following: ''sion and administrative aircraft, $3,826,500,000, to remain available until September 30, 1999. *Provided*, that of the funds made available in this bill, no funds shall be expended on the space station program, except for termination costs.''

D'AMATO AMENDMENT NO. 945

(Ordered to lie on the table.)

Mr. D'AMATO submitted an amendment intended to be proposed by him to the bill, S. 1034, supra; as follows:

On page 16, between lines 8 and 9, insert the following:

SEC. 108. (a) Not later than 4 months after the date of enactment of this Act, the Comptroller General shall submit to Congress a report on the allocation of health care resources by the Secretary of Veterans Affairs under the Veterans Integrated Service Network system and the Veterans Equitable Resource Allocation System. The report shall address the following:

(1) The manner in which health care resources (including personnel and funds) are allocated under the Veterans Integrated Service Network system and the Veterans Equitable Resource Allocation system.

(2) Whether or not the allocation of health care resources under the systems takes into account the disproportionate number of veterans with special needs who reside in the northeastern United States.

(3) The effect of the allocation of health care resources under the systems on the quality of health care services provided by the Secretary to veterans who reside in the northeastern United States.

(4) The effect of the allocation of health care resources under the systems on the access to health care services provided by the Secretary to veterans who reside in the northeastern United States.

(b) Not later than 4 months after the date of enactment of this Act, the Comptroller General shall also submit to Congress a report on the effect of the reform of the eligibility of veterans for health care services under title I of Public Law 104–262 (110 Stat. 3178), and the amendments made by that title, on the quality of and access to health care provided by the Secretary to veterans who reside in the northeastern United States.

THE MILITARY CONSTRUCTION APPROPRIATION, 1998

FORD (AND MCCONNELL) AMENDMENT NO. 946

Mr. BURNS (for Mr. FORD, for himself and Mr. MCCONNELL) proposed an amendment to the bill (H.R. 2016) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1998, and for other purposes; as follows:

At the appropriate place in the bill, insert the following:

SEC. . Section 303(e) of the 1997 Emergency Supplemental Appropriations Act for Recovery from Natural Disasters, and for Overseas Peacekeeping Efforts, Including Those in Bosnia (Public Law 105–18; 111 Stat. 168) is amended to read as follows:

''(e) AVAILABILITY OF FUNDS.—The Secretary may use funds available in the Defense Working Capital Fund for the payment of the costs of utilities, maintenance and repair, and improvements entered into under the lease under this section.''.

THE DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1988

ALLARD AMENDMENT NO. 947

Mr. ALLARD proposed an amendment to the bill, S. 1034, supra; as follows:

On page 21, line 16, insert before the period at the end the following: '': *Provided further*, That of the total amount made available under this heading, $290,000,000 shall be made available for tenant-based assistance in accordance with section 8 of the United States Housing Act of 1937''.

GRAHAM AMENDMENT NO. 948

Mr. GRAHAM proposed an amendment to the bill, S. 1034, supra; as follows:

On page 85, between lines 18 and 19, insert the following:

SEC. 423. SENSE OF THE SENATE CONCERNING CATASTROPHIC NATURAL DISASTERS.

(a) FINDINGS.—The Senate finds that—

(1) catastrophic natural disasters are occurring with great frequency, a trend that is likely to continue for several decades according to prominent scientists:

(2) estimated damage to homes, buildings, and other structures from catastrophic natural disasters has totaled well over $100,000,000,000 during the last decade, not including the indirect costs of the disasters such as lost productivity and economic decline;

(3) the lack of adequate planning for catastrophic natural disasters, coupled with inadequate private insurance, has led to increasing reliance on the Federal Government to provide disaster relief, including the appropriation of $40,000,000,000 in supplemental funding since 1989;

(4) in the foreseeable future, a strong likelihood exists that the United States will experience a megacatastrophe, the impact of which would cause widespread economic disruption for homeowners and businesses and enormous cost to the Federal Government; and

(5) the Federal Government has failed to anticipate catastrophic natural disasters and take comprehensive action to reduce their impact.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that Congress should consider legislation that embodies the following principles;

(1) Persons who live in areas at risk of natural disaster should assume a practical level of personal responsibility for the risks through private insurance.

(2) The insurance industry, in partnership with the Federal Government and other private sector entities, should establish new mechanisms for the spreading of the risk of catastrophes that minimize the involvement and liability of the Federal Government.

(3) A partnership should be formed between the private sector and government at all levels to encourage better disaster preparation and respond quickly to the physical and financial impacts of catastrophic natural disasters.

WELLSTONE (AND MIKULSKI) AMENDMENT NO. 949

Mr. WELLSTONE (for himself and Ms. MIKULSKI) proposed an amendment to the bill, S. 1034, supra; as follows:

On page 85, between lines 18 and 19, insert the following:

SEC. 423. It is the sense of the Senate that Congress should appropriate for the Department of Veterans Affairs for discretionary activities in each of fiscal years 1999 through 2002 an amount equal to the amount required by the Department in such fiscal year for such activities.

WELLSTONE AMENDMENT NO 950

Mr. WELLSTONE proposed an amendment to the bill, S. 1034, supra; as follows:

At the appropriate place, insert the following:

(A) Not later than 60 days after enactment of this act, the Senate Committee on Veterans Affairs shall hold one or more hearings to consider legislation which would add the following diseases at the end of Section 1112(c)(2) of title 38, United States Code: Lung cancer, bone cancer, skin cancer, colon cancer, kidney cancer, posterior subcapsular cataracts, non-malignant thyroid nodular disease, ovarian cancer, parathyroid adenome, tumors of the brain and central nervous system, and rectal cancer.

(B) Not later than 30 days after enactment of this act, the Congressional Budget Office shall provide to the Senate Committee on Veterans' Affairs and the Senate Appropriations Committee an estimate of the cost of the provision contained in (A).

MIKULSKI (AND OTHERS) AMENDMENT NO. 951

Ms. MIKULSKI (for herself, Mr. DASCHLE, and Mr. BOND) proposed an amendment to the bill, S. 1034, supra; as follows:

On page 16, line 21, strike ''$10,693,000,000'' and insert in lieu thereof ''$10,653,000,000.''

On page 17, line 7, strike ''$1,150,000,000'' and insert in lieu thereof ''$1,110,000,000''.

On page 33, after line 23, insert the following new heading:

''EMPOWERMENT ZONES AND ENTERPRISE COMMUNITIES

''For grants to Empowerment Zones and Enterprise Communities, to be designated by the Secretary of Housing and Urban Development, to continue efforts to simulate economic opportunity in America's distressed communities, $25,000,000, to remain available until expended.''.

On page 53 line 22, strike ''$400,500,000'' and insert in lieu thereof ''$420,500,000''.

On page 55, line 14, insert after the colon the following: '':Provided further, That $20,000,000 shall be available for the America Reads Initiative''.

On page 67, line 9, strike ''$202,146,000'' and insert in lieu thereof ''$207,146,000''.

On page 67, line 9, insert the following before the period: '':Provided further, That for purposes of pre-disaster mitigation pursuant to 42 U.S.C. 5131 (b) and (c) and 42 U.S.C. 5196 (e) and (i), $5,000,000 of the funds made available under this heading shall be available until expended for project grants for State and local governments''.

On page 72, line 1, strike ''$2,513,200,000'' and insert in lieu thereof ''$2,503,200,000.''

D'AMATO (AND OTHERS) AMENDMENT NO. 952

Mr. D'AMATO (for himself, Mr. MOYNIHAN, Mr. TORRICELLI, and Mr. LAUTENBERG) proposed an amendment to the bill, S. 1034, supra; as follows:

On page 16, between lines 8 and 9, insert the following:

SEC. 108. (a) Not later than 4 months after the date of enactment of this Act, the Comptroller General shall submit to Congress a report on the allocation of health care resources by the Secretary of Veterans Affairs under the Veterans Integrated Service Network system and the Veterans Equitable Resource Allocation System. The report shall address the following:

(1) The manner in which health care resources (including personnel and funds) are allocated under the Veterans Integrated Service Network system and the Veterans Equitable Resource Allocation system.

(2) Whether or not the allocation of health care resources under the systems takes into account the disproportionate number of veterans with special needs who reside in the northeastern United States.

(3) The effect of the allocation of health care resources under the systems on the quality of health care services provided by the Secretary to veterans who reside in the northeastern United States.

(4) The effect of the allocation of health care resources under the systems on the access of health care services provided by the Secretary to veterans who reside in the northeastern United States.

(b) Not later than 4 months after the date of enactment of this Act, the Comptroller General shall also submit to Congress a report on the effect of the reform of the eligibility of veterans for health care services under title I of Public Law 104–262 (110 Stat. 3178), and the amendments made by that title, on the quality of and access to health care provided by the Secretary to veterans who reside in the northeastern United States.

BUMPERS AMENDMENTS NOS. 953–955

Mr. BUMPERS proposed three amendments to the bill, S. 1034, supra; as follows:

AMENDMENT NO. 953

At the appropriate place in the bill, insert the following new sections:

SEC. . ANNUAL REPORT ON LIFE CYCLE COSTS AND SPACE LAUNCH REQUIREMENTS.

(a) For each of the fiscal years 1999 through 2013, the Administrator, along with the President's submission to the Congress of the annual budget request for the National Aeronautics and Space Administration, shall submit a report that contains—

(1) a life cycle capital development and operations plan with a year-by-estimate of the United States' share of the projected expenses for development, construction, operation, enhancement, and decommissioning and disassembly of the Space Station; and

(2) an updated space launch manifest for the Space Station program and the estimated marginal and average launch costs for the Space Station program for the fiscal year involved and all succeeding fiscal years.

SEC. . FUNDING CAPS.

(a) The President's cumulative budget submissions for Space Station capitol development and operations for the fiscal year 1994 through the fiscal year during which the Space Station achieves full operational capability may not exceed $17,400,000,000, exclusive of launch costs.

(b) After achieving full operational capability and continuing through its decommissioning, the President's annual budget submission to Congress for the National Aeronautics and Space Administration shall contain an amount for the operation of, and any enhancement to, the Space Station which shall in no case exceed $1,300,000,000 for that fiscal year, exclusive of launch costs.

(c) DEFINITIONS.—For purposes of this section—

(a) the capitol development program of the Space Station includes, but is not limited to, the research and development activities associated with the space and ground systems and collateral equipment of the Space Station, and all direct expenses for space flight, control, data communications, assembly and operations planning, construction of facilities, training, development of science equipment and payloads, and research and program management activities associated with the construction and operations of the Space Station and its supporting elements and services until the facility is equipped and powered as planned, and declared fully operational;

(2) operation of the Space Station includes, but is not limited to, all direct research and development; space flight, control and data communications; construction of facilities; training; development of science equipment and payloads, scientific experiments; and research and program management activities associated with the operations of the Space Station; and the U.S.-Russia cooperative MIR program;

(3) enhancement of the Space Station includes all direct research and development; space flight, control and data communications; construction of facilities; and research and program management activities associated with the acquisition of additional Space Station elements and ground support facilities;

(4) direct expenses include, but are not limited to, the marginal costs of transportation and tracking and data services, launch facilities, payload processing facilities, simulator facilities, and all other enabling facilities including their collateral equipment, and all laboratory and technical services provided by NASA Centers to support space station development and scientific research; and

(5) full operation capability means the facility is fully assembled on-orbit with the power, configuration and capabilities described in the system design review of March 24, 1994.

AMENDMENT NO. 954

At the appropriate place in the bill, add the following new section:

SEC. XXX. Of the funds provided to the National Aeronautics and Space Administration in this bill, the Administrator shall by November 1, 1998, make available no less than $400,000 for a study by the National Research Council, with an interim report to be completed by June 1, 1998, that evaluates, in terms of the potential impact on the Space Station's assembly schedule, budget, and capabilities, the engineering challenges posed by extravehicular activity (EVA) requirements, U.S. and non-U.S. space launch requirements, the potential need to upgrade or replace equipment and components after assembly complete, and the requirement to decommission and disassemble the facility.

AMENDMENT NO. 955

At the appropriate place, add the following new section:

SEC. . Section 214(*l*)(1)(D) of the Immigration and Nationality Act (8 U.S.C. 1184(*l*)(1)(D)) (as added by section 220 of the

Immigration and Nationality Technical Corrections Act of 1994 and redesignated as subsection (*l*) by section 671(a)(3)(A) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996) is amended by inserting before the period at the end the following: '', except that, in the case of a request by the Department of Veterans Affairs, the alien shall not be required to practice medicine in a geographic area designated by the Secretary.''

BOND AMENDMENT NO. 956

Mr. BOND proposed an amendment to the bill, S. 1034, supra; as follows:

On page 63, lines 4 and 5, strike ''allocated to the purposes of the Safe Drinking Water Act'' and insert ''allocated for the purposes of the Safe Drinking Water Act and title VI of the Federal Water Pollution Control Act, respectively,''.

On page 63, line 18, before the period, add the following proviso: '': *Provided further*, That, notwithstanding any other provision of law, the Administrator is authorized to make a grant of $4,326,000 under Title II of the Federal Water Pollution Control Act, as amended, from funds appropriated in prior years under section 205 of the Act for the State of Florida and available due to deobligation, to the appropriate instrumentality for wastewater treatment works in Monroe County, Florida''.

On page 64, line 18, before the period, add the following proviso: '': *Provided*, That notwithstanding any other provision of law, no funds other than those appropriated under this heading, shall be used for or by the Council on Environmental Quality and Office of Environmental Quality''.

On page 65, line 13, after the semicolon, insert ''or'', and on line 17, strike ''; or beaches''.

FAIRCLOTH AMENDMENT NO. 957

Mr. BOND (for Mr. FAIRCLOTH) proposed an amendment to the bill, S. 1034, supra; as follows:

At the appropriate place, insert:

None of the funds made available by Title I of this Act may be used to provide a locality payment differential which would have the effect of causing a pay increase to any employee that was removed as a Director of a VA Hospital and transferred to another hospital as a result of the Inspector General's conclusion that the employee engaged in verbal sexual harassment and abusive behavior toward female employees.

GORTON AMENDMENT NO. 958

Mr. BOND (for Mr. GORTON) proposed an amendment to the bill, S. 1034, supra; as follows:

On page 51 after line 11, insert the following:

SEC. 216. INDIAN HOUSING REFORM.

Upon a finding by the Secretary that any person has substantially, significantly, or materially violated the requirements of any activity under the Native American Housing Block Grants Program under title I of the Native American Self-Determination Act of 1996 or any associated activity under the jurisdiction of the Department of Housing and Urban Development, the Secretary shall bar that person from any such participation in programs under that title thereafter and shall require reimbursement for any losses or costs associated with these violations.

SHELBY AMENDMENT NO. 959

Mr. BOND (for Mr. SHELBY) proposed an amendment to the bill, S. 1034, supra; as follows:

On page 70, line 18, strike out ''1999.'' and insert in lieu thereof ''1999: *Provided*, That of the amount appropriated or otherwise made available by this heading, $1,000,000 may be available for the Neutral Buoyancy Simulator program.''.

BOND (AND MUKULSKI) AMENDMENT NO. 960

Mr. BOND (for himself and Ms. MIKULSKI) proposed an amendment to the bill, S. 1034, supra; as follows:

On page 16, line 21, strike $10,693,000,000'' and insert in lieu thereof ''$10,159,000''.

On page 16, line 23, strike ''$9,200,000'' and insert ''$8,666,000''.

On page 23, line 6, insert ''and contract expertise'' after ''technical assistance''.

On page 23, line 24, strike ''and 1995'' and insert in lieu thereof ''1995, and 1997''.

On page 27, line 17, insert ''for'' after ''charge''.

On page 27, line 22, insert ''or moderate income family'' after ''family''.

On page 27, line 24, strike ''payment'' and insert ''prepayment''.

On page 28, line 1, insert ''of'' after the first ''the''.

On page 28, line 8, insert ''if'' after ''and''.

On page 28, line 13, insert ''from'' after ''move''.

On page 28, line 14, strike ''of'' and insert ''or''.

On page 28, line 22, strike ''223'' and insert ''220''.

On page 35, line 10, insert before the period, the following: '': *Provided further*, That any unobligated balances available or recaptures in, or which become available in the Emergency Shelter Grants Program account, Supportive Housing Program account, Supplemental Assistance for Facilities to Assist the Homeless account, Shelter Plus Care account, Innovative Homeless Initiatives Demonstration Program account and Section 8 Moderate Rehabilitation (SRO) account, shall be transferred to and merged with the amounts in this account and shall be used for purposes under this account''.

On page 45, after line 18, insert the following:

''(d) Public and Assisted Housing Rents, Income Adjustments and Preferences.

''(1) Section 402(a) of The Balanced Budget Downpayment Act, I is amended by striking ''fiscal year 1997'' and insert in lieu thereof ''fiscal year 1998''.

''(2) Section 402(f) of The Balanced Budget Downpayment Act, I is amended by striking ''fiscal years 1996 and 1997'' and inserting in lieu thereof ''fiscal years 1997 and 1998''.

On page 47, beginning on line 24, strike out ''Account Transition'' and all that follows through line 7 on page 48, and redesignate the sections accordingly.

On page 51, line 11, insert before the period ''or demolition''.

''HOME PROGRAM FORMULA

''SEC. 217. The first sentence of section 217(b)(3) of the Cranston-Gonzalez National Affordable Housing Act is amended by striking ''only those jurisdictions that are allocated an amount of $500,000 or greater shall receive an allocation'' and inserting in lieu thereof the following: ''jurisdictions that are allocated an amount of $500,000 or more, and participating jurisdictions (other than consortia that fail to renew the membership of all of their member jurisdictions) that are allocated an amount less than $500,000, shall receive an allocation''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. ASHCROFT. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be allowed to meet during the session of the Senate on Tuesday, July 22, 1997, at 9:30 a.m., in SR–328A to receive testimony regarding the Environmental Protection Agency's clean air regulations and agriculture.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. ASHCROFT. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Tuesday, July 22, 1997, to conduct a hearing on the Federal Mass Transit Program and the reauthorization of ISTEA.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. ASHCROFT. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Tuesday, July 22, for purposes of conducting a full committee hearing which is scheduled to begin at 9 a.m. The purpose of this hearing is to review the Department of Interior's handling of the Ward Valley land conveyance, the findings of a new General Accounting Office report on the issue, and to receive testimony on S. 964, The Ward Valley Land Transfer Act.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. ASHCROFT. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, July 22, 1997, at 10:45 a.m. and 2 p.m. to hold hearings.

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

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. ASHCROFT. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Committee special investigation to meet on Tuesday, July 22, at 10 a.m., for a business meeting on campaign financing issues.

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

COMMITTEE ON THE JUDICIARY

Mr. ASHCROFT. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Tuesday, July 22, 1997, at 2 p.m., in room 226 of the Senate Dirksen Office Building, to hold a hearing on judicial nominations.

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

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. ASHCROFT. Mr. President, I ask unanimous consent that the Committee on Labor Human Resources be authorized to meet for a hearing on women's health during the session of the Senate on Tuesday, July 22, 1997, at 10 a.m.

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

ADDITIONAL STATEMENTS

PROTECTION OF AIRBUS INDUSTRIE

● Mr. GORTON. Mr. President, the European Community is engaged in the blatant misuse of its authority to review United States mergers shamelessly to protect Airbus Industrie. It has decided that it will use its authority to block the merger of Boeing and McDonnell Douglas. Its rationale is that the combined commercial aircraft company poses too great a risk to Airbus Industrie.

For the past 25 years, America has watched the Europeans pour billions of dollars of subsidies into Airbus Industrie to create what is now without question a highly competitive aircraft company. Airbus Industrie today boasts more than 30 percent of the global market for large jet transports. Its goal is to have 50 percent of the market and it is aggressively pursuing that goal. Many of us were shocked with French President Chirac's shameless pursuit of aircraft orders in China in exchange for the French's Government's commitment to defeat a U.N. human rights resolution.

Airbus Industrie has already destroyed the viability of the Douglas Aircraft Co. Airbus' market share has come largely at the expense of McDonnell Douglas, which last year had only 4 percent of the market. Now the Europeans, in a final blow to Douglas, want the Boeing Co. to divest itself of Douglas Aircraft Co. and put the 14,000 remaining Douglas employees out on the street.

While most Americans will find it inconceivable, the Europeans do in fact have the legal authority to block this American merger. This is true even though neither Boeing nor McDonnell Douglas have significant operations in Europe and despite the fact that our own Government has thoroughly reviewed the merger and approved it without conditions.

The Europeans have disregarded our own exhaustive review process in the United States.

The Boeing Co. has engaged in a good-faith effort to try to address the concerns raised by the European Commission about the merger—but to no avail. Nevertheless, the EC plans to block the merger. This means that Boeing aircraft may well be prevented from being sold in Europe.

From the very beginning, the European merger review proceedings have been dominated by the political considerations of the Airbus member sales. I warned the President about this in a May letter on this subject. My colleagues in the Senate supported my sense-of-the-Senate resolution on the subject last week.

The United States can no longer stand aside and allow Europe blatantly to protect Airbus at the expense of our own civil aircraft industry and our own American employees. The administration should send a clear signal that it will not allow this type of protectionism to continue and that we will retaliate decisively if the Europeans block the merger.

The European Commission's indifference to appropriate antitrust considerations and its undisguised protectionism was expressed candidly by the EC's Karl Van Miert on Tuesday, July 15 on Belgian radio: ''The EC does not want a competitive market, it wants a guaranteed market.''●

THE 25th ANNIVERSARY OF THE RESTORATION OF THE PERMANENT DIACONATE IN PATERSON

● Mr. LAUTENBERG. Mr. President, I rise to mark a special anniversary. This year is the 25th anniversary of the restoration of the Permanent Diaconate in the Roman Catholic Diocese of Paterson, NJ. In the Catholic faith, a deacon is a layman who willingly gives his time, talent and treasure to help not only his own church community but, through his work, the entire community. His is a life of service.

Mr. President, I deeply admire the commitment of these lay people to serve others. They bring to mind the words of the great humanitarian, Albert Schweitzer, ''The greatest gift we can give to another, is the gift of ourselves.''

The work done by the 146 deacons of Paterson's Diocese also reminds me of the long tradition of service which communities of faith have in America. Whether Christian, Jewish, Muslim, or other religion, these communities not only minister to individuals' spiritual needs, but to all of their needs. They may provide tangible support like food and shelter, or simply compassion, counseling, and concern.

Mr. President, I offer my congratulations to the Diaconate of the Diocese of Paterson, and to Msgr. Ken Lasch who, 25 years ago, laid the cornerstone upon which the Diaconate's success has been built. As a native of Paterson, I am pleased that we have these dedicated men in our midst who are serving both their church and our community.●

CELEBRATING THE HISTORY OF OUR NATION

● Mr. ENZI. Mr. President, many of us returned home to our States to celebrate the Fourth of July and the birth of this great Nation. All across this country, in both urban and rural communities, we joined as one to honor our Founding Fathers and their commitment to freedom as reflected in the Declaration of Independence and the Constitution. Together these two documents form the foundation of our Nation.

It seems most fitting and appropriate to take a moment after we have returned from our Fourth of July activities to take note of two groups of Wyoming students that came to our Nation's Capital recently as part of programs celebrating the history of our Nation and its place in the world.

To celebrate the Constitution, and its effect on our lives as citizens, a team from Central High School in Cheyenne traveled to Washington to participate in a competition entitled ''We the People * * * The Citizen and the Constitution.'' In that event, students from across the United States competed against each other as they demonstrated their remarkable understanding of and sensitivity to the fundamental principles upon which this Nation was founded. They proved that the values that are embodied in our Nation's Constitution still resonate with meaning and importance in our lives today as they serve to fire our children's imaginations and interest in our past.

In the process of preparing for this event, those students learned a lot about the Constitution. I would imagine many of them were surprised to learn that it is truly a living document. Through the years it has been changed and amended to address the problems of a growing democracy. It has weathered every storm, including a Civil War and countless crisis faced by our Nation's leaders. Through it all, it has continued to provide the guideposts we have followed to ensure that our Nation remains strong and free.

It was very gratifying personally to see such attention focused on our Nation's Constitution. That document holds a great deal of meaning to me personally.

I have always drawn inspiration from the words our Founding Fathers used as they drafted the U.S. Constitution. In fact, when I served as the mayor of Gillette, WY, I always had a copy in my coat pocket. I gave copies to the members of the council each year on Constitution Day and every other year we read it as part of our proceedings.

Now that I have been elected to the Senate, I have to say it has new meaning for me. It refers to me. It is my job description. It is not just the basic rules for someone way off in Washington. It speaks directly to me and the purpose I serve as a Member of the Senate, a representative of the dreams, hopes, and ambitions of the people of my home State of Wyoming.

Just a few weeks ago another group came to Washington as part of a program to promote and encourage our children's interest in and enthusiasm for history. We are all familiar with the famous quote of George Santayana,

''Those who cannot remember the past are condemned to repeat it.''

That is why it is so important that we continue to encourage our children to study the past and learn about the mistakes that were made, and the triumphs, too, that have made this Nation what it is today.

Looking over the list of subjects that those who participated in Wyoming History Day had worked on, I was quite impressed by the many different areas of history that had drawn their attention. I am certain they were all amazed by how much they had learned by examining the events they had chosen in detail as they prepared for the competition.

Like those young students, I also enjoyed studying our Nation's history when I was in school. I was fascinated by the stories of our past, and I took a special interest in the history of Wyoming and the days of the Old West. I read everything I could get my hands on that had to do with the early days of the West and our State's first settlers. They were brave pioneers and together they faced a great many hardships and trials as they worked to make it out West. They were remarkable people blessed with special skills and strengths. The heritage they passed down to their children is still reflected in the faces of those who have a long history with and strong ties to the land they love and rely on for their lifeblood. Our grandfathers and great grandfathers passed down their great love of independence and freedom to us, and their lifestyles helped shape our character and made Wyoming what it is today: fiercely proud, independent, and strongly self-reliant.

These programs are the kind of projects we should continue to encourage our children to pursue as a regular part of their education. By studying and reading about the history of our Nation and the world, we will not only learn how to avoid the mistakes of the past, but we will also learn how to properly plan and prepare for our future. Studying about the Constitution and the Declaration of Independence and the work our Founding Fathers put into this great Nation at its conception is a good place to begin. What better time to take up this subject than now, so close to our Fourth of July celebration. That is what Independence Day is really all about. We take great pride in our history. We celebrate the lives and work of that relatively small group of individuals, banded together by their commitment to freedom, and the dream of democracy; and who saw the reality and reassurance of a new republic. On that day in July in 1776 they began a series of events that have served to change the face of the world forever.

I am very proud of these and all our students who are studying the world's history, and our place in it. As the father of a schoolteacher, I know the commitment that is necessary to provide our children with a good education. For that process to be successful, we must all do our part—teachers, students, and parents. We should all continue to encourage our children to participate fully and actively in the programs and projects offered by their schools. The resulting challenges they will face and the rewards they will receive will have a dramatic effect on their lives. Congratulations to all those who won awards in these programs, and to those who gave their best efforts as participants. We are very proud of each one of you—and counting on you for the future.●

TRIBUTE TO JOHN J. SULLIVAN

● Mr. DODD. Mr. President, earlier this month, the American flag was flown proudly throughout Connecticut and across this great land, as we celebrated our Independence Day. But the previous Friday, Old Glory was flying at half-staff in the town of Fairfield, CT, as the town mourned the passing of its longest serving first selectman—John J. Sullivan.

John Sullivan came to Fairfield from Salem, MA, in the 1930's, and for more than 20 years, he was known throughout town as the owner and operator of Sullivan's Flower Shop on the Post Road. But in 1959, John Sullivan ran for public office for the first time in his life, and he was elected as the town's first selectman. His election was particularly significant, because it broke a 51-year Republican hold on Fairfield's top job. Although John Sullivan was a Democrat in a town dominated by Republicans, he was reelected 11 times, and his 24-year tenure stands as the longest in the town's history.

I think that a large reason John Sullivan was so successful in reaching across party lines to be an effective leader is because his first concern was people, not politics. When describing his management style as the head of the board of selectmen, John Sullivan said, ''I don't tell them how to vote * * * I tell them it's good for the community.''

One of the most notable battles of his political career came in 1965, when John won reelection over a popular young challenger named Stewart B. McKinney. After this defeat, Mr. McKinney went on to serve seven terms in the U.S. House of Representatives, and John Sullivan often joked that if it weren't for him, McKinney would have never been a Congressman. The two of them went on to form a close political friendship. In fact, the only building in Fairfield which bears John Sullivan's name is the Sullivan-McKinney senior housing complex.

During his tenure as first selectman, the population of Fairfield increased by 25 percent and the town's annual budget increased fourfold. But while John Sullivan oversaw the growth and development of Fairfield, the greatest sign of his legacy is the 1,200 acres of land that he had set aside as open space. Under John Sullivan's leadership, the town of Fairfield was able to secure Federal funds to purchase open space land and beach-front property. John Sullivan fought to maintain the small-town character of Fairfield, and there are now parks and woodland areas in Fairfield that serve as a peaceful refuge in this area of rapid urbanization.

John Sullivan remained active in the community long after his political career ended. He worked on behalf of many charitable organizations, in particular St. Vincent's Medical Center Foundation in Bridgeport where he served as associate executive director. A devout Roman Catholic, John was a longtime member and trustee of St. Thomas Aquinas Church. He went to Mass every day, and in 1984, John was appointed a Knight of St. Gregory by Pope John Paul II.

I think that the one quote that best illustrates what kind of person John Sullivan was came in 1983 when he retired from public office. John said, ''I am the richest man in the world. I ask for nothing. I want to give as much as I can.''

I attended John Sullivan's funeral, and having known him personally, I was not surprised to see how many people came out to pay tribute to this wonderful man. John Sullivan was a true patriot, and he will be dearly missed by all who knew him.

John was the husband of the late Mary B. Cahill Sullivan. He is survived by his brother Edwin Sullivan, his daughter Mary Donahue, and his seven grandsons, John, James, Brian, Robert, Paul, William, and Patrick. I offer my most heartfelt condolences to all of them.●

ROBERT C. WEAVER

● Mr. MOYNIHAN. Mr. President, Dr. Robert C. Weaver, adviser to three Presidents, director of the NAACP, and the first African-American Cabinet Secretary, passed away last week at his home in New York City. Dr. Weaver spent his entire life broadening opportunities for minorities in America. I rise today to pay tribute to this great man.

Dr. Weaver began his career in government service as part of President Franklin D. Roosevelt's ''Black Cabinet,'' an informal advisory group promoting job and educational opportunities for blacks. The Washington Post called this work his greatest legacy, the dismantling of a deeply entrenched system of racial segregation in America.

In 1960 he became the president of the NAACP, and would become a key adviser to President Kennedy on civil rights. Dr. Weaver was appointed in 1961 to the Housing and Home Finance Agency, an organization that later became the Department of Housing and Urban Development. In 1966, when President Johnson elevated the agency to Cabinet rank, Dr. Weaver was, in Johnson's phrase, ''the man for the

job.'' He thus became its first Secretary, and the first African-American to head a Cabinet agency.

Following his government service, Weaver was, among various other academic pursuits, a professor at Hunter College, a member of the School of Urban and Public Affairs at Carnegie-Mellon, and the president of Baruch College in Manhattan. Dr. Weaver earned undergraduate, master's and doctoral degrees in economics from Harvard, wrote four books on urban affairs, and was one of the original directors of the Municipal Assistance Corp. designed to rescue financially strapped New York City in the 1970's.

America, and Washington in particular, has lost one of its innovators, one of its creators and one of its true leaders—for Robert Weaver, like so few of leaders today, led not only with his words but more importantly with his deeds.

I ask that an editorial in Monday's Washington Post and an obituary from Saturday's New York Times be printed in the RECORD.

The material follows:

[From the Washington Post, July 21, 1997]

ROBERT C. WEAVER

Native Washingtonian Robert C. Weaver, who died on Thursday in New York City at age 89, had a life of many firsts. Dr. Weaver served as a college president, Cabinet secretary, presidential adviser, chairman of the National Association for the Advancement of Colored People and as a director of the Municipal Assistance Corp., which helped save New York City from financial catastrophe. But his greatest legacy may be the work he did, largely out of public view, to dismantle a deeply entrenched system of racial segregation in America.

Before the landmark decade of civil rights advances in the 1960s, Dr. Weaver was one of a small group of African American officials in the New Deal era who, as part of the ''Black Cabinet'' pressured President Franklin D. Roosevelt to strike down racial barriers in government employment, housing and education. It was a long way to come for the Dunbar High School graduate who ran into racial discrimination in the 1920s when he tried to join a union fresh out of high school. Embittered by that experience, Bob Weaver went on to Harvard (in the footsteps of his grandfather, the first African American Harvard graduate in dentistry) to earn his bachelor's, master's and doctorate in economics. At another time in America, his university degrees might have led to another career path. For Bob Weaver in 1932, however, those credentials—and his earlier job as a college professor—made him an ''associate advisor on Negro affairs'' in the U.S. Department of the Interior.

Subsequent work as an educator, economist and national housing expert—and behind-the-scenes recruitment of scores of African Americans for public service—led to his appointment as New York State rent administrator, making him the first African American with state cabinet rank. President John F. Kennedy appointed him to the highest federal post ever occupied by an African American—the Housing and Home Finance Agency. Despite the president's support, however, the HHFA never made it to Cabinet status, because Dr. Weaver was its administrator and southern legislators rebelled at the thought of a black secretary. Years later President Lyndon Johnson pushed through the Department of Housing and Urban Development and named Robert Weaver to the presidential Cabinet.

For the nation, and Robert Weaver, the appointment was another important first. For many other African Americans who found lower barriers and increased opportunity in the last third of the 20th century, Robert Weaver's legacy is lasting.

[From the New York Times, July 19, 1997]

ROBERT C. WEAVER, 90, FIRST BLACK CABINET MEMBER, DIES

(By James Barron)

Dr. Robert C. Weaver, the first Secretary of Housing and Urban Development and the first black person appointed to the Cabinet, died on Thursday at his home in Manhattan. He was 90.

Dr. Weaver was also one of the original directors of the Municipal Assistance Corporation, which was formed to rescue New York City from financial crisis in the 1970's.

''He was a catalyst with the Kennedys and then with Johnson, forging new initiatives in housing and education,'' said Walter E. Washington, the first elected Mayor of the nation's capital.

A portly, pedagogical man who wrote four books on urban affairs, Dr. Weaver had made a name for himself in the 1930's and 1940's as an expert behind-the-scenes strategist in the civil rights movement. ''Fight hard and legally,'' he said, ''and don't blow your top.''

As a part of the ''Black Cabinet'' in the administration of President Franklin D. Roosevelt, Dr. Weaver was one of a group of blacks who specialized in housing, education and employment. After being hired as race relations advisers in various Federal agencies, they pressured and persuaded the White House to provide more jobs, better educational opportunities and equal rights.

Dr. Weaver began in 1933 as an aide to Interior Secretary Harold L. Ickes. He later served as a special assistant in the housing division of the Works Progress Administration, the National Defense Advisory Commission, the War Production Board and the War Manpower Commission.

A BEHIND-THE-SCENES CIVIL RIGHTS STRATEGIST DURING THE 1930'S AND 1940'S

Shortly before the 1940 election, he devised a strategy that defused anger among blacks about Stephen T. Early, President Roosevelt's press secretary. Arriving at Pennsylvania Station in New York, Early lost his temper when a line of police officers blocked his way. Early knocked one of the officers, who happened to be black, to the ground. As word of the incident spread, a White House adviser put through a telephone call to Dr. Weaver in Washington.

The aide, worried that the incident would cost Roosevelt the black vote, told Dr. Weaver to find the other black advisers and prepare a speech that would appeal to blacks for the President to deliver the following week.

Dr. Weaver said he doubted that he could find anyone in the middle of the night, even though most of the others in the ''Black Cabinet'' had been playing poker in his basement when the phone rang. ''And anyway,'' he said, ''I don't think a mere speech will do it. What we need right now is something so dramatic that it will make the Negro voters forget all about Steve Early and the Negro cop too.''

Within 48 hours, Benjamin O. Davis Sr. was the first black general in the Army; William H. Hastie was the first black civilian aide to the Secretary of War, and Campbell C. Johnson was the first high-ranking black aide to the head of the Selective Service.

Robert Clifton Weaver was born on Dec. 29, 1907, in Washington. His father was a postal worker and his mother—who he said influenced his intellectual development—was the daughter of the first black person to graduate from Harvard with a degree in dentistry. When Dr. Weaver joined the Kennedy Administration, whose Harvard connections extended to the occupant of the Oval Office, he held more Harvard degrees—three, including a doctorate in economics—than anyone else in the administration's upper ranks.

In 1960, after serving as the New York State Rent Commissioner, Dr. Weaver became the national chairman of the National Association for the Advancement of Colored People, and President Kennedy sought Dr. Weaver's advice on civil rights. The following year, the President appointed him administrator of the House and Home Finance Agency, a loose combination of agencies that included the bureaucratic components of what would eventually become H.U.D., including the Federal Housing Administration to spur construction, the Urban Renewal Administration to oversee slum clearance and the Federal National Mortgage Association to line up money for new housing.

President Kennedy tried to have the agency raised to Cabinet rank, but Congress balked. Southerners led an attack against the appointment of a black to the Cabinet, and there were charges that Dr. Weaver was an extremist. Kennedy abandoned the idea of creating an urban affairs department. Five years later, when President Johnson revived the idea and pushed it through Congress, Senators who had voted against Dr. Weaver the first time around voted for him.

Past Federal housing programs had largely dealt with bricks-and-mortar policies. Dr. Weaver said Washington needed to take a more philosophical approach. ''Creative federalism stresses local initiative, local solutions to local problems,'' he said.

But, he added, ''where the obvious needs for action to meet an urban problem are not being fulfilled, the Federal Government has a responsibility at least to generate a thorough awareness of the problem.''

Dr. Weaver, who said that ''you cannot have physical renewal without human renewal,'' pushed for better-looking public housing by offering awards for design. He also increased the amount of money for small businesses displaced by urban renewal and revived the long-dormant idea of Federal rent subsidies for the elderly.

Later in his life, he was a professor of urban affairs at Hunter College, was a member of the Visiting Committee at the School of Urban and Public Affairs at Carnegie-Mellon University and held visiting professorships at Columbia Teachers' College and the New York University School of Education. He also served as a consultant to the Ford Foundation and was the president of Baruch College in Manhattan in 1969. His wife, Ella, died in 1991. Their son, Robert Jr., died in 1962.●

CREATING IMPROVED DELIVERY OF CHILD CARE: AFFORDABLE, RELIABLE, AND EDUCATIONAL ACT OF 1997 (CIDCARE)

● Mr. ENZI. Mr. President, I rise today to voice my strong support for S. 1037, the Creating Improved Delivery of Child Care: Affordable, Reliable, and Educational Act of 1997—better known as the CIDCARE Act. I want to commend my colleague from Vermont, Senator JEFFORDS, for his steady work on this important measure and for his commitment to enhancing the quality of child care throughout the Nation. I firmly believe that Senator JEFFORDS

has crafted a measure that would stimulate the demand for higher quality child care and I am proud to join Senator DODD as an original cosponsor of this bill.

Our society has braved a storm of changes during the last five decades. Our Nation's work environment has changed, too, with the introduction of personal computers, high-speed modems, cellular phones, pagers, and fax machines. American suburbanization has created a need for audio and video conferencing, satellite offices, and most importantly, telecommuting. In addition, there has been an influx of women into our nation's work force. According to the Bureau of Labor Statistics, 76 percent of mothers now work. Moreover, 63 percent of two parent households now see both parents working outside of the home. While the number of working women in our country continues to rise, so has the number of children enrolled in child care. Unfortunately, the quality of this care has not risen to match the rapid increase in enrollment. That is why we must modernize the way we provide child care assistance by allocating our scarce resources more efficiently. By doing so, our children will benefit. That is clearly an investment in our Nation's future. Congress must legislate with the times to provide opportunities for our Nation's parents and child care providers to make that investment.

It is often the case with a lot of families that one parent works to pay the bills while the other one works to pay the taxes. A lot of people are working two jobs just to make ends meet, and often, both parents are working two jobs. The resulting increase in the number of employed women in the work force has dramatically expanded the number of child care providers. This expansion is truly beneficial to parents who need available child care, but the ratio of children to providers and the ensuing reduction in the quality of that care when staff and resources are stretched is still troubling. A recent nationwide study indicates that 40 percent of the child care provided to infants poses a potential risk of injury. Moreover, 15 percent of the care at center-based providers is so deficient that a child's health and safety are threatened.

In Wyoming, the quality of the care provided to our children is taken very seriously. Child care providers licensed by the State of Wyoming must have 12 credit hours in education, CPR training, meet fire marshal standards, and have a minimum amount of floor space for the children entrusted to their care. The State ensures that all licensed providers comply with these requirements and would continue to do so if this bill is passed —but they would do so much more effectively. This legislation would provide a $260 million competitive grant program to assist States in improving the quality of care we provide our children. States must use at least 30 percent of the grant funds awarded to establish a subsidy program to provide salary increases to licensed child care providers. The remainder of the grant funds awarded could be channeled toward establishing a scholarship program to help child care providers meet the costs of education and training; expanding State-based child care training and technical assistance activities; improving consumer education efforts including the expansion of resource and referral services and child care complaint systems; providing increased rates of reimbursement provided under Federal or State child care assistance for children with special-needs; or even for purchasing special supplies, equipment, or meeting other expenses necessary for the care of special needs children. Moreover, this legislation would further expand the Community Development Block Grant to States to help renovate existing child care facilities.

Equitable distribution of resources based on the percentage of income a family uses to meet child care expenses must be represented in any change to the current system. This legislation reduces, but does not eliminate, the dependent care tax credit for upper income taxpayers by changing the way the Child and Dependent Care Tax Credit is administered. The income level for the receipt of the highest percentage of employment-related child care costs would be increased from $10,000 to $20,000. The percentage would be decreased at a rate of 1 percent for each additional $2,500 in adjusted gross income and a minimum percentage of 10 percent would be set for incomes of $70,000 and above. Employers would be allowed to contribute more to a dependent care assistance plan account. Moreover, families who qualify for the earned income tax credit [EITC] would receive a refund of the child care tax credit on a quarterly basis. The EITC was originally geared to assist families with dependent children—not couples without any kids at all. Clearly, changes are in order.

Small businesses are fighting an uphill battle in meeting the child care needs of their employees. Having played the small business owner role for over 25 years, I can appreciate the need for giving such employers a break. This legislation creates a tax credit for employers providing, or otherwise supporting, child care arrangements for their employees. Fifty percent of the expenses incurred by a business to meet the child care needs of employees would be credited toward the business' Federal tax liability. Included in this provision are startup costs, renovations to meet accreditation standards, professional development for child care providers, general operating expenses, and subsidized child care for lower paid employees. Small businesses need incentives in order to be more involved in meeting the child care needs of employees. After all, Congress is placing more parents into the work force following last year's welfare reform legislation. We should provide some tax incentives to employers who are providing those jobs.

This legislation would also authorize $50 million a year to establish and operate a technology-based training infrastructure to enable child care providers nationwide to receive the training, education, and support they need to improve the quality of care they provide. We must reap the benefits of the Internet to enhance the quality of child care. We spend a lot of time talking about how the Internet can be harmful to children. Here's a chance to show how it can dramatically help them. By creating a child care training and education interactive network, child care credentialing and accreditation entities for training, skills testing, and other activities needed to maintain child care credentials would be greatly enhanced. Moreover, a no-interest revolving loan fund will be established to enable child care providers to purchase computers, satellite dishes, and other equipment which would enable them to participate in the child care training provided by this technological infrastructure.

The current system for funding child care in our nation yearns for improvement. This legislation does not reinvent the wheel, it changes the tires. States must continue to receive assistance in order to achieve a higher quality of care for our children. This legislation simply provides more efficient and pragmatic methods for administering that assistance. I believe that this legislation provides the proper incentives for enhancing the quality of care we provide our children. Our society's work force is driven by changing trends. I can comfortably argue that our society is one of the most trendy in the world—a fact that has kept America on the leading edge of technological innovation. I hope that before people begin making up their minds on this bill they will take a close look at the language and what it really calls for—better care for our kids. Our Nation's work force is calling for this much-needed change. I urge my colleagues to support S. 1037, the CIDCARE bill.

MILWAUKEE VET CENTER

• Mr. KOHL. Mr. President, I rise today to praise the people of the Milwaukee Vet Center. For 17 years now these Wisconsinites have counseled and assisted veterans during the difficult period of readjustment from frontline to homefront.

Fighting a war is a terrible experience, inflicting physical and psychological wounds which few veterans can fully heal on their own. The Milwaukee Vet Center has helped over 8,800 veterans of American missions in their attempts to overcome these psychological battle scars. Originally established for Vietnam veterans, its doors are now open to veterans of every major American engagement since World War II.

This center stands as a prime example of success in our Nation's social services. A division of the Department of Veterans Affairs, it provides comprehensive and personalized counseling, not only to male and female veterans but also to their spouses and children. Although the center's responsibilities include 91,513 eligible veterans in 13 eastern Wisconsin counties, its workers strive to make personal contact with as many veterans as possible. Its outreach programs engage veterans in the context of their communities, granting a fuller knowledge of where each individual stands geographically, psychologically and socially. Working with other specialized organizations, the center provides individualized services for native American and African-American veterans, among others.

Those who enter the Milwaukee Vet Center seeking help know they are dealing with some of America's most experienced social workers. Collectively, the center's employees possess decades of experience in the fields of drug and alcohol abuse, mental health problems, vocational rehabilitation, women's health treatment, and psychiatric treatment. They have worked in the public and private sectors, schools, hospitals, even disaster areas.

The Vet Center provides hands-on field experience for students in local colleges and universities such as the University of Wisconsin at Milwaukee, the Milwaukee Area Technical College, and the Stratton Business Institute. By sharing their wealth of experience, the Vet Center's professionals enrich these students' education and more importantly guide them on the path to a fulfilling career in public service.

I commend the heroic efforts of these public servants, and personally thank them for playing an important part in making Wisconsin great.●

MFN FOR CHINA

● Mr. DORGAN. Mr President, I rise to comment briefly on an action taken by the Senate last week. We voted on an amendment offered by the Senator from Arkansas, Senator HUTCHINSON, expressing the sense of the Senate that China should not receive most-favored-nation tariff treatment.

I voted against the Hutchinson amendment, but not because I necessarily support the further extension of most-favored-nation status to China. I opposed the amendment because I believe this kind of amendment should not have been offered to a must-pass appropriations bill, especially when the Senate had limited time to debate it.

At the appropriate time, we do need to have an extensive debate concerning our trade relationship with China. That debate is long overdue and greatly needed, and that debate should cover a range of issues. One of the issues that we should debate is the geometric growth in our trade deficit with China. In the past dozen years, our merchandise trade deficit with China has grown from $10 million to the staggering total of $40 billion.

Mr. President, trade is only beneficial if it is a two-way street. And right now there is no way that we can characterize our trading relationship with China in that way. We do not have reciprocal, free, and open access to China's markets.

Yes, our exports to China may have grown threefold and more since 1980, from $3.6 to $12 billion. However, Chinese exports to America during the same period grew almost fiftyfold, from $1.1 to $51.5 billion.

China is a critical part of the overall trade crisis that we face right now. We have the largest merchandise trade deficit in our history. Our second highest trade deficit is with China. China is rapidly working to build its manufacturing base and export trade. It is following in the footsteps of Japan, which has consistently been the country with which we have had our largest individual trade deficit.

We need to be concerned because trade statistics released last week indicated that for the third time in history, our monthly trade deficit with China exceeded our monthly trade deficit with Japan. That should give us cause to take a second look in considering what the future may bring in our trade relationship with China.

So I am very concerned about our trading relationship with China. But we ought to have a substantial debate on this issue. We ought not offer an MFN amendment to an unrelated appropriations bill, have a quick little debate, and then vote.

At the proper time, let us have a real debate about our trade relationship with China. Let us talk about trade deficits, market access, and reciprocity. Let us talk about selling more American wheat, oilseeds, beef, pork, and other agricultural commodities to China. Let us talk about China's tariff and nontariff trade barriers, content rules, and labor systems. Let us debate most-favored-nation status for China and the MFN law itself. And, most certainly, let us debate the issues of religious freedom and human rights in China, since these should have a bearing too on whether we grant MFN status to China.

These are important issues that deserve full and thoughtful consideration by this body and our entire Nation. I look forward to contributing to that debate, and hope that it can be done in a way that is productive and useful for the people of this country.●

MARVIN SONOSKY

● Mr. BAUCUS. Mr. President, I rise today to pay tribute to a man who spent his life and career working on behalf of Indian tribal governments and ensuring that the United States fulfilled its trust responsibility to Indian people, Marvin Sonosky of Alexandria, VA. On July 16, Mr. Sonosky died of heart failure. He was 66 years old. I join his many friends in mourning the loss of one of Indian country's greatest advocates. I would like to convey my sympathy to his wife, Shirley Freimuth Sonosky, and his daughters Judith Kreisberg, Joann Hirsch, and Karen Hecker and his seven grandchildren and one great grandchild.

Mr. Sonosky was born in Duluth, MN, and received his undergraduate and law degrees from the University of Minnesota. After 4 years of private practice, Mr. Sonosky came to Washington in 1937 and joined the Lands Division of the Department of Justice where he served for 17 years. As a special assistant to the Attorney General he frequently argued before the U.S. Supreme Court.

In 1951, Mr. Sonosky returned to private practice. In 1976, he formed the firm of Sonosky, Chambers & Sachse, where he practiced until his death. He remained active in the trial practice of the firm through the last week of his life.

Mr. Sonosky was a unique individual in this city in that he was one of the best advocates in his field yet he never sought the accolades or tributes that so many seek. Instead his tribute came from knowing that every day that he worked he had the potential to improve perhaps just one Indian person's life.

I would like to share with this body some of the many legislative initiatives involving Indian tribes that were the brainchild of Mr. Sonosky. These are but one measure of the impact that he had in improving the lives and opportunities of Indian tribal governments and their people and ensured that the United States stands behinds its trust obligations to them.

Following devastating losses of Indian reservation land and its resulting poverty, Mr. Sonosky worked with Congress to secure the enactment of federal statutes that returned over 1 million acres of undisposed surplus lands within those reservations to the tribes—the resources from these lands have been vital to the economies of many of these Indian communities.

Mr. Sonosky also brought to the attention of Congress the need to amend Federal law authorizing Indian tribes to recover just compensation for lands taken by the United States so that the damages awarded would not be unfairly diminished by the value of food and rations that the United States had promised in exchange for the lands it acquired. When Government officials unlawfully offset welfare claims against trust funds of individual Indians, Mr. Sonosky successfully challenged the practice in Federal court. He subsequently worked with Congress to ensure that all individual Indians who had been harmed by this practice were properly reimbursed.

While much of Mr. Sonosky's congressional efforts focused on righting past wrongs, an equal part of his work resulted in legislation that will protect Indian rights for generations to come.

Through his efforts Federal law that had previously allowed States to assume jurisdiction over certain matters on Indian reservations was amended to expressly require tribal consent prior to application of State jurisdiction. And, most significantly, when limitations contained in the statutes governing Federal court jurisdiction effectively barred Indian tribes from invoking that forum to vindicate federally protected rights, Mr. Sonosky successfully developed and advocated for a Federal law that today vests Federal courts with jurisdiction to adjudicate any claim brought by an Indian tribe.

The honor of the Nation with regard to our obligations to Indian people has indeed been well served by Mr. Sonosky. We will miss him dearly.●

MEASURE READ THE FIRST TIME—H.R. 748

Mr. BOND. Mr. President, I understand that H.R. 748 has arrived from the House.

I ask for its first reading.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

A bill (H.R. 748) to amend the prohibition of title 18, United States Code, against financial transactions with terrorists.

Mr. BOND. I now ask for its second reading and object to my own request on behalf of the other side of the aisle.

The PRESIDING OFFICER. Objection is heard. The bill will remain at the desk and have its second reading on the next legislative day.

ORDERS FOR WEDNESDAY, JULY 23, 1997

Mr. BOND. Mr. President, I do not see any other Members seeking recognition. Therefore, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until the hour of 9 a.m. on Wednesday, July 23. I further ask that on Wednesday, immediately following the prayer, the routine requests through the morning hour be granted, the Senate proceed to a period of morning business until the hour of 11 a.m. with Senators permitted to speak for up to 5 minutes with the following exceptions: Senator DASCHLE or his designee, 60 minutes from 9 to 10 a.m., Senator COVERDELL or his designee, 30 minutes from 10 to 10:30 a.m., Senator THOMAS or Senator MACK, 30 minutes from 10:30 to 11 a.m.

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

Mr. BOND. I also ask consent that at 11 a.m. the Senate begin consideration of S. 1033, the Agriculture appropriations bill.

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

PROGRAM

Mr. BOND. For the information of all Senators, tomorrow the Senate will be in a period of morning business until the hour of 11 a.m. By consent, at 11 a.m. the Senate will begin consideration of S. 1033, the Agriculture appropriations bill. It is our hope the Senate will be able to complete action on the Agriculture appropriations bill during tomorrow's session of the Senate. Therefore, Members can anticipate rollcall votes throughout Wednesday's session of the Senate. However, no votes will occur prior to the hour of 4 p.m. Therefore, the next vote should occur after 4 p.m. on Wednesday.

ADJOURNMENT UNTIL 9 A.M. TOMORROW

Mr. BOND. If there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:59 p.m. adjourned until Wednesday, July 23, 1997, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate July 22, 1997:

DEPARTMENT OF STATE

PHILIP LADER, OF SOUTH CAROLINA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND.