

they didn't have a waiver, his computer was not monitored by the Department of Energy. Yet, they found later that the waiver existed, as evidenced by the poster I just showed in evidence.

The FBI and the Department of Justice next bungled the counterintelligence warrant or the FISA, as evidenced by chart 2. The FBI, not once or twice, but three times requested warrants from the DOE. This is chart 2. This is the FISA report. Department of Energy, FBI, Department of Justice, and the FISA warrant, approved or rejected. Notra Trulock briefs the FBI. An FBI request was made by John Lewis, then assistant director of the FBI National Security Division. An FBI request was made to Gerald Schroeder, Acting Director, Office of Intelligence Policy and Review. It was rejected. Here is the rejection. Here is the sequence of events. The first time we had the sequence of the DOE, FBI, and Department of Justice proceeding to authorize the FISA warrant to investigate the alleged counterintelligence and espionage charges alleged against Wen Ho Lee.

The second time, Notra Trulock and others continued to prod FBI's investigation of Wen Ho Lee. FBI request made to John Lewis, then Assistant Director of the FBI National Security Division. FBI request made to Gerald Schroeder. Again, it was rejected. The second time it was rejected by the Department of Justice.

Now, then the last time, Mr. Lewis, who is up there in the hierarchy, Assistant Director of the FBI, National Security Division, feels so frustrated that he makes a personal plea to Attorney General Janet Reno. Again, Notra Trulock and others continue to prod the FBI. John Lewis makes a personal request to the Attorney General because he feels so strongly that there is justification to authorize this investigation. But the personal appeal falls on deaf ears.

Why was it rejected? What happened? We don't know. Nothing happened. But we do know that the Attorney General ignored two pleas for help. Notra Trulock, then DOE Director of Intelligence, personally briefed Janet Reno in "great detail" about the Lee case in August of 1997. John Lewis, FBI Director of Intelligence, also indicated he personally pled to Janet Reno to approve the FBI's request for a warrant to search Lee in August of 1997.

Why did Attorney General Janet Reno ignore pleas from two top national security advisers? We don't know. We don't know because there is a great reluctance to provide the committees of jurisdiction with that information.

I am personally disappointed in the FBI and the Department of Justice's refusal to testify publicly. Probably 90 percent of what has been found in

closed sessions is not really classified, in my opinion.

What we are looking for here is accountability. We in the Energy and Natural Resources Committee intend to continue to identify those persons whose inaction has led to one of the most potentially catastrophic losses in our national security history. Now we have a situation where they seem to want to hide behind the smokescreen of "national security" or to finger-point and say it is not our responsibility. That is simply an unconscionable set of circumstances.

Finally, as we address a couple of other points that may come up in the debate which I think deserve consideration, why create one semiautonomous agency within the Department of Energy? We are creating a hybrid that has no other identifiable comparison. Let me put that myth to rest. There are other semiautonomous agencies that function extremely well. That is what we are proposing with the amendment which has been laid down.

Let's look at three of those semiautonomous agencies.

DARPA, the Defense Advanced Research Project Agency, is a separate agency within the Department of Defense under a director appointed by the Secretary of Defense. It works.

NOAA, the National Oceanic and Atmospheric Administration, is the largest bureau within the Department of Commerce. It is a semiautonomous agency. It works.

NSA, the National Security Agency, was established by Presidential directive as a separate department organized as an agency within the Department of Defense. It was structured in that manner and form because it was necessary that there be accountability and responsibility within the National Security Agency. It is a semiautonomous agency.

I encourage my colleagues as we proceed to vote tomorrow—my understanding is that we are going to have one hour of debate equally divided on the cloture motion on the amendment—to recognize that the time to address this is now, that the responsibility clearly is within this body, and that the amendment we offered identifies the one thing that was lacking as we look at how this set of security breaches could have occurred, and that is, it addresses accountability and responsibility.

For those who feel uncomfortable, I encourage them to recognize that they have a responsibility of coming up with something that will work. We think that the amendment pending, the Kyl-Domenici-Murkowski-Kerrey amendment—I understand that Senators THOMPSON, SPECTER, GREGG, HUTCHINSON, SHELBY, WARNER, BUNNING, HELMS, FITZGERALD, LOTT, KERRY, FEINSTEIN, and BOB SMITH are a few of the other Members of the Senate who are cosponsoring this amendment.

It is a responsible amendment. Let's get on with the job. Let's put this issue in the restructured form that provides for accountability and responsibility, and move on. The American people and the taxpayers certainly deserve prompt action by this body. We have that obligation. The time is on the vote tomorrow.

I urge my colleagues to support the amendment.

I see no other Senator wishing time. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

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

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

#### TRIBUTE TO COACH DAVEY WHITNEY, ALCORN STATE UNIVERSITY

Mr. LOTT. Mr. President, today I honor a Mississippian who made numerous contributions to Alcorn State University, to countless young student athletes and to the community. Coach Davey L. Whitney, Head Coach of the Men's Basketball team at Alcorn State University, has served as a leader at this educational institution, a professor of championship athletics and a mentor for many of his players.

Nearly 30 years ago, Coach Whitney first arrived on the Lorman, Mississippi, campus. From the beginning, Davey's tenure at Alcorn was destined for greatness. Within ten years, the Alcorn State Men's Basketball team went from little notoriety to groundbreaking achievement. His list of accomplishments is exemplary. His determination is heroic.

He was the first coach to lead an historically black college team to wins in both NCAA and NIT tournaments. His teams also won nine Southwestern Athletic Conference titles. In 1979, Alcorn accomplished something that no previous historically black college had done—winning a National Invitational Tournament game—when they defeated Mississippi State University.

Coach Whitney has been a mentor to many young men. Many of his players have become successful businessmen. Several of his players even had successful professional athletic careers in the National Basketball Association. Larry Smith, who was drafted by the Golden State Warriors, is now an assistant coach with the Houston Rockets. He is reproducing Coach Whitney's approach of discipline coupled with a warm personal devotion for the players.

Coach Whitney's career has not been one without trials. In 1989 he was fired after losing three successive seasons. Still Coach Whitney stayed involved in basketball by coaching in the Continental Basketball Association and the United States Basketball League.

Coach Whitney also remained close to Alcorn State for the next eight years, while the Braves struggled and in 1997 Alcorn asked him to return. After much thought, Coach Whitney returned to the Alcorn State University Family as head coach. Within two years, he took the struggling Braves to the 1999 Southwestern Athletic Conference Regular Season Championship where they not only won, they triumphed. This tournament championship earned the Braves a berth in the NCAA Tournament. This marked the first time since the 1986 season that the Braves have won the Southwestern Athletic Conference regular season title. This was also the first time since 1984 that the Braves have won the tournament title and appeared in the NCAA tournament.

Coach Whitney's 442 wins in 28 years—with 10 regular season titles, four consecutive titles between 1978-82, twelve post season tourneys and five NAIA district titles—earned him nine Southwestern Athletic Conference Coach of the Year honors. It is a fitting tribute to Coach Whitney's accomplishments that he coaches in the complex named after him. Various groups have recognized Coach Whitney for his renowned success. USA Today's Reporter Jack Carey wrote, "At Alcorn State Coach Davey Whitney is proving not only that you can go home again, but you also can be darned successful once you get there." Whitney is surely a man worthy of recognition.

Coach Whitney is not only a successful coach but an accomplished family man. He and his wife of more than 40 years have reared a fine family of four daughters and one son, all of whom attended Alcorn State University. He is a member of the National Association of Coaches, the Mississippi Association of Coaches, the National Black Association of Coaches, and Alpha Phi Alpha Fraternity, Inc., just to name a few.

Mr. President, it is a great honor to pay tribute to Coach Davey L. Whitney for his athletic accomplishments and his dedication to the students of Alcorn State University. His efforts are both uplifting and encouraging. I ask my colleagues to join me in wishing Davey Whitney many more years of success.

**BUDGET SCOREKEEPING REPORT**

Mr. DOMENICI. Mr. President, I hereby submit to the Senate the budget scorekeeping report prepared by the Congressional Budget Office under Section 308(b) and in aid of Section 311 of the Congressional Budget Act of 1974, as amended. The report meets the requirements for Senate scorekeeping of Section 5 of S. Con. Res. 32, the First Concurrent Resolution on the Budget of 1986.

This report shows the effects of congressional action on the budget

through July 14, 1999. The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S. Res. 209, a resolution to provide budget levels in the Senate for purposes of fiscal year 1999, as amended by S. Res. 312. The budget levels have also been revised to include adjustments made on May 19, 1999, to reflect the amounts provided and designated as emergency requirements. The estimates show that current level spending is above the budget resolution by \$0.4 billion in budget authority and above the budget resolution \$0.2 billion in outlays. Current level is \$0.2 billion above the revenue floor in 1999. The current estimate of the deficit for purposes of calculating the maximum deficit amount is \$56.1 billion, \$0.1 billion above the maximum deficit amount of 1999 of \$56.0 billion.

Since my last report, dated June 21, 1999, the Congress has taken no action that changed the current level of budget authority, outlays, and revenues.

I ask unanimous consent to have a letter accompanying the report and the budget scorekeeping report printed in the RECORD.

There being no objection, the letter and report were ordered to be printed in the RECORD, as follows:

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, July 15, 1999.

Hon. PETE V. DOMENICI,  
Chairman, Committee on the Budget,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the 1999 budget and is current through July 14, 1999. The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S. Res. 209, a resolution to provide budget levels in the Senate for purposes of fiscal year 1999, as amended by S. Res. 312. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

Since my last report, dated June 17, 1999, the Congress has taken no action that changed the current level of budget authority, outlays, and revenues.

Sincerely,  
BARRY B. ANDERSON  
(For Dan L. Crippen, Director).

Enclosures.

TABLE 1.—FISCAL YEAR 1999 SENATE CURRENT LEVEL REPORT, AS OF CLOSE OF BUSINESS, JULY 14, 1999  
(In billions of dollars)

	Budget resolution S. Res. 312 (Adjusted)	Current level	Current level over/under resolution
<b>ON-BUDGET</b>			
Budget Authority .....	1,465.3	1,465.7	0.4
Outlays .....	1,414.9	1,415.2	0.2
Revenues:			
1999 .....	1,358.9	1,359.1	0.2
1999-2003 .....	7,187.0	7,187.7	0.7
Deficit .....	56.0	56.1	0.1
Debt Subject to Limit .....	( <sup>1</sup> )	5,536.1	( <sup>2</sup> )
<b>OFF-BUDGET</b>			
Social Security Outlays:			
1999 .....	321.3	321.3	0.0
1999-2003 .....	1,720.7	1,720.7	0.0
Social Security Revenues:			
1999 .....	441.7	441.7	( <sup>3</sup> )

TABLE 1.—FISCAL YEAR 1999 SENATE CURRENT LEVEL REPORT, AS OF CLOSE OF BUSINESS, JULY 14, 1999—Continued

(In billions of dollars)			
	Budget resolution S. Res. 312 (Adjusted)	Current level	Current level over/under resolution
1999-2003 .....	2,395.6	2,395.5	-0.1

<sup>1</sup> Not included in S. Res. 312.  
<sup>2</sup> =not applicable.  
<sup>3</sup> Less than \$50 million.

Note.—Current level numbers are the estimated revenue and direct spending effects of all legislation that the Congress has enacted or sent to the President for his approval. In addition, full-year funding estimates under current law are included for entitlement and mandatory programs requiring annual appropriations even if the appropriations have not been made. The current level of debt subject to limit reflects the latest information from the U.S. Treasury.

Source: Congressional Budget Office.

TABLE 2.—SUPPORTING DETAIL FOR THE FISCAL YEAR 1999 ON-BUDGET SENATE CURRENT LEVEL REPORT, AS OF CLOSE OF BUSINESS, JULY 14, 1999  
(In millions of dollars)

	Budget authority	Outlays	Revenues
<b>ENACTED IN PREVIOUS SESSIONS</b>			
Revenues .....			1,359,099
Permanents and other spending legislation .....	919,197	880,664	
Appropriation legislation .....	820,578	813,987	
Offsetting receipts .....	-296,825	-296,825	
Total previously enacted .....	1,442,950	1,397,826	1,359,099
<b>ENACTED THIS SESSION</b>			
1999 Emergency Supplemental Appropriations Act (P.L. 106-31) .....	11,348	3,677	
1999 Miscellaneous Trade and Technical Corrections Act (P.L. 106-36) .....			5
<b>ENTITLEMENTS AND MANDATORIES</b>			
Budget resolution baseline estimates of appropriated entitlements and other mandatory programs not yet enacted .....	11,393	13,661	
<b>TOTALS</b>			
Total Current Level .....	1,465,691	1,415,164	1,359,104
Total Budget Resolution .....	1,465,294	1,414,916	1,358,919
Amount remaining:			
Under Budget Resolution .....		397	
Over Budget Resolution .....		248	185

Note.—Estimates include the following in emergency funding: \$34,226 million in budget authority and \$16,802 million in outlays.

Source: Congressional Budget Office.

**PRESIDENT CLINTON'S EXECUTIVE ORDER TO INCREASE ENERGY EFFICIENCY IN THE FEDERAL GOVERNMENT**

Mr. KERRY. Mr. President, I would like to speak for just few minutes today in support of President Clinton's Executive Order of June 3, 1999, which ordered the Federal Government to undertake a comprehensive program to save energy, save money and cut pollution.

The Federal Government is the nation's largest consumer of energy, purchasing energy to light, heat and cool more than 500,000 buildings and power millions of vehicles. Each year the Federal Government purchases more than \$200 billion worth of products, including enormous quantities of energy-intensive goods. Current efficiency programs already save more than \$1 billion a year according to an estimate in